

Journal of the House

NINETY-FIRST GENERAL ASSEMBLY
of the
STATE OF MISSOURI
FIRST REGULAR SESSION

FIRST DAY, WEDNESDAY, JANUARY 3, 2001

The House was called to order at twelve o'clock noon by the Honorable Rebecca McDowell Cook, Secretary of State.

Prayer by Father David Buescher.

God, You are law and love, justice and mercy, thought and action. Assemble this august House. A new legislative session begins today. In Your plan, these men and women have been called to represent the diverse citizens of our noble state. Many thoughts, desires, and emotions fill this Chamber today - anticipation and apprehension, delight and reservation, joy and fear, plans and ideas. As they pray for even more compelling leadership skills to carry out their mission, fill them with inventive wisdom and enterprising effectiveness to carry them through the inevitable disagreements. Let their deliberations craft material and spiritual increase for all. With You they begin. In You may they gain their true objectives. Amen.

The Pledge of Allegiance to the flag was recited.

ADDRESS BY SECRETARY OF STATE BEKKI COOK

It is my honor to welcome you today as we open a new session of the House of Representatives and begin the 91st Missouri General Assembly.

I would like to extend a special welcome to the families of the members being sworn in today. I know all of you are very proud – as well you should be.

You should also be honored. Each member here today has been elected to represent 32,000 Missourians. That is not only a great honor but also a tremendous responsibility – and a wonderful opportunity. I hope each of you makes the most of this opportunity to serve.

This body is made up of 163 different men and women -- of all ages, from all professions, religious denominations, family and economic backgrounds. You come from all parts of the state with the responsibility to represent all the people in your districts.

This diversity can lead to disagreements and conflict over issues. But those differences and conflicts are eventually overshadowed by the realization that each of you has shared the honor of being elected by the people.

Ultimately, diversity makes this House a stronger body and makes your decisions more reflective of Missouri values.

The oath you are about to take from Chief Justice Price will place you in a select group. With the new members being sworn in today for the first time, there will have been six thousand five hundred and two men and women who have served in the House of Representatives since Missouri became a state in 1821.

That's pretty impressive.

But before you start thinking about how important you are because of your membership in the Missouri House club, keep in mind that any importance you have comes from the office you hold.

You hold a very important office. When you represent your district well and respect the views of your colleagues, you honor the importance of your office. And you honor the traditions of this great institution.

Congratulations and good luck. May God be with each of you as you work together to improve the lives of Missouri families.

COMMUNICATION FROM THE SECRETARY OF STATE

To the Honorable House of Representatives of the 91st General Assembly, First Regular Session, of the State of Missouri:

In compliance with Section 115.525, Revised Statutes of Missouri 1994, I have the honor to lay before you herewith a list of the names of the members of the House of Representatives for the 91st General Assembly (First Regular Session) of the State of Missouri, elected at the General Election held on the 7th day of November, 2000.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the official seal of my office this 2nd day of January, 2001.

/s/ Rebecca McDowell Cook
SECRETARY OF STATE

MISSOURI HOUSE OF REPRESENTATIVES 91st General Assembly, First Regular Session

District	Name
1st	Sam Berkowitz
2nd	Robert J. (Bob) Behnen
3rd	David G. Klindt
4th	Rex Barnett
5th	Dan Hegeman
6th	Randall H. Relford
7th	Jewell D. H. Patek
8th	Gary Wiggins
9th	Wes Shoemyer
10th	Robert Clayton
11th	Phil Smith
12th	Bill Luetkenhaus
13th	Jon Dolan
14th	Cindy Ostmann
15th	Thomas S. Green
16th	Carl L. Bearden
17th	Bruce W. Holt
18th	Tom Dempsey
19th	Charles F. Nordwald

20th	Danielle (Danie) Moore
21st	Ted Farnen
22nd	Nancy Copenhaver
23rd	Timothy Harlan
24th	Chuck Graham
25th	Vicky Riback Wilson
26th	Jim Seigfreid
27th	Glenda Kelly
28th	Charlie Shields
29th	Maurice Lawson
30th	Meg Harding
31st	Bill Skaggs
32nd	Susan Phillips
33rd	Philip O. Willoughby
34th	Annie Reinhart
35th	Luann Ridgeway
36th	Gary Kelly
37th	Sharon Sanders Brooks
38th	Tim Van Zandt
39th	Marsha Campbell
40th	Henry C. Rizzo
41st	Melba J. Curls
42nd	Yvonne S. Wilson
43rd	Vacancy (due to resignation of Terry M. Riley)
44th	Jenee Lowe
45th	Cathy Jolly
46th	Thomas J. Hoppe
47th	Pat Kelley
48th	Bill Boucher
49th	Ralph A. Monaco
50th	Carol Jean Mays
51st	Dennis Bonner
52nd	Connie J. Cierpiot
53rd	Richard (Dick) Franklin
54th	Don Lograsso
55th	Carson Ross
56th	Matt Bartle
57th	O. L. Shelton
58th	Louis H. Ford
59th	Russ Carnahan
60th	Amber (Holly) Boykins
61st	Connie (LaJoyce) Johnson
62nd	Charles Quincy Troupe
63rd	Maida Coleman
64th	Bob Hilgemann
65th	Derio Gambaro
66th	Harry Kennedy
67th	Patrick Dougherty
68th	James P. O'Toole
69th	Juanita Head Walton
70th	John L. Bowman
71st	Esther Haywood
72nd	Betty L. Thompson
73rd	Timothy P. Green

74th	Thomas (Tom) George
75th	Mary M. Hagan-Harrell
76th	Lana Ladd Baker
77th	David L. Reynolds
78th	Michael J. Reid
79th	Patrick J. O'Connor
80th	John J. Hickey
81st	James Michael Foley
82nd	David L. Levin
83rd	Barbara Fraser
84th	Joan Bray
85th	Christopher A. (Chris) Liese
86th	Jane Cunningham
87th	Catherine L. Hanaway
88th	Neal C. St. Onge
89th	William (Bill) Linton
90th	Richard K. (Rick) Johnson
91st	Kathlyn Fares
92nd	Charles R. Portwood
93rd	Patricia (Pat) Secrest
94th	Richard G. Byrd
95th	Jim Murphy
96th	Joseph L. Treadway
97th	Carl H. Hendrickson
98th	May Scheve
99th	Catherine S. Enz
100th	Joan Barry
101st	Kate Hollingsworth
102nd	Ryan Glennon McKenna
103rd	Mark C. Abel
104th	Wes Wagner
105th	Harold R. Selby
106th	Tom Burcham
107th	Dan Ward
108th	Thomas Albert Villa
109th	John E. Griesheimer
110th	Francis Overschmidt
111th	Jim Froelker
112th	Merrill Townley
113th	W. W. (Bill) Gratz
114th	Carl M. Vogel
115th	Blaine Luetkemeyer
116th	Steve Henderson
117th	Larry Crawford
118th	Matt Boatright
119th	Delbert L. Scott
120th	Shannon Cooper
121st	Deleta Williams
122nd	D. J. Davis
123rd	Ed Hartzler
124th	Rex Rector
125th	Jerry R. King
126th	Martin (Bubs) Hohulin
127th	Steve Hunter

128th	Gary Burton
129th	Chuck Surface
130th	Gary Marble
131st	Sam Gaskill
132nd	Linda Bartelsmeyer
133rd	Ronnie Miller
134th	Norma (Aunt Norma) Champion
135th	Roy W. Holand
136th	B. J. Marsh
137th	Mark Wright
138th	Craig Hosmer
139th	Brad Roark
140th	Charlie Ballard
141st	Judy Berkstresser
142nd	Jim Kreider
143rd	Estel Boyd Robirds
144th	Van Kelly
145th	Ken Legan
146th	Beth Long
147th	Mark Hampton
148th	Bill L. Ransdall
149th	Bob May
150th	Frank A. Barnitz
151st	Chuck Purgason
152nd	Wayne Crump
153rd	Don Koller
154th	Mark L. Richardson
155th	Patrick Naeger
156th	Rod Jetton
157th	David Schwab
158th	Jason G. Crowell
159th	Robert (Rob) Mayer
160th	Peter Myers
161st	Lanie Black
162nd	Denny J. Merideth, III
163rd	Phillip Britt

The following roll call indicated a majority of the Representatives present:

AYES: 161

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan

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Dougherty	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Klindt	Koller	Kreider	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Patek	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 001

Vogel

VACANCIES: 001

The following Representatives advanced to the bar and subscribed to the oath of office, which was administered by the Honorable William Ray Price Jr., Chief Justice of the Missouri Supreme Court.

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Dougherty	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Klindt	Koller	Kreider	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Patek	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Wagner	Walton	Ward

Wiggins
Wright

Williams

Willoughby

Wilson 25

Wilson 42

NOMINATIONS FOR TEMPORARY SPEAKER

Representative Kelly (27) nominated Representative Ted Farnen for temporary Speaker of the House.

Representative Wilson (42) seconded the nomination.

Representative Luetkemeyer nominated Representative Ken Legan for temporary Speaker of the House.

Representative Reinhart seconded the nomination.

Representative Monaco moved that nominations cease.

Which motion was adopted.

A vote was called for temporary Speaker of the House by casting a green vote for Representative Farnen and a red vote for Representative Legan.

AYES: 086

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Coleman	Copenhaver	Crump	Curls	Davis
Dougherty	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Haywood	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Kelly 27	Kelly 36	Kennedy	Koller
Kreider	Lawson	Liese	Lowe	Luetkenhaus
Mays 50	McKenna	Merideth	Monaco	O'Connor
O'Toole	Overschmidt	Ransdall	Relford	Reynolds
Rizzo	Scheve	Seigfreid	Selby	Shelton
Shoemyer	Skaggs	Smith	Thompson	Treadway
Troupe	Van Zandt	Villa	Wagner	Walton

Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42				

NOES: 074

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Froelker	Gaskill	Griesheimer
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Hunter	Jetton	Kelley 47
Kelly 144	King	Klindt	Legan	Levin
Linton	Lograsso	Long	Luetkemeyer	Marble
Marsh	May 149	Mayer	Miller	Moore
Murphy	Myers	Naeger	Nordwald	Ostmann
Patek	Phillips	Portwood	Purgason	Rector
Reinhart	Richardson	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Secrest	Shields
St. Onge	Surface	Townley	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 002

Reid	Vogel
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VACANCIES: 001

The Chair ruled that Representative Farnen was elected temporary Speaker of the House.

The following committee was appointed to escort Representative Farnen to the dais: Representatives Shelton, Reynolds, Hickey, Clayton, Campbell, Copenhaver, Long, Griesheimer, Legan and Portwood.

Representative Farnen assumed the Chair.

NOMINATIONS FOR SPEAKER

Representative Foley nominated Representative Jim Kreider for Speaker of the House.

Representative Boykins seconded the nomination.

Representative Naeger nominated Representative Catherine Hanaway for Speaker of the House.

Representative Bartle seconded the nomination.

Representative Monaco moved that nominations cease.

Which motion was adopted.

A vote was called for Speaker of the House by casting a green vote for Representative Kreider and a red vote for Representative Hanaway.

AYES: 086

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Coleman	Copenhaver	Crump	Curls	Davis
Dougherty	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Haywood	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Kelly 27	Kelly 36	Kennedy	Koller
Kreider	Lawson	Liese	Lowe	Luetkenhaus
Mays 50	McKenna	Merideth	Monaco	O'Connor
O'Toole	Overschmidt	Ransdall	Relford	Reynolds
Rizzo	Scheve	Seigfreid	Selby	Shelton
Shoemyer	Skaggs	Smith	Thompson	Treadway
Troupe	Van Zandt	Villa	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42				

NOES: 075

Ballard	Barnett	Bartelsmeyer	Battle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Froelker	Gaskill	Griesheimer
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Hunter	Jetton	Kelley 47
Kelly 144	King	Klindt	Legan	Levin
Linton	Lograsso	Long	Luetkemeyer	Marble
Marsh	May 149	Mayer	Miller	Moore
Murphy	Myers	Naeger	Nordwald	Ostmann
Patek	Phillips	Portwood	Purgason	Rector
Reid	Reinhart	Richardson	Ridgeway	Roark
Robirds	Ross	Schwab	Scott	Secrest
Shields	St. Onge	Surface	Townley	Wright

PRESENT: 000

ABSENT WITH LEAVE: 001

Vogel

VACANCIES: 001

The Chair ruled that Representative Kreider was elected Speaker of the House.

The following committee was appointed to escort Representative Kreider to the dais: Representatives Hickey, Thompson, Wiggins, Willoughby, Barry, Bonner, Ridgeway, Ostmann, Murphy and Marsh.

Representative Kreider subscribed to the oath of office which was administered by the Honorable Ann Covington, Justice of the Supreme Court.

Speaker Kreider assumed the Chair.

ADDRESS BY SPEAKER JIM KREIDER

Thank you...honored guests, fellow colleagues, ladies and gentleman...

Like all good representatives, I would like to start off on the right foot by first recognizing the importance of home...

Please give a warm welcome to my family: My lovely bride of 24 years, Debbie, and my daughters, Lacey and Neeley...who couldn't be with us today.

And let's give all our families and constituents across this state a sincere round of applause for making this job worth doing!

For those of you who don't know -- I'm Jim Kreider...from Christian County, still the fastest growing county in the state of Missouri.

I am truly humbled by the honor of serving as Speaker of the House of Representatives...The House of the people of the great state of Missouri.

As I see it, the job of Speaker, contrary to the title, is the job of a listener. It is a job of one who hears the voices of the people through you -- the members of this body.

In my opinion, the Speaker is someone who helps you lift up the collective hopes, dreams, and aspirations of our citizens... and provides their families and children with an opportunity to make those dreams a reality.

As public servants, we are each charged with a tremendous responsibility -- the responsibility of representing the best interests of nearly thirty-five thousand Missourians...each

With all those diverse viewpoints, it's easy for the average Missourian to feel as if their voice is falling on deaf ears...It is our responsibility to see to it that this doesn't happen.

It is not necessarily those with the loudest voice that have the greatest need.
...Often, the softest voice is the one that should guide our actions.

It's the voice of our children...It's the voice of our seniors... It's the voice of our working families...
And to all of these people, I am here today to say, "we hear you"...

To the teachers who have been asked to do more with less pay -- we hear you...

To the students in overcrowded classrooms, receiving less than a quality education.

To the thousands of senior citizens who face a decision between putting food on the table and getting the prescription medications that could help them live longer, healthier lives -- we hear you.

To the business owners, farmers, workers and families whose livelihood and safety are threatened by an aging and outdated transportation system -- we hear you.

And most importantly, to the people of Missouri, who are tired of partisan bickering, gridlock and tear-down politics -- we hear you...loud and clear.

You, the citizens of Missouri, have done your part...you have elected us to represent you -- now it is our turn to make sure your voices are heard...

It is a new session...a new beginning...with new expectations...but old responsibilities...

Over the next 2 years, we must remember to preserve the integrity of the legislative process.

We must remember to treat each other with respect, whether you're a newly elected member or serving your last term.

And we must remember to honor the traditions set forth by this body over the past 180 years.

To do otherwise would mean betraying the trust of those who bestowed upon us the privilege to serve.

If we can work together and find common ground while listening to the voices of those we were elected to serve, then the next two years will be successful regardless of how many new laws are passed.

As your Speaker, I extend my hand to every duly elected representative on both sides of the aisle...

Each of you deserves the opportunity to have the voices of your constituents heard...

And as long as we can focus our efforts on carrying out the will of the people of our state, the Missouri House of Representatives will continue to be "The House of the People".

And their will, will remain the supreme law.

Thank You...Now let's get to work.

NOMINATIONS FOR SPEAKER PRO TEM

Representative Skaggs nominated Representative Mark Abel for Speaker Pro Tem.

Representative McKenna seconded the nomination.

Representative Shields nominated Representative Pat Naeger for Speaker Pro Tem.

Representative Lograsso seconded the nomination.

Representative Monaco moved that nominations cease.

Which motion was adopted.

A vote was called for Speaker Pro Tem of the House by casting a green vote for Representative Abel and a red vote for Representative Naeger.

AYES: 086

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Coleman	Copenhaver	Crump	Curls	Davis
Dougherty	Farnen	Foley	Ford	Franklin

Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Haywood	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Kelly 27	Kelly 36	Kennedy	Koller
Lawson	Liese	Lowe	Luetkenhaus	Mays 50
McKenna	Merideth	Monaco	O'Connor	O'Toole
Overschmidt	Ransdall	Relford	Reynolds	Rizzo
Scheve	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Villa	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 075

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Froelker	Gaskill	Griesheimer
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Hunter	Jetton	Kelley 47
Kelly 144	King	Klindt	Legan	Levin
Linton	Lograsso	Long	Luetkemeyer	Marble
Marsh	May 149	Mayer	Miller	Moore
Murphy	Myers	Naeger	Nordwald	Ostmann
Patek	Phillips	Portwood	Purgason	Rector
Reid	Reinhart	Richardson	Ridgeway	Roark
Robirds	Ross	Schwab	Scott	Secrest
Shields	St. Onge	Surface	Townley	Wright

PRESENT: 000

ABSENT WITH LEAVE: 001

Vogel

VACANCIES: 001

The Chair ruled that Representative Abel was elected Speaker Pro Tem of the House.

The following committee was appointed to escort Representative Abel to the dais: Representatives Selby, McKenna, Wagner, Hollingsworth, Ward, Johnson (90), Ross, Black, Surface and Richardson.

Representative Abel subscribed to the oath of office which was administered by Judge Dennis Kehm, Circuit Judge of the 23rd Judicial Circuit in Hillsboro, Missouri.

Speaker Pro Tem Abel assumed the Chair.

ADDRESS BY SPEAKER PRO TEM MARK ABEL

Thank you very much for the honor you have bestowed upon me today to serve as an officer of your House of Representatives.

I also want to thank Judge Dennis Kehm for swearing me in. Judge Kehm is a leader in our state in the area of juvenile justice. He is committed to turning around the lives of those young people who come before him. I thank him as a judge and friend.

Missouri government looks much like our national government. Those who formed our republic created the three branches of government. Within the legislative branch is a body that is closest to those who give their consent to be governed. That is the House of Representatives...the people's house. We are closest to those we represent...and we ask for their votes more often.

We are the legislators most accountable to the people...and this year they put their trust and confidence in us to represent them in this...the greatest body.

Today, I have taken two oaths. In order to take the first, I had to stand for and win election. To accomplish that, you know it takes a lot of people helping along the way. I am lucky to have some of those people here with me today. I have my very good friends and members of my family who have worked for me without hesitation. I would like to recognize them for all they have done.

I particularly want to recognize the person who has stood by me, defended me, and has agreed to share me with you and my constituents, my wife and best friend Cheryl.

The second oath I have just taken is as an officer of this house. For that...you must stand for election among your colleagues. I want to thank my democratic caucus for its nomination and all of the members for your support. I will work hard to be worthy of this honor.

I would also like to recognize those who will be working with you during this session, my good friend and boss, Dona Towne and my new administrative assistant, Sarah Madden. All of us will help you whenever and however we can.

My first obligation is to those who have sent me here from that beautiful place along the Mississippi River...Jefferson County. I'm sure my constituents are like yours. They want an education system that will give their children the skills and knowledge that they need to be good and productive citizens; universities and colleges that will provide the opportunity to reach whatever heights they wish to attain.

They want to feel safe in their homes and on their streets. They want safe roads to drive on...so when they go to bed...their young drivers are as safe as possible.

They want to see a doctor when they are sick...and have access to our great medical facilities without depleting their bank accounts.

Our seniors and disabled want the medicine they need...and not at the expense of meals or heat or rent. They also want a life of dignity...that means being able to live independently as long as possible.

My constituents want jobs for themselves and for others to foster a growing economy for generations to follow. And...they want to be left to make their own decisions about their lives.

I could go on about the wants and needs of our neighbors, our friends and our families. They are concerned, and they share their hard earned money with us so that we can do those things that we need to do. But they expect us to spend their money like it is our own...wisely and efficiently.

My second obligation is to all of you. That means I have to look at the state as a whole. The diversity in this chamber makes us look like a snapshot of all Missouri...and therein lies our strength. Your constituents' needs are also important to me.

We must revitalize our urban centers, provide more opportunities for those left behind, maintain our rural heritage and way of life, keep alive the agricultural communities, and help the new growth areas of our state.

I was born in a small town where I still live. I have been neighbors with farmers, seen my family go to the factory to work each day, watched the growing pains of my county and realized the importance of the city to the north on which many depended for their livelihood.

I will work with each one of you here to make this state all it can be. I will try to be fair...but when I am in this chair I want us to work. We should provide for full and open debate on every issue, but we should keep in mind that we have much to do and so little time to do it. Time not well used is time that is depriving our constituents of those things that they expect us to accomplish.

We are political people...that will not change. But most of those we represent are not...never forget that they come first.

My father suffered a massive stroke nearly six years ago. I wish he were here today. He'd be proud. But he has lost his ability to speak...and his ability to think normally is gone. There came a point where things needed to be done on his behalf that he could not do himself, so I received the power of attorney for my father.

He has placed his trust in me to speak for him and to make decisions on his behalf for his well-being. All of those decisions may not have been right, or what he would have done himself. But I have done everything the way I feel he would have wanted it done and in the way that will make life better for him. I do that for him because I love him and respect him.

We have much of that same authority granted to us by our constituents. I try and take that same responsibility in this job...to do for the people what I think they will want me to do and what will make their lives better. I try and never forget who sent me here and what they expect from me.

And I will not forget who put me in this position and what you expect from me.

Thank you.

Speaker Kreider resumed the Chair.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: James Lucas Houchin, Aubrey Erwin, Conner Erwin, Amos Blevins, the Weaver Family, the Strong Family, Ina Boon, Dr. Norvella Hickman, Sloane Alexandria Bowman, Peyton Elizabeth Bowman, Myrtle Steward, Herbert Steward, Deniece Steward, Grace Morgan, Herman Morgan, Mayor Erroll Bush, Chief Sylvester Jones, Shirley Johnson, David Tolliver, Lew Moye and Edward Bell.

RESOLUTIONS

Representative Crump offered **House Resolution No. 1.**

HOUSE RESOLUTION NO. 1

BE IT RESOLVED, that the Rules of the House of Representatives of the Ninetieth General Assembly, and all amendments thereto, be the temporary Rules of the House of Representatives, Ninety-first General Assembly, until or unless otherwise ordered.

On motion of Representative Crump, **House Resolution No. 1** was adopted by the following vote:

AYES: 159

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Dougherty	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Klindt	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Patek	Phillips	Portwood	Purgason

Ransdall	Rector	Reid	Reinhart	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Relford	Vogel	Wiggins
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VACANCIES: 001

The Speaker appointed the following to serve on the Rules, Joint Rules and Bills Perfected and Printed Committee: Chairman Crump; Vice Chairman Foley; Representatives Abel, Hickey, Kelly (27), Johnson (61), Lograsso, Shields, Hanaway, Naeger and Luetkemeyer.

Representative Crump offered **House Resolution No. 2.**

HOUSE RESOLUTION NO. 2

BE IT RESOLVED, that the Rules of the House of Representatives be suspended and the following be elected permanent officers of the House of Representatives of the Ninety-first General Assembly.

Chief Clerk.....	Ted Wedel
Doorkeeper.....	Carl Strader
Sergeant-at-Arms.....	Ralph Robinett
Chaplains.....	Fr. David Buescher and Rev. Rudy Beard

On motion of Representative Crump, Rule 63 was suspended and **House Resolution No. 2** was adopted by the following vote:

AYES: 161

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Dougherty	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Klindt	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Patek	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 001

Vogel

VACANCIES: 001

OATH OF OFFICE

The following officers subscribed to the oath of office, which was administered by the Honorable Jim Kreider, Speaker of the House.

Chief Clerk.....Ted Wedel
Doorkeeper.....Carl Strader
Sergeant-at-Arms.....Ralph Robinett
Chaplains.....Fr. David Buescher and Rev. Rudy Beard

Representative Crump offered **House Resolution No. 3.**

HOUSE RESOLUTION NO. 3

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-first General Assembly inform the Senate that the House is duly convened and is now in session ready for consideration of business.

BE IT FURTHER RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-first General Assembly is hereby instructed to inform the Senate that the House of Representatives is now duly organized with the following officers to wit:

Speaker.....Jim Kreider
Speaker Pro TemMark Abel
Chief Clerk.....Ted Wedel
Doorkeeper.....Carl Strader
Sergeant-at-Arms.....Ralph Robinett
Chaplains.....Fr. David Buescher and Rev. Rudy Beard

On motion of Representative Crump, Rule 63 was suspended and **House Resolution No. 3** was adopted by the following vote:

AYES: 160

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen

Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Dougherty
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Klindt	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Patek	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 002

Carnahan Vogel

VACANCIES: 001

Representative Crump offered House Resolution No. 4.

HOUSE RESOLUTION NO. 4

BE IT RESOLVED, that a message be sent to the Governor of the State of Missouri to inform His Excellency that the House of Representatives and the Senate of the Ninety-first General Assembly, First Regular Session of the State of Missouri, are now regularly organized and ready for business, and to receive any message or communication that His Excellency may desire to submit, and the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Crump, Rule 63 was suspended and **House Resolution No. 4** was adopted by the following vote:

AYES: 159

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Dougherty	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Klindt	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Long	Lowe

Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Patek	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Treadway	Troupe	Van Zandt	Villa	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Harlan Townley Vogel

VACANCIES: 001

Representative Crump offered **House Resolution No. 5.**

HOUSE RESOLUTION NO. 5

PROPOSED
91st GENERAL ASSEMBLY
RULES OF THE HOUSE

ORDER OF THE DAY AND CALENDAR

Time of Meeting.

Rule 1. The time of meeting by the House unless otherwise ordered, shall be 10:00 o'clock a.m.

Order of Business.

Rule 2. The first of each day, after the House is called to order, shall be employed as follows:

- (a) Prayer.
- (b) Pledge of Allegiance to American Flag.
- (c) Order of Business:
 - (i) Reading and approval of the Journal of the previous day's session.
 - (ii) Introduction and first reading of House Joint Resolutions.
 - (iii) Introduction and first reading of House Bills.
 - (iv) Second reading of House Bills and Joint Resolutions.
 - (v) Reports of standing committees.
 - (vi) Reports of special committees.
 - (vii) Bills, reports and other business on the table.
 - (viii) House Joint Resolutions to be perfected and printed.
 - (ix) House Bills to be perfected and printed.
 - (x) Third reading of House Joint Resolutions.
 - (xi) Third reading of House Bills.
 - (xii) Messages from the Senate.
 - (xiii) First reading of Senate Joint Resolutions and Senate Bills.
 - (xiv) Second reading of Senate Joint Resolutions and Senate Bills.
 - (xv) Third reading of Senate Joint Resolutions.
 - (xvi) Third reading of Senate Bills.
 - (xvii) Introduction of petitions, memorials, remonstrances and resolutions.
 - (xviii) Adoption of petitions, memorials, remonstrances and resolutions.
 - (xix) Such other orders of business as deemed necessary pursuant to law.

Headings in House Calendar.

Rule 3. There shall be provided on the House calendar the following divisions:

- (a) House Bills for second reading.
- (b) House Joint Resolutions for second reading.
- (c) House Bills to be perfected and printed.
- (d) House Joint Resolutions to be perfected and printed.
- (e) House Appropriation Bills to be perfected and printed.
- (f) House Revision Bills to be perfected and printed.
- (g) House Bills - Federal Mandate to be perfected and printed.
- (h) House Bills to be perfected and printed—laid over informally.
- (i) House Joint Resolutions to be perfected and printed—laid over informally.
- (j) House Appropriation Bills to be perfected and printed—laid over informally.
- (k) House Revision Bills to be perfected and printed—laid over informally.
- (l) House Bills - Federal Mandate to be perfected and printed—laid over informally.
- (m) House Bills to be agreed to and placed upon third reading and final passage.
- (n) House Joint Resolutions to be agreed to and placed upon third reading and final passage.
- (o) House Appropriation Bills to be agreed to and placed upon third reading and final passage.
- (p) House Revision Bills to be agreed to and placed upon third reading and final passage.
- (q) House Bills - Federal Mandate to be agreed to and placed upon third reading and final passage.
- (r) House Bills to be agreed to and placed upon third reading and final passage—laid over informally.
- (s) House Joint Resolutions to be agreed to and placed upon third reading and final passage—laid over informally.
- (t) House Appropriation Bills to be agreed to and placed upon third reading and final passage—laid over informally.
- (u) House Revision Bills to be agreed to and placed upon third reading and final passage—laid over informally.
- (v) House Bills - Federal Mandate to be agreed to and placed upon third reading and final passage—laid over informally.
- (w) House Bills reported out of committee by consent and placed upon Consent Calendar for Perfection.
- (x) House Bills perfected by consent to be agreed to and placed upon third reading and final passage.
- (y) Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed.
- (z) Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed—laid over informally.

- (aa) Rules Committee Calendar, House Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage.
- (bb) Rules Committee Calendar, House Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage—laid over informally.
- (cc) Rules Committee Calendar, Senate Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage.
- (dd) Rules Committee Calendar, Senate Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage—laid over informally.
- (ee) Senate Bills for second reading.
- (ff) Senate Joint Resolutions for second reading.
- (gg) Senate Bills for third reading and final passage.
- (hh) Senate Joint Resolutions for third reading and final passage.
- (ii) Senate Revision Bills for third reading and final passage.
- (jj) Senate Bills - Federal Mandate for third reading and final passage.
- (kk) Senate Bills for third reading and final passage—laid over informally.
- (ll) Senate Joint Resolutions for third reading and final passage—laid over informally.
- (mm) Senate Revision Bills for third reading and final passage—laid over informally.
- (nn) Senate Bills - Federal Mandate for third reading and final passage—laid over informally.
- (oo) Senate Bills for Third Reading and Final Passage—Consent Calendar.
- (pp) Courtesy Resolutions Calendar.
- (qq) House Resolutions and Concurrent Resolutions Calendar.
- (rr) Senate Concurrent Resolutions Calendar.
- (ss) Bills in Conference.
- (tt) House Bills with Senate Amendments.
- (uu) House Bills taken from Committee, as provided by the Constitution.
- (vv) Such other calendars as deemed necessary pursuant to law.

Orders of the Day.

Rule 3.5 Upon recess or adjournment the Majority Floor Leader shall advise the entire membership of the business anticipated to be conducted during the remainder of that legislative day and during the next legislative day.

OFFICERS

GENERALLY

Election; Oath; Compensation.

Rule 4. The House shall elect the following officers at the commencement of the first regular session of each general assembly: Its presiding officer, who shall be called Speaker of the House, a Speaker Pro Tem, a Chief Clerk, a Sergeant-at-Arms, a Doorkeeper and a Chaplain who shall hold office during all sessions until the convening of the succeeding General Assembly, unless sooner removed by a vote of the majority of the members. Each shall receive such compensation as may be provided for by law. Each shall take an oath to support the Constitution of the United States and of this State and to faithfully demean themselves in office and to keep the secrets of the House. Said oath shall be administered to the Speaker and Speaker Pro Tem by a Judge of the Supreme Court, Court of Appeals or a Circuit Court and by the Speaker to the other officers. All other officers of the House shall be appointed by the Speaker and receive such compensation as provided by law.

SPEAKER

Speaker to Call Members to Order.

Rule 5. The Speaker shall take the chair at the hour to which the House has been adjourned and immediately call the members to order, and on the appearance of a quorum, shall cause the journal of the preceding day to be read (unless otherwise ordered by the House), which may then be corrected by the House.

**Parliamentary Rulings;
Referral to Parliamentary Committee.**

Rule 6. Parliamentary rulings may be made only by the Speaker or the Speaker Pro Tem. At their option or at the request from a member of the Parliamentary Committee they may refer points of order to the Parliamentary Committee for an advisory opinion. In their absence rulings shall be made by a parliamentary committee. It shall be the duty of the chair when other than the Speaker or the Speaker Pro Tem to call the Parliamentary Committee at the time the point of order is raised and before any discussion on the point of order takes place. The Committee on Parliamentary Procedure shall be composed of the Speaker, the Majority Leader and the Minority Leader, or their designees.

Speaker May Speak on Points of Order.

Rule 7. The Speaker may speak on points of order in preference to other members, arising from his/her seat for that purpose, and shall decide questions of order, subject to an appeal to the House, upon which appeal no member shall speak more than once, except by leave of the House. No member shall inquire of another member nor debate with other members, points of order but shall address his/her remarks only to the chair.

Appeal from the Ruling of the Chair.

Rule 8. Should there be an appeal from any ruling of the chair, the question, "Shall the chair be sustained?" shall be immediately put and determined before the House proceeds to other business.

Speaker Has General Supervision of Hall.

Rule 9. The Speaker shall have general direction and supervision of the Hall and shall preserve decorum and order in the Hall.

Speaker Has Supervision over House Employees.

Rule 10. The Speaker shall have supervision and control over all employees of the House.

Speaker May Substitute Member to Perform Duties.

Rule 11. The Speaker may substitute any member to perform the duties of the Chair in the absence of the Speaker Pro Tem.

Speaker Shall Sign Bills.

Rule 12. The Speaker shall sign all bills, and perform all other duties in relation thereto, as required by the Constitution. He/she shall also sign all joint resolutions and addresses; and all writs, warrants and subpoenas issued by order of the House shall be under his/her hand, attested by the Clerk.

Speaker May Clear the Hall.

Rule 13. In case of disturbance or disorderly conduct in the lobbies or galleries, the Speaker, temporary Speaker or Chairman of the Committee of the Whole House shall have power to order the same cleared.

Manner of Putting Questions.

Rule 14. The Speaker shall rise to state and put questions. Questions shall be in the following form: As many as are in favor (by electric roll call) vote "Aye". As many as are opposed (if by electric roll call) vote "No". (Or if by voice vote say "Aye" or "No.")

OTHER OFFICERS

Speaker Pro Tem.

Rule 15. The Speaker Pro Tem shall perform the duties of Speaker during the sickness or absence of the Speaker, except while some member is discharging such duties as a substitute under Rule 11.

Chief Clerk.

Rule 16. It shall be the duty of the Chief Clerk to serve also as Chief Administrator of the House and to attend the House during its sittings. The Chief Clerk, under the direction of the Speaker, shall: prepare and keep the House Journal and seasonably record the proceedings of the House; keep regular files of House papers; attest all writs, warrants and subpoenas issued by order of the House; keep an account of all fines imposed by the House; maintain a record of the members' attendance; keep an account of the traveling and expense allowances of all the members; transmit to the Senate messages, communications, copies and documents of the House; keep a docket of proceedings on all bills, resolutions and acts; and execute the commands of the House from time to time.

Assistant Chief Clerk.

Rule 17. It shall be the duty of the Assistant Chief Clerk to assist the Chief Clerk in performing his/her duties. The Assistant Chief Clerk shall prepare the daily Journal, supervise the staff of the Chief Clerk, discharge the duties of the Chief Clerk in his/her absence and perform such other duties as may be assigned to him/her.

Reading Clerk.

Rule 18. The duties of the Reading Clerk shall be to attend the House during its sittings and to read to the House all bills, resolutions and communications, and to perform all such acts as are usually required in connection with his/her office, and said Clerk shall be appointed by the Speaker.

Doorkeeper.

Rule 19. It shall be the duty of the Doorkeeper subject to the orders of the Speaker to attend the sittings of the House. The Doorkeeper shall allow no person to come or remain within the bar except such as are admitted by the rules or orders of the House. He/she shall announce all messages or communications from the Governor or the Senate, and admit the bearer within the bar. He/she shall execute the commands of the Speaker, in relation to his/her duties, and shall obey such other orders as may be made by the House.

Sergeant-at-Arms.

Rule 20. It shall be the duty of the Sergeant-at-Arms to attend the House during its sittings; to execute the commands of the House from time to time, together with such process issued by authority thereof as shall be directed to him/her by the Speaker. He/she shall preserve order in the galleries and lobby and keep the entry to the aisle cleared during the session of the House.

Chaplain.

Rule 21. It shall be the duty of the Chaplain or a person designated by the Speaker to attend at the commencement of each day's sitting of the House, to open the sessions thereof with prayer, visit any member who may be sick, and to preach in the Hall of the House of Representatives whenever requested by a vote of the House.

Postmaster.

Rule 22. It shall be the duty of the Postmaster or Postmasters to receive and properly distribute the mail of the members and employees of the House and to perform such other duties as may be required of them. The Postmaster or Postmasters shall be appointed by the Speaker.

Employees.

Rule 23. The House may employ and the Speaker appoint such employees as are necessary and authorized by the Committee on Accounts, Operations and Finance. No person shall be initially hired by the House of Representatives who is related to any member of the House within the fourth degree, by consanguinity or by affinity.

COMMITTEES

By Whom Appointed; Composition of Membership.

Rule 24. All standing and statutory committees shall be appointed by the Speaker who, when appointing a committee, shall designate a member thereof as chairman, designate another member as vice-chairman and designate the total number of members to serve on each committee, except the minority members of each committee shall be appointed by the Minority Leader, subject to the final approval of the Speaker. The vice-chairman shall preside at all committee meetings in the absence of the chairman. The Speaker of the House, the Speaker Pro Tem, the Majority Floor Leader, the Assistant Majority Floor Leader, the Majority Whip, the Minority Floor Leader, the Assistant Minority Floor Leader and the Minority Whip shall be ex officio members of all committees of the House for the purpose of a quorum and discussion but shall have no vote unless they are duly appointed members of said Committee. The membership of all standing committees and of all other committees and commissions, unless otherwise provided by the act or resolution creating them, shall be composed, as nearly as may be, of majority and minority party members in the same proportion as the number of majority and minority party members in the House bears to the total membership of the House.

Kinds Of.

Rule 25. Committees shall be: A Committee of the Whole House, Standing Committees, and Special Committees.

Time of Sitting.

Rule 26. No committee shall sit during the session of the House without leave.

Standing Committees Enumerated.

Rule 27. The standing committees of the House shall be as follows:

1. Accounts, Operations, and Finance
2. Agri-Business
3. Agriculture
4. Appropriations-General Administration
5. Appropriations-Education and Public Safety
6. Appropriations-Natural and Economic Resources
7. Appropriations-Health and Mental Health
8. Appropriations-Social Services and Corrections
9. Banks and Financial Institutions
10. Budget
11. Children, Youth and Families
12. Civil and Administrative Law
13. Criminal Law
14. Commerce
15. Consumer Protection and Housing
16. Correctional and State Institutions
17. Education-Elementary and Secondary
18. Education-Higher
19. Elections
20. Environment and Energy
21. Federal-State Relations and Veterans Affairs
22. Fiscal Review

23. Governmental Organization and Review
24. Insurance
25. Judiciary
26. Labor
27. Local Government and Related Matters
28. Miscellaneous Bills & Resolutions
29. Motor Vehicle and Traffic Regulations
30. Municipal Corporations
31. Professional Registration and Licensing
32. Public Health
33. Public Safety and Law Enforcement
34. Retirement
35. Rules, Joint Rules, and Bills Perfected and Printed
36. Critical Issues
37. Social Services, Medicaid and the Elderly
38. State Parks, Natural Resources and Mining
39. Transportation
40. Tourism, Recreation and Cultural Affairs
41. Urban Affairs
42. Utilities Regulation
43. Ways and Means
44. Workers Compensation and Employment Security

The Speaker may appoint such special committees as he/she deems necessary. Any special committee shall have the authority and duties of a standing committee if so designated by the Speaker.

Duties of the Standing Committees.

Rule 28. (1) *Accounts, Operations, and Finance.*

(a) *Duties, generally.* The Committee on accounts, operations and finance shall superintend and have sole and complete control of all financial obligations and business affairs of the House except those employees appointed by or assigned to the Speaker, or assigned to the Budget Committee Chair, the Speaker Pro Tem, the Majority Floor Leader, the Minority Floor Leader and the Officers of the House. The committee shall provide for the receiving and receipt of all supplies, equipment and furnishings purchased for the account of the House, and shall further provide for the use and distribution thereof.

(b) *Funds for operation of members' individual offices.* The committee shall also prescribe rules governing the expenditure of funds allotted to individual members for the operation of their offices. Such rules shall be applied equally to, and shall require the equal treatment of, all members with regard to the expenditure of such funds. Subject to such rules, each member shall have discretion to expend such funds, for the use of his or her office, without the approval of the committee.

(c) *Allotment of offices, chamber seats, parking spaces.* Each member shall be allotted his or her own office, chamber seat and parking assignment. The committee shall assign all offices, chamber seats, and parking spaces under its control and reserved for members, according to seniority within each respective party caucus, except that no member shall be forced to give up his/her offices, chamber seat or parking space that he/she currently occupies. Notwithstanding any provision of this rule to the contrary, the committee may make assignments to House officers, the floor leaders and assistant floor leaders of each party, the Budget Committee Chairman, and the chairman and ranking minority member of the accounts committee, without respect to the seniority of those members.

(d) *Duties of Chief Clerk in Respect to Committee.* The Chief Clerk of the House may be authorized to act for the committee, but only in the manner and to the extent as may have been previously authorized by the committee. Such authorization shall be entered in the minutes of the committee.

The Chief Clerk shall maintain financial records for the House of Representatives in accordance with generally accepted accounting principles. The Chief Clerk of the House shall keep a detailed accounting of all transactions and shall furnish each member of the committee and the Speaker with a copy of such account on a monthly basis.

(2) *Agri-Business.* The Committee on Agri-Business may consider and report upon bills and matters referred to it relating to the protection, promotion and encouragement of agri-business in the state.

- (3) *Agriculture.* The Committee on Agriculture may consider and report upon bills and matters referred to it relating to the protection, promotion and encouragement of agriculture in this state.
- (4) *Appropriations-General Administration.* The Committee on Appropriations-General Administration shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Public Debt, Elected Officials, Office of Administration, the General Assembly, the Department of Revenue, and the Missouri Department of Transportation.
- (5) *Appropriations-Education and Public Safety.* The Committee on Appropriations-Education and Public Safety shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Elementary and Secondary Education, the Department of Higher Education, the Department of Public Safety and Judiciary.
- (6) *Appropriations-Natural and Economic Resources.* The Committee on Appropriations-Natural and Economic Resources shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Agriculture, the Department of Natural Resources, the Department of Economic Development, the Department of Insurance, the Department of Conservation and the Department of Labor and Industrial Relations.
- (7) *Appropriations-Health and Mental Health.* The Committee on Appropriations-Health and Mental Health shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Health and the Department of Mental Health.
- (8) *Appropriations-Social Services and Corrections.* The Committee on Appropriations-Social Services and Corrections shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Departments of Social Services and Corrections.
- (9) *Banks and Financial Institutions.* The Committee on Banks and Financial Institutions may consider and report upon bills and matters referred to it relating to banks, banking, savings and loans and other financial institutions.
- (10) *Budget.* The Committee on Budget shall have the responsibility of filing all appropriation bills, assigning of those bills to the appropriate appropriations committees and shall report upon all bills recommended to it by the respective appropriation committee and any other bills, measures, or questions referred to it pertaining to the appropriation and disbursement of public money.
- (11) *Children, Youth, and Families.* The Committee on Children, Youth and Families may consider, report upon and conduct ongoing study of bills and matters referred to it concerning the problems of children, youth and families including but not limited to income maintenance, health (including medical and child development research), nutrition, education, welfare, employment and recreation.
- (12) *Civil and Administrative Law.* The Committee on Civil and Administrative Law may consider and report upon bills and matters referred to it relating to civil and administrative laws and procedure.
- (13) *Criminal Law.* The Committee on Criminal Law may consider and report upon bills and matters referred to it relating to criminal laws and procedures.
- (14) *Commerce.* The Committee on Commerce may consider and report upon bills and matters referred to it relating to commerce, industrial growth, expansion and development.
- (15) *Consumer Protection and Housing.* The Committee on Consumer Protection and Housing may consider and report upon bills and matters referred to it relating to retail sales and practices, credit unions, consumers and housing.
- (16) *Correctional and State Institutions.* The Committee on Correctional and State Institutions may consider and report upon bills and matters referred to it relating to adult and juvenile penal and correctional problems, the administration of correctional institutions, the state penitentiary, state hospitals, charitable institutions, and other state properties.
- (17) *Elementary and Secondary Education.* The Committee on Elementary and Secondary Education may consider and report upon bills and matters referred to it relating to elementary and secondary education in this state, including teachers, financing, property, indebtedness and curriculum.
- (18) *Higher Education.* The Committee on Higher Education may consider and report upon bills and matters referred to it relating to higher education in the state, including teachers, financing, property, indebtedness and curriculum.
- (19) *Elections.* The Committee on Elections may consider and report upon bills and matters referred to it relating to elections and election contests involving members of the House.
- (20) *Environment and Energy.* The Committee on Environment and Energy may consider and report upon bills and matters referred to it relating to the development, use and conservation of energy and other energy related concerns; environmental impact and pollution, including natural resources such as air, water, solid waste; recovery of natural resources of all types and by all means, including environmental impact and public health and safety as it relates to these

issues.

(21) *Federal-State Relations and Veterans Affairs.* The Committee on Federal-State Relations and Veterans Affairs may consider and report upon bills and matters referred to it relating to the relationship between the Federal Government and the State of Missouri, veterans affairs, the promotion and strengthening of states rights and military and naval affairs of the state.

(22) *Fiscal Review.* (a) The Committee on Fiscal Review shall consider any bill, except appropriations bills, which requires net additional expenditure of state money in excess of \$100,000 or which reduces net state revenue by more than \$100,000 in any of the four fiscal years immediately following the effective date of the bill. Any such House bill, after having been perfected and ordered printed by the House shall be referred to the Committee on Fiscal Review for its consideration prior to the bill's submission to the House for third reading and final passage. Any House bill with Senate amendment(s) or any House bill with a Senate substitute which requires net additional expenditure of state money in excess of \$100,000 or which reduces net state revenue by more than \$100,000 in any of the four fiscal years immediately following the effective dates of the bill shall be referred to the Committee on Fiscal Review for its consideration prior to the bill's submission to the House. Any Senate or House bill amended so as to increase net expenditures or reduce net revenues shall, upon timely motion, be re-referred to the Committee on Fiscal Review. The primary sponsor or, in the case of a Senate bill, the floor handler, of a bill referred to the Committee on Fiscal Review shall be entitled to a hearing on the bill but such hearing shall be limited to the reception of testimony by the primary sponsor or floor handler, as the case may be, in person and none other. For the purpose of this rule, "net" is defined as the sum of revenues and expenditures, after reductions and increases brought about by a bill have been calculated. The Committee on Fiscal Review may, with the consent of the House Sponsor or Floor Handler, amend an effective date onto any bill referred to the Committee.

(b) The Committee on Fiscal Review shall report on any other bills, including those with unknown fiscal notes, measures or questions referred to it by the Speaker.

(23) *Governmental Organization and Review.* The Committee on Governmental Organization and Review may consider and report upon bills and matters referred to it relating to the reorganization, consolidation and abolition of boards, bureaus, commissions and other offices and departments of the state and local governments; the public buildings of the state, including the Division of Design and Construction, the Division of Facilities Management, the capitol grounds and the state and legislative library.

(24) *Insurance.* The Committee on Insurance may consider and report upon bills and matters referred to it relating to insurance and the improvement of insurance laws and the efficiency of the Department of Insurance.

(25) *Judiciary.* The Committee on Judiciary may consider and report upon all bills and matters referred to it relating to the judicial branch of the state, the practices and procedures of the courts of this state, and the ethics of public officials.

(26) *Labor.* The Committee on Labor may consider and report upon bills and matters referred to it relating to the conditions and interest of labor.

(27) *Local Government and Related Matters.* The Committee on Local Government and Related Matters may consider and report upon bills and matters referred to it relating to county courts and local government generally.

(28) *Miscellaneous Bills and Resolutions.* The Committee on Miscellaneous Bills and Resolutions may consider and report upon resolutions referred to it and upon any bill which, in the opinion of the Speaker, merits special consideration. Any resolution that is not a courtesy resolution will require action by the House as provided for by the House Rules.

(29) *Motor Vehicle and Traffic Regulations.* The Committee on Motor Vehicle and Traffic Regulations may consider and report upon bills and matters referred to it relating to motor vehicles and traffic regulations.

(30) *Municipal Corporations.* The Committee on Municipal Corporations may consider and report upon bills and matters referred to it relating to the organization, government and improvement of cities, towns, villages and other questions concerning municipal bodies.

(31) *Professional Registration and Licensing.* The Committee on Professional Registration and Licensing may consider and report upon bills and matters referred to it relating to boards, bureaus, and commissions that examine the qualifications of persons engaged in certain professions and occupations and the duties of such agencies and the persons registered by them.

(32) *Public Health.* The Committee on Public Health may consider and report upon bills and matters referred to it relating to the health of the people of the State of Missouri.

(33) *Public Safety and Law Enforcement.* The Committee on Public Safety and Law Enforcement may consider and report upon bills and matters referred to it relating to the safety of the people of the State of Missouri and to law enforcement.

(34) *Retirement.* The Committee on Retirement may consider and report upon bills and matters referred to it relating to the retirement and pensions of state and local officials and employees.

(35) *Rules, Joint Rules, and Bills Perfected and Printed.*

(a) *Duties, generally.* The Committee on Rules, Joint Rules, and Bills Perfected and Printed shall formulate and present for consideration the rules of the House; shall consider and report upon all propositions to amend or change the rules, which propositions shall stand referred without reading or consideration and without discussion, explanation, or debate to the Committee on Rules, Joint Rules, and Bills Perfected and Printed, and upon any bill which merits special consideration.

(b) *Duties related to printing and proofing bills.* The Committee shall supervise the printing of all bills ordered perfected and printed, insuring that procedures are followed in which all amendments to every such bill are incorporated therein before the bill is printed and the printed copies of the bill on the desks of the members are true and correct copies of the bill as ordered perfected and printed. The Committee shall also supervise the printing of all bills which are truly agreed to and finally passed, insuring that procedures are followed in which every truly agreed to and finally passed bill is a true copy of the bill as passed with clerical errors corrected. The Committee shall report to the House when any perfected or any truly agreed to and finally passed bill is printed under its supervision.

(c) *Duties relating to the issuance of courtesy resolutions.* A courtesy resolution is a non-controversial resolution in the nature of congratulations on the birth of a child, celebration of a wedding anniversary, sympathy on the death of an individual, congratulations on an outstanding citizen achievement or a similar event which is in the practice and procedure of the House to consider as a courtesy resolution. The Committee shall supervise the offering and issuance of all courtesy resolutions. While the House is in session, the resolutions that have been issued under the supervision of the Committee shall be printed in the House Journal by number and sponsor.

(d) *Petition to remove from perfection calendar.* Upon petition of two-thirds of the standing committee chairmen recommending a House Bill or Joint Resolution be removed from the regular perfection calendar and placed on the Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed, the Committee on Rules and Joint Rules shall have authority to consider and remove any House Bill or Joint Resolution from the regular perfection calendar and place it upon the Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed. And any bill so placed upon said calendar shall, after being perfected and printed be placed upon the Rules Committee Calendar, House Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage.

(e) *Petition to remove from third-reading calendar.* Upon petition of two-thirds of the standing committee chairmen, the Committee on Rules, Joint Rules and Bills Perfected and Printed shall have the authority to consider and remove, any Senate bill or Joint Resolution from the regular third reading calendar and place it upon the Rules Committee Calendar, Senate Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage. The Committee has the privilege of reporting at any time and the consideration of its report shall have precedence over all other business. Any bill placed upon the Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed, by the Committee on Rules and Joint Rules, may be recommitted to the Committee on Rules and Joint Rules by a Constitutional majority of the elected members, and if this occurs the bill shall be returned to its place on the Perfection Calendar from which it had been removed.

(36) *Critical Issues.* The Committee on Critical Issues may consider and report upon bills and matters referred to it relating to issues of a critical nature to State Government. The Committee will identify those issues and the options available that are most important to citizens and lawmakers and formulate legislation in a systematic and comprehensive manner and provide future planning and direction for a regular structured plan.

(37) *Social Services, Medicaid and the Elderly.* The Committee on Social Services, Medicaid and the Elderly may consider and report upon bills and matters referred to it relating to social services Medicaid, children's aid and the elderly.

(38) *State Parks, Natural Resources and Mining.* The Committee on State Parks, Natural Resources and Mining may consider and report upon bills and matters referred to it relating to state parks, fish and game, forestry, mines, water and other natural resources.

(39) *Transportation.* The Committee on Transportation may consider and report upon bills and matters referred to it relating to roads, highways, bridges, ferries, airports, railroads and other means of transportation.

(40) *Tourism, Recreation and Cultural Affairs.* The Committee on Tourism, Recreation and Cultural Affairs may consider and report upon all matters referred to it pertaining to the development and promotion of travel, tourism, recreation, the arts and cultural affairs.

(41) *Urban Affairs.* The Committee on Urban Affairs may consider and report upon bills and matters referred to it relating to city planning and other urban issues.

(42) *Utilities Regulation.* The Committee on Utilities Regulation may consider and report upon bills and matters referred to it relating to incorporation and regulations of utilities, including gas, electric, water, heating, sewer, cable television, and telephone and telegraph companies, as well as rural electric cooperatives.

(43) *Ways and Means*. The Committee on Ways and Means may consider and report upon bills and matters referred to it relating to the revenue and public debt of the state, and the interest thereon, and the administration of taxation and revenue laws. The Committee may also inquire into and suggest to the House such changes, if any, that should be made in respect to existing sources of revenues and such new sources of revenue, if any, that in the judgment of the Committee should be considered by the House.

(44) *Workers Compensation and Employment Security*. The Committee on Workers Compensation and Employment Security may consider and report upon bills and matters referred to it relating to the Workmen's Compensation Act, unemployment compensation and employment security.

Duties of Committee Chairman; Organization of Committee.

Rule 29. (a) *Duty to preside; not required to vote*. It is the duty of the chairman to preside at all sessions of the committee. He/she is not required to vote on any measures except in the case of a tie, but he/she may do so if he/she so desires.

(b) *When Chair is Absent*. In the absence of a chairman, the vice-chairman of the committee shall preside, and in his/her absence, a member appointed by the chairman.

(c) *Minute book*. The chairman shall see that a minute book is kept for his/her committee. The minute book shall contain the attendance and voting records of the committee members, a brief statement of the business that comes before the committee, the names of persons and witnesses appearing before the committee and what side of a proposition they appeared on behalf of at the committee hearing. The chief clerk shall be the repository of the minute book after each general assembly.

(d) *Bills, reports, and other documents*. The chairman shall have custody of all bills, papers and other documents referred to the committee and shall make reports authorized by the committee and submit the same to the House without delay.

(e) *Duty to preserve order*. The chairman, while the committee is in session, shall preserve order and decorum in and adjacent to the committee room and shall conduct all hearings in accord with the Rules of the House including the provisions that relate to decorum, debate and dress code. The chairman may punish breaches of order and decorum by censure and exclusion from the hearings.

(f) *When a Bill Fails*. Whenever a motion that a bill "Do Pass" shall fail, or if there be an even division on the question, the chairman shall report said bill back to the House "Do Not Pass" unless the bill is otherwise disposed of by another motion.

Committee Hearings.

Rule 30. All bills referred to committees shall be considered by giving the author, the proponents and the opponents a reasonable opportunity to be heard. Persons addressing the committee must keep their remarks to the point and avoid repetition and are subject to call to order by the chairman for failure to do so. In the discretion of the committee, the length of time allowed any one speaker may be limited.

Quorum.

Rule 31. A majority of all committees of 30 or less, and 15 members of all committees consisting of more than 30 members, shall constitute a quorum for the transaction of business.

Meetings—How Announced.

Rule 32. (a) *One Day's Notice and Journal Entry Required*. Announcement of all meetings of committees, other than meetings of the appropriations committees, shall include a statement of all matters to be considered at the meeting, shall be read from the clerk's desk at least one day prior to the meeting and shall be entered in the journal prior to the beginning of the meetings.

(b) *Posting of Agenda*. The chairman of each committee shall give written notice of the time, date, place and tentative agenda of all meetings, including executive sessions, of his/her committee and each committee having matters pending before it shall hold a meeting at such time, date and place unless excused by the Speaker of the House. Notice shall be given at least twenty-four hours prior to the meeting and shall include posting the notice on the bulletin board located

outside the Speaker's office.

(c) *When Notice Requirements May Be Waived.* For good cause meetings may be conducted on less than twenty-four hours' notice or at a place or time that is not convenient to the public. When for good cause it is necessary to hold a meeting on less than twenty-four hours' notice or at a place or time that is not convenient to the public, the nature of the good cause shall be stated in the committee's minutes.

Other Duties and Powers.

Rule 33. Each committee, in addition to the duty above prescribed, shall perform such other duties as may be required by the House. If it shall become necessary to compel the presence of any person before a committee or to receive sworn testimony before a committee, a subpoena may be issued under the hand of the Speaker as provided by law and an oath or affirmation may be administered by the chair of the committee as provided by law.

Attendance.

Rule 34. The secretary of each committee shall keep a record of the attendance at each committee meeting in the minute book of the committee, which shall be available to the Speaker on request. Any member of a committee absent, without good cause, from three consecutive meetings of the committee, as shown by the records of the committee, may be dropped therefrom by a statement to that effect entered into the House Journal by the Speaker. The roll shall be called by the chairman or secretary of a committee at each meeting.

Minority Views.

Rule 35. The minority of a committee may not make a report or present a proposition of legislation, but has the right to file views to accompany the report.

Committee Relieved of Bill—When.

Rule 36. No bill shall be taken away from any standing committee of the House, as provided by the Constitution, until after ten legislative days have expired after referral to the committee by the Speaker. If any bill is taken away from any committee by vote of one-third of the elected members of the House, as provided by the Constitution, then the bill shall be placed on a separate calendar, at the foot of the existing House Calendar, and shall not be taken up and considered by the House until all bills on the entire House calendar ahead of such bill have been disposed of by the House.

Election Contest.

Rule 37. Whenever there shall be filed with the Speaker a notice of contest of the election of a member of the House, he/she shall refer the same, without discussion, either to the standing Committee on Elections or a special committee appointed to hear the matter. Said committee shall examine the timeliness and sufficiency of the notice, the depositions and other documents submitted and report to the House its recommendations, whereupon the House shall act by resolution to sustain or reject the committee recommendations.

Ethics Committee; Complaints of Ethical Misconduct.

Rule 38. (a) *Committee Established.* The Speaker shall appoint a Committee on Ethics and name the committee's chair and vice-chair. The committee shall have an equal number of members of the majority and minority party. The minority members of the committee shall be appointed by the minority leader.

(b) *Committee Authority.* The Committee may consider and report upon complaints referred to it relating to a member of the House of Representatives involving the commission of a crime, misconduct, willful neglect of duty, corruption in office or other complaints relating to the ethical conduct of a member. The Committee is authorized to investigate such complaints and, after notice and a hearing conducted pursuant to Rules of Procedure established under this rule, to report to the House its findings, conclusions and recommendation. The Committee is further authorized to sit and act at any time or place within the State of Missouri during the recess and adjournment periods of the House, administer oaths, and take testimony, either orally or by sworn written statement.

(c) *Rules of Procedure.* Within 20 calendar days of the commencement of the first regular session of each general assembly, the Committee on Ethics shall adopt Rules of Procedure for the investigation of complaints of ethical misconduct referred to it involving a member of the House. The proposed Rules of Procedure shall be filed by the Committee in the form of a House Resolution with the Clerk of the House, reported in the Journal, and placed on the House Resolutions Calendar.

(d) *Receipt of Complaint; Investigation.* Upon receipt of a complaint, in writing and under oath, of ethical misconduct by a member of the House made by another member, the Speaker shall refer within 10 days the same, without discussion, to the Committee on Ethics. The complaint shall be confidential. The Committee shall examine the sufficiency of the complaint, and proceed to conduct an investigation as provided in the Committee's Rules of Procedure, if a majority of the Committee appointed so votes upon a roll call.

(e) *Report and Recommendations.* At the conclusion of the investigation, the Committee shall report its findings, conclusions, and recommendation to the House, whereupon the House shall act by resolution to sustain or reject the Committee recommendation. The Committee may recommend that the House expel the member as provided in Article III, Section 18 of the Missouri Constitution, or that the House punish the member as provided in Article III, Section 18 of the Missouri Constitution, by reprimand on the adoption of the resolution or by censure by the Speaker in open session.

(f) *Application of Standing Committee Rules to Ethics Committee.* All rules that pertain to standing committees of the House shall apply to the Committee on Ethics to the extent consistent with this rule and any rules of procedure adopted pursuant to paragraph (c) of this rule.

BILLS

Introduced; Manner of Setting Forth New and Old Material.

Rule 39. (a) *When.* Bills may be introduced only on the report of a committee or by any member of the House, in the regular order of business.

(b) *Manner of Printing.* Any bill shall have the matter which is being repealed from current law enclosed in bold-faced brackets and the matter which is being added to the law underscored when typewritten and in bold-faced type when printed. A footnote shall be annexed to the first page of each bill which contains material enclosed in bold-faced brackets to the following effect:

"Explanation--Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law."

Where a section is completely rewritten, the existing section shall be set forth in small type in bold-faced brackets in a note following the new section but the changes need not be distinguished. Any bill or substitute which does not comply with this rule shall not be placed upon the calendar.

(c) *Number of Copies Submitted.* Each bill shall be submitted in triplicate.

Number of Copies Printed.

Rule 40. One thousand copies of all House Bills and House Joint Resolutions shall be printed. The Chief Clerk may provide for the printing of a lesser or greater number if he/she deems it appropriate.

Reading by Title Sufficient.

Rule 41. The reading of a bill by its title shall be deemed sufficient reading unless the further reading be called for. If the further reading be called for and no objection made, the bill shall be read at length; if, however, objection be made, the question shall be determined by the majority of the House.

To Go Upon Calendar—When.

Rule 42. No House Bill shall be placed upon the calendar for second reading until the legislative day following the introduction and first reading of said bill.

**Timing of Placement on Calendar;
Federal Mandate Calendar.**

Rule 43. (a) When a bill is reported from the committee with the recommendation that it “do pass” or “without recommendation”, it shall go upon the calendar of the House. No bill shall be taken up for consideration by the House, prior to the first Monday in May, unless it has been upon the calendar for at least one legislative day.

(b) No bill shall be placed on the Federal Mandate Calendar unless it is federally mandated, immediate in nature and reduces revenues or savings if not enacted. A federal mandate bill may only contain subject matter concerning the federal mandate. A member wishing for his or her bill to be considered for placement on the Federal Mandate Calendar shall request such in writing to the Chair of the Committee where such bill has been assigned. The written request should state the deadline with which the state must comply with the federal mandate and what will happen if the state doesn’t comply by this date. A copy of the federal statute(s) or regulation(s) mandating what the state must do shall accompany the written request. If said bill is reported do pass from the committee recommending that said bill be placed on the Federal Mandate Calendar, the Chair shall submit to the Speaker a copy of the original written request along with a copy of the federal statute(s) or regulation(s) mandating state action. If the Speaker concurs that said bill complies with all requirements of this rule, he shall place said bill on the Federal Mandate Calendar.

Motion to Place on Calendar.

Rule 44. If a bill is reported from the committee with the recommendation that it “do not pass” it shall not go on the calendar of the House unless ordered by a constitutional majority. A motion to have a bill placed upon the calendar must be made within three legislative days after the bill is reported and when the author of the bill is present or the motion is made by a member upon the author’s written request. If no such action is taken within said time, the bill shall lie on the table.

Bills Laid Over Informally.

Rule 45. When a bill is reached, in its order, to be perfected and printed, or to be agreed to and read a third time and placed upon its final passage, it may upon the request of the author thereof, if a House Bill, or, (upon the request of its sponsor in the House, if a Senate Bill), be laid over informally, and thereafter called up at any time, in any order, when otherwise in order.

To Appear in Order.

Rule 46. All bills laid over informally and not taken up and disposed of the same day, shall appear in order upon the calendar for the next legislative day following.

Ten Day Rule.

Rule 47. If a bill laid over informally is not taken up for further consideration within ten legislative days after being laid over, it shall lie on the table and be dropped from the calendar of the House without further action by the House.

Consent Calendar.

Rule 48. (a) *Which Bills May Be Placed.* Each committee, after a favorable vote on a bill without amendment, may further determine by a second and affirmative vote of every member present whether or not such bill is of a noncontroversial nature. Any bill which increases net expenditures of the state or reduces net revenue of the state shall not be considered by the committee for consent; provided however, any bill which specifically authorizes an easement or right-of-way involving state property may be considered by the committee for placement on the Consent Calendar. (b) *Procedure.* If the committee shall so determine, the committee report shall include a request that a bill be placed on the “House Consent Calendar for Perfection”. Any bill so reported shall automatically be placed on that calendar and after said bill has remained on the “House Consent Calendar for Perfection” for five legislative days, it shall be ordered perfected and advanced to the “House Consent Calendar for Third Reading and Final Passage” without further action of the House, unless five members, with at least two from each political party, have filed written objection with the Chief Clerk. If such objections are filed, the bill shall be sent to the Committee on Rules and Joint Rules. If the Committee on

Rules and Joint Rules concur in the report to place the bill on the "House Consent Calendar for Perfection", then the bill shall be deemed perfected and placed on the "House Consent Calendar for Third Reading and Final Passage" without further action by the House. If the committee does not concur with the report to place the bill on the "House Consent Calendar for Perfection", then the bill shall be returned to the committee from which it was originally reported. An objection made by five members under this rule cannot be rescinded.

AMENDMENTS Of Committees and Substitutes.

Rule 49. (a) *In Writing.* Proposed amendments must be reduced to writing on demand. Every amendment shall be read in its entirety by the clerk unless it has been distributed in advance, the amendment's sponsor requests waiver of the reading, and there is no objection to the request. An amendment shall be considered to have been distributed in advance if, before it is offered, it has been placed on the members' desks in paper form.

(b) *What Amendments and Substitute Amendments are in Order.* When a bill, motion or proposition is under consideration, a motion to amend and a motion to amend that amendment shall be in order, and it shall also be in order to offer a further amendment by way of substitute, to which one amendment may be offered, but which shall not be voted on until the original amendment is perfected, but either may be withdrawn before amendment or decision is had thereon.

(c) *Committee Substitute Treated as Original.* A House committee substitute shall be considered as an original bill for purposes of amendment.

(d) *House Substitute.* A House substitute shall be considered as an amendment. A House substitute must be distributed to the members at least one legislative day prior to its consideration by the House; except after the Second Monday in May, no House Substitute shall be taken up and considered unless same has been distributed to the members at least two hours before consideration in the House. A House amendment which, in the opinion of the chair, is of such scope and length, that it is in reality a house substitute, must be distributed in the same manner as a house substitute.

(e) *One House Substitute at a Time.* Only one House substitute shall be in order at one time.

(f) *When Federal Mandate Bills Can Be Amended.* Amendments to House and Senate Bills - Federal Mandate are permitted only within the scope of the federal mandate. Perfecting amendments are permitted to make technical corrections.

Committee Substitute Printed.

Rule 50. When a committee recommends a substitute for a bill the original bill will accompany the substitute. The substitute shall be handled on the floor of the House by the chairman or any member designated by the chairman. The Chief Clerk shall have one thousand copies of the substitute printed for the use of the House, except that the Chief Clerk may provide for the printing of a lesser or greater number if he/she deems it appropriate. No committee substitute shall be called from the calendar of the House until the printed copies have reached the members. Amendments, if any, may be offered to the substitute before the vote on the motion to adopt the substitute is taken. If the substitute is defeated the original bill shall be before the House for perfection and shall immediately be considered.

Order of Amendments.

Rule 51. When amendments to any bill, motion or proposition are pending they shall be voted on in the following order:

(1) Amendments to the amendment are disposed of before the substitute is taken up. Only one amendment to the amendment is in order at one time; but as rapidly as one is disposed of by rejection or incorporation as a part of the amendment, another is in order as long as any member desires to offer one.

(2) Amendments to the substitute are next voted on, and may be offered seriatim as fast as disposed of until the substitute is perfected.

(3) The substitute is next voted on. Both the amendment and the substitute having been perfected and presented in final form, the House or committee makes its choice of the two.

(4) The amendment is voted on last. If the substitute has been agreed to, the vote comes on the amendment as amended by the substitute.

Amendments Incorporated in Bill.

Rule 52. All amendments adopted by the House to a bill originating in the House shall be incorporated in the bill as perfected, and the bill, as thus perfected, shall be printed for the use of the members before its final passage. The perfecting and printing shall be done under the supervision of the Committee on Rules, Joint Rules, and Bills Perfected and Printed whose report to the House shall be set forth, in writing, that the bill is truly perfected, and the printed copies furnished to the members are correct.

BILLS**Ayes and Noes Taken.**

Rule 53. When a bill shall have passed the House and been returned from the Senate with amendments, said amendments may be concurred in collectively, or amended, by a majority of the members elected, unless objection be made, in which case the vote shall be taken severally, and no amendment or amendments shall be concurred in by the House except by a constitutional majority and the names of those voting for and against recorded upon the Journal of the House.

Repassage.

Rule 54. When all Senate amendments to House bills have been concurred in by the constitutional majority of the House, the question shall then be put: "Shall the bill as amended be passed?" On this question the ayes and noes shall be called for, and as on its first passage, a constitutional majority shall be necessary to the final passage of the bill.

Majority to Perfect.

Rule 55. A quorum being present, a majority of those voting aye and no shall be sufficient to perfect a bill and order it printed.

Amending After Perfection; Perfecting Amendments.

Rule 56. No bill shall be amended after being perfected and printed without a reconsideration of the vote by which it was ordered perfected and printed and if said bill be amended it shall again be perfected and printed, except that a perfecting amendment to make technical corrections is in order after the bill has been ordered perfected and printed and before it has been read the third time.

Motion for Final Passage.

Rule 57. When the Committee on Bills Perfected and Passed reports a bill truly perfected and printed, it shall go upon the calendar to be agreed to and passed. When the bill is taken up in its order, the question shall then be: "Shall the bill be agreed to, read a third time and put upon its final passage?" If a constitutional majority sustains the question the bill shall be put immediately upon its passage.

Bills Not to be Passed on Previous to Roll Call.

Rule 57.5. No bill shall be passed by any roll call previously taken on another bill, nor shall more than one bill be passed on any one roll call.

Course After Passage.

Rule 58. When a bill passes the House, it shall be certified by the Clerk, noting the day of its passage at the foot thereof.

**Perfecting Amendment on
Bills Returned from the Senate.**

Rule 59. No bill may be further amended without placing the bill in conference, except that a perfecting amendment to make technical corrections is in order in the house of origin when the bill is taken up for final passage as amended by the other house. The perfecting amendment may be directed to the bill or to amendments to the bill. If a perfecting amendment is adopted, the bill as finally passed with the perfecting amendment shall be returned to the other house for its concurrence in the perfecting amendment.

Conference Reports.

Rule 60. (a) *Signatures on a Conference Report.* All conference committees shall be composed of five (5) conferees from each house and no conference report shall be submitted to either house unless approved by a majority vote of the full committee with not less than two (2) conferees from each house signing the report.

(b) *Review for Correctness.* Before a conference report is taken up by the House, it shall be reviewed for the technical correctness of the report and of any amendments, bill or substitute the report recommends for passage by the House.

(c) *Notice Requirements.* No conference committee report shall be taken up and considered unless the same has been distributed to the members at least one legislative day prior to its consideration; except after the first Wednesday following the second Monday in May, no conference committee report shall be taken up and considered unless same has been distributed to the members at least two hours before consideration in the House.

(d) *Exceeding the Differences.* Unless authority is granted by the House to exceed the differences, the conferees must confine themselves to matters that are within the scope of the difference between the House position and the Senate position. When a report is offered for adoption, the point of order that the conferees have exceeded the difference shall be in order. The Speaker may rule on the point of order or may place the question of whether the conferees have exceeded the differences before the House for a vote. A majority of members voting prevails on the question.

RESOLUTIONS

Joint and Concurrent Resolutions.

Rule 61. All joint and concurrent resolutions designed to submit to the qualified voters of the state amendments to the Constitution, to be voted upon by such voters, shall be read on three separate days, and shall be reported upon by the committee of the House, and shall otherwise be proceeded upon in like manner as a bill.

Joint and Concurrent of Congress.

Rule 62. (a) *Procedure, Generally.* All joint and concurrent resolutions of the Congress of the United States designed to submit to the legislature an amendment to the Constitution of the United States shall be read on three separate days, shall be reported upon by a committee, shall be adopted only by a constitutional majority and shall otherwise be proceeded upon in like manner as a bill.

(b) *Not to be Amended.* The text of the amendment as proposed by the Congress of the United States shall not be amended.

**Petitions, Memorials, Remonstrances,
and Resolutions.**

Rule 63. All petitions, memorials, remonstrances, resolutions and other papers offered shall stand referred, without reading, consideration, discussion, explanation or debate, to the Committee on Miscellaneous Bills and Resolutions unless referred to some other appropriate committee by the Speaker. Those papers that are favorably recommended by the committee for adoption by the House shall be printed in the Journal and placed upon a resolutions calendar.

SENATE BILLS

Referral.

Rule 64. Each Senate Bill shall, upon second reading, be referred to the appropriate committee of the House.

Go Upon the Calendar.

Rule 65. (a) *Reported out of Committee.* When a Senate Bill is reported from the committee to which referred with the recommendation that it "do pass", or "without recommendation", it shall go upon the House Calendar for the third reading and final passage, provided that no Senate Bill shall be taken up for consideration by the House, prior to the first Monday in May, unless it has been upon the Calendar for at least one legislative day.

(b) *Senate Consent Bills.* A Senate Bill passed by the Senate pursuant to its procedure for consent bills shall be considered for treatment as a consent bill by the House committee to which it was referred without further request but such bills may be amended in the House committee. However, any bill that is of a controversial nature or increases expenditures of the state or reduces revenue of the state shall not be considered by the committee for consent. The committee, after a favorable vote on the bill, may by a second and affirmative vote of every member present, request said bill be placed on the "Senate Bills for Third Reading and Final Passage—Consent Calendar."

(c) *Senate Consent Bills—Objections.* Senate bills passed out of the House committee with the request that the bill be placed on the Senate Bills for Third Reading and Final Passage—Consent Calendar are subject to the five member objection provision of Rule 48.

(d) *Senate Consent Bills—When Taken Up.* No Senate consent bill may be taken up after 6:00 p.m. on the first Thursday following the third Monday in April.

(e) *When Amendment Permitted.* Senate consent bills may be amended in committee but not on the floor of the House unless the Senate Rules allow amendment of House consent bills on the floor of the Senate in which case Senate consent bills may be amended on the House floor.

When Reported "Do Not Pass."

Rule 66. If a Senate Bill be reported from the committee to which referred with the recommendation that it "do not pass" it shall not go upon the calendar of the House for third reading and final passage, unless so ordered by a constitutional majority of the House. In such case, the motion to place the bill on the calendar shall be made within three legislative days of the report, and by a member who has been requested by the Senate sponsor of the bill.

Amendments.

Rule 67. Senate Bills may be amended by the House when placed upon third reading and final passage, before the vote is taken thereon.

Rule 68. Reserved.

MOTIONS

Must Be Read or Stated Before Debate.

Rule 69. When a motion is made it shall be stated by the Chair or read aloud by the Clerk before being debated.

When in Possession of House.

Rule 70. When a motion is stated by the Speaker or read by the clerk it shall be deemed to be in possession of the House. The motion may be withdrawn by the author at any time when another motion is not pending before decision or amendment.

To Be Reduced to Writing.

Rule 71. Every motion shall be reduced to writing if the Speaker or any member demands it.

Must Be Germane.

Rule 72. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

Privileged.

Rule 73. When a question is under debate, no motion shall be entertained but to adjourn; to take recess; to lay on the table; for the previous question; to postpone to a certain day; to commit or amend, or postpone indefinitely; which several motions shall have precedence in the order herein set forth.

Dilatory.

Rule 74. When any of the motions enumerated in the preceding rule have been made and lost, no similar motion shall be entertained until some other business is transacted by the House.

To Adjourn in Order—When.

Rule 75. Except as above limited, and except when a member is speaking or the roll is being called, a motion to adjourn is always in order, and pending the result of such a motion, no member shall leave his seat in the House.

Previous Question.

Rule 76. The previous question shall be in this form: "Shall the question under immediate consideration be now put?" It may be moved like any other question but it shall only prevail when supported by a constitutional majority and until decided shall preclude amendments and debate. If the motion is sustained, the proponent of the matter under consideration shall be allowed one minute in which to make a closing statement before the House votes on the question. The proponent shall not be allowed to make a closing statement after the first Monday in May. A failure to sustain the motion shall not take the matter under consideration from further consideration of the House; but the House shall proceed as if the motion had not been made.

Not Debatable.

Rule 77. Motions to adjourn, to lay on the table, for the previous question, calls for the order of business of the day, and all questions relating to priority of business shall be decided without debate.

Division of Questions.

Rule 78. Any member may have, as a personal right, a division of the question where the sense will admit of it. When the question having been divided is a Senate Bill for Third Reading, each part of the bill shall be voted upon separately and a subsequent separate vote shall be taken on the entire bill.

Indefinite Postponement.

Rule 79. When a question is postponed indefinitely, the same shall not be acted upon again during the session.

Question Laid on Table—How Taken Up.

Rule 80. When a question has been laid on the table, the same cannot be taken up again without a vote of two-thirds of the members present.

MOTION TO RECONSIDER

Motion to Reconsider Must be Made In Three Days.

Rule 81. When a motion that a bill be perfected and printed, or that a bill be agreed to, read a third time, and placed upon its final passage fails, or when any other question is decided by the House, any member voting on the prevailing side may move to reconsider the vote provided that the motion to reconsider is made within three legislative days after the day on which the vote was taken.

Procedure for Motion to Reconsider.

Rule 82. A constitutional majority is required to sustain any motion to reconsider. If the motion to reconsider is sustained the House shall proceed to the original question or motion immediately before proceeding to other business. Any motion to reconsider having failed once shall not be considered again, except to reconsider the vote by which an appropriation bill failed to pass. In the case of an appropriation bill, the motion to reconsider may be considered as many times as the House chooses.

DECORUM AND DEBATE

On Speaking.

Rule 83. When any member is about to speak in a debate or deliver a matter to the House, he/she shall rise from his/her seat and respectfully address himself/herself to "Mr. Speaker" or "Madam Speaker." The member shall refer, as appropriate, to other members as "Lady", "Gentleman" or "Representative". The member shall confine himself/herself to the questions under debate and avoid personality. If any member violates the rules of the House the Speaker, or any member, may call him/her to order. Any member called to order shall immediately sit down, unless permitted to explain, and the House shall, if appealed to, decide the case without debate.

Appeals.

Rule 84. If there is no appeal, the decision of the Chair is final. If the decision is in favor of the member called to order he/she may proceed; if otherwise, and the case requires it, he/she shall be liable to the censure of the House.

Member to Rise; When Two or More Rise.

Rule 85. The Speaker shall not recognize any member desiring to speak unless such member arises at his/her desk. When two or more members rise at the same time the Speaker shall name the member who is to speak first, the other members having the preference next to speak.

Member May Speak—How Often.

Rule 86. No member shall speak more than twice on the same question without leave of the House, nor more than once until any other member desiring to speak has spoken. Except when reporting a bill or resolution from a committee, no member may speak, interrogate or inquire for more than fifteen minutes unless by unanimous consent of the House.

No Member Shall Name Another Member in Debate.

Rule 87. No member shall name another member in debate, but shall refer to the member by district number or by county.

Members Not To Use Profanity.

Rule 87.5. No member may use profanity either while speaking on the floor or while in committee.

Members Not to Walk Across the House—When.

Rule 88. While the Speaker is putting any question or addressing the House, no one shall walk out of or cross the House. When a member is speaking or the Journal is being read, no member shall engage in any private conversation; nor while a member is speaking shall anyone pass between him/her and the Chair. No member shall walk between two members who are engaged in debate or inquiries in the hall of the House.

Order of Questions.

Rule 89. All questions shall be propounded in the order in which they are moved except privileged questions, which shall be propounded as stated in Rule 73.

Voting.

Rule 90. Every member shall be present within the hall of the House during its sittings, unless excused or necessarily prevented; and shall vote on each question put, unless he/she has a direct personal or pecuniary interest in such question. No member shall be recorded as voting when he/she was not present in the chamber when the vote was taken. Nothing herein contained shall prohibit a member from voting "Present" on a question, and such vote shall be recorded in the Journal. In the case of equal division the question shall be lost.

**Verification of the Roll;
Members Not to Interrupt Calling of Ayes and Noes; Changing Vote.**

Rule 91. No member shall be permitted to interrupt a roll call and no member shall be allowed to vote or to change his/her vote (except to have his/her vote correctly recorded) after a verification is begun or after the final vote is announced.

Demand for Verification.

Rule 92. Any five members may demand a verification of the roll if such demand is made before the vote is announced.

Bell to Signal Beginning and End of Vote.

Rule 93. At a reasonable time prior to the beginning of taking the ayes and noes by electric roll call on any question, a bell notifying the members of a roll call shall be sounded. After the votes are registered the absentees shall be noted and upon demand of any member, another bell signifying that a call of absentees is being taken shall be sounded and a reasonable time shall be allowed after the sounding of the bell before the voting is closed.

**Reference to Electric Roll Call System
to be Understood.**

Rule 94. In all cases where a rule of the House of Representatives refers to the "calling of the names of the members" or "calling of the ayes and noes" or "calling of the roll", such reference shall be understood to refer also to the "taking" of the vote by electric roll call system. There shall be a taking of the vote by electric roll call system on the motion of any one member which is seconded by four other members immediately standing. A vote by electronic roll call shall be limited to thirty minutes, except in cases of quorum calls.

Dress Code.

Rule 95. At all times when the House is seated, proper attire for gentlemen shall be formal business attire, including coat, tie, dress trousers and dress shoes or dress boots. Proper attire for women shall be dresses. Skirts and dress slacks shall be worn with a blazer or sweater and appropriate dress shoes are required. At no time when the House is seated shall members or staff be permitted to wear denim jeans or denim dresses, regardless of color. This rule shall apply to all members or staff on the floor of the House and lower gallery.

Eating, Smoking, and Other Distractive Activities.

Rule 96. No food, newspapers, or other items or activities distractive to House deliberations shall be permitted on the floor of the House while the House is in Session. Smoking is prohibited in the House Chambers, upper and lower galleries, except members may smoke in the East Gallery.

Ascending the Dais.

Rule 97. No person shall ascend the Dais without first being recognized to do so by the Speaker.

INTERIM PROCEDURE

Bills—End of Regular Session.

Rule 98. (a) To be Laid Upon Speaker/President's Desk; When Re-referred. All House Bills or House joint resolutions in possession of the House and not finally acted upon shall, at 5:59 p.m. on the first Friday following the second Monday in May in odd-numbered years, be laid on the Speaker's desk. All Senate bills and joint resolutions in possession of the House and not finally acted upon shall, at 5:59 p.m. on the first Friday following the second Monday in May in odd-numbered years, be laid on the President Pro-Tem's desk. House bills and joint resolutions laid on the Speaker's desk may be re-referred by the Speaker to House committees at the second regular session of the General Assembly in even-numbered years.

(b) When Rule May be Suspended. This rule may only be suspended by a vote of two-thirds of the elected members of the House.

Bills—Pre-Filing.

Rule 99. A member or member-elect of the House of Representatives may file a bill or joint resolution by mail or in person with the Clerk of the House at any time during the period beginning on December first and ending on the day before a regular session begins which next precedes the session at which the bill or joint resolution is to be considered. Upon receiving a bill or joint resolution filed during the filing period preceding a regular session of the general assembly in odd-numbered years, the Clerk of the House shall immediately date, number and have the bill or joint resolution printed in the most economical manner as approved by the House Rules Committee and made available according to the rules and practices of the general assembly next preceding that for which the bill or joint resolution is filed and those bills and joint resolutions received during the filing period preceding a regular session in an even-numbered year shall be printed and made available according to the then effective rules of that general assembly.

Interim Committees.

Rule 100. All standing committees may meet to consider bills or to perform any other necessary legislative function during the interim between the session ending on the thirtieth day of May and the session commencing on the first Wednesday after the first Monday of January; except the Speaker may appoint a subcommittee, made up of members of the standing committee, to act in the place of the standing committee during the interim. Members of each of the committees, or any subcommittee thereof, shall be reimbursed from the contingent fund of the House for their necessary and actual expenses incurred while attending meetings of the committee or subcommittee if approved by the Speaker.

CALL OF THE HOUSE

Names of Members to be Called.

Rule 101. A call of the House may be made at any time on motion seconded by ten members and sustained by a majority of those present; (names of members may be called orally or by electric roll call) and under a call of the House a majority of those present may send for and compel the attendance of absent members; and a majority of all the members present shall be a sufficient number to adjourn.

Absent Members May Be Sent For.

Rule 102. Upon the call of the House, the names of those members present shall be recorded and the absentees noted, and those whose names do not appear may be sent for and taken into custody wherever found by the Sergeant-at-Arms or special messenger appointed.

Prohibited While Electric Voting System Open.

Rule 103. No call of the House shall be made after the Speaker has directed the clerk to open the electric voting device to record the names of the members and until the vote be announced. This rule shall not prohibit the calling of the absentees (reading by the clerk of the names of members who have not voted) at the request of any member while a roll call is in progress.

**Majority Not Under Arrest May Censure and Fine
Delinquent Members.**

Rule 104. The majority of those present, not under arrest, may make an order for the censure or fine of delinquent members, and prescribe the terms under which they shall be discharged.

Release from Custody.

Rule 105. When a member shall have been discharged from custody and admitted to his/her seat the House shall decide whether such discharge shall be with or without fees; and, in like manner, whether a delinquent member, taken into custody by a special messenger shall defray the expense of such special messenger.

COMMITTEE OF WHOLE HOUSE

When Permitted.

Rule 106. On motion, the House may resolve itself into a Committee of the Whole House for consideration of any business which may properly come before it.

Chairman Appointed by Speaker.

Rule 107. In forming a Committee of the Whole House, the Speaker shall leave his/her chair and shall appoint a Chairman to preside in the Committee.

Procedure Upon Bills.

Rule 108. Upon a bill being committed to a Committee of the Whole House, the same shall first be read at length by the Clerk, and then again read and debated by clauses, leaving the preamble to be last considered. After report, the bill shall again be subject to debate and amended by clauses, as before.

Amendment to Motion Must be Incorporated in Original Motion.

Rule 109. All amendments made to an original motion in Committee of the Whole House shall be incorporated with the motion and so reported.

Amendment Shall be Noted.

Rule 110. All amendments made to reports, resolutions or other matters committed to a Committee of the Whole House shall be noted and reported, as in case of bills.

Rules of Proceedings.

Rule 111. Rules and proceedings of the House shall be observed in Committee of the Whole House, as far as they are applicable, except that limiting the number of times of speaking.

Quorum.

Rule 112. A majority of the members elected shall be a quorum to do business; and if, at any time, a sufficient number shall not be present in Committee of the Whole House, and the Committee shall arise, and the Speaker shall resume the chair and the Chairman report the cause of the rising of the Whole Committee.

ADMISSION TO HALL

Definitions.

Rule 113. The space between the granite columns shall be known as the floor of the House and the space beyond the granite columns on either side shall be known as the lower gallery, and the space on the upper floor of the Hall shall be known as the upper gallery.

Admission to House Floor.

Rule 114. No person shall be admitted to the floor of the House or the House East Gallery other than the officers and members of the House and the staffs of the Speaker, Speaker Pro Tem, Majority and Minority Floor Leaders, Assistant Majority and Assistant Minority Floor Leaders and Chairman of the Budget Committee and, at the request of the Speaker, technical support staff needed to maintain data processing and other equipment. Other persons may be admitted to the floor and East Gallery with the consent of the House. Guests may upon written request, submitted five days in advance and with the consent of the Speaker, address the House from the dais at the beginning or adjournment of a daily legislative session or any recess thereof.

Admission to Lower Gallery.

Rule 115. No person shall be admitted to the lower gallery of the House except members of the General Assembly, spouses of members, employees of the House, Joint Committee Staff, the Governor, the Lieutenant Governor, the Secretary of State, the State Auditor, the State Treasurer, Judges of the Supreme Court, the Clerk of the Supreme Court, Judges of the Courts of Appeals or Circuit Courts, the Attorney General, Members of Congress, the Governor's Chief of Staff and former members of the General Assembly who are not registered lobbyists or who do not lobby for an individual or organization, and physically disabled persons. No official except current members of the General Assembly otherwise allowed to the lower gallery by this rule shall engage in any activity supporting or opposing any bill or resolution before the House from the lower gallery. Other persons may be admitted to the gallery by the chair upon special request of any Representative when the House is in session. Members of the press may enter the lower galleries while the House is in session for the purpose of interviewing members of the House.

Admission to Upper Gallery.

Rule 116. The gallery at the front of the chamber above the Speaker's dais shall be reserved for members of the press having valid credentials issued by the Speaker. All other upper galleries shall be open to the public. There shall be no smoking in the upper rear or upper side galleries.

Privileges of Former Members.

Rule 117. Former members of either House of the General Assembly employed as legislative counsel or agents shall enjoy only such privileges as are under these rules accorded to other legislative counsel and agents.

Permission Required for Electronic Devices.

Rule 118. Tape recorders, portable phones, video equipment, television equipment, photography equipment, and/or any other electronic recording devices are not authorized for use on the floor of the House or in any gallery of the House Chambers unless permission has been granted from the Chair. Nothing contained in this rule shall prevent any member from using a portable laptop computer, which is hereby specifically authorized, unless any other member objects to the noise created or generated by any such laptop computer in which case the Chair may rule on whether or not any specific laptop computer shall be removed from the House floor.

RULES

May be Rescinded or Amended—How.

Rule 119. Any motion or resolution purporting to rescind or change the standing rules of the House or to introduce a new rule shall stand without reading or consideration and without discussion, explanation, or debate to the Committee on Rules. Such motions or resolutions as shall be favorably recommended by such committee for adoption by the House shall, upon such recommendation, be printed in the Journal and shall be placed upon a Resolutions Calendar. A constitutional majority shall be required to pass such a resolution.

May Be Dispensed With.

Rule 120. Rules 81 and 82 of the House shall not be suspended or dispensed with, unless by unanimous consent or unless two-thirds of the elected members concur therein. A rule which requires a two-thirds vote shall not be suspended, except by unanimous consent or unless two-thirds of the elected members concur therein. No other standing rule or order of the House shall be suspended, except by unanimous consent or unless a constitutional majority concur therein and motions for that purpose shall be limited to the question or proposition under consideration.

Jefferson's Manual.

Rule 121. The rules of parliamentary practice comprised in "Jefferson's Manual" and the "Rules of the House of Representatives of the United States" and the official collection of precedents and interpretations of the rules by parliamentary authorities of the United States House shall govern the House in all cases in which they are applicable and not inconsistent with the standing rules and orders of the House and the joint rules of the Senate and House of Representatives. The Office of the Chief Clerk, the Speaker, the Speaker Pro Tem, the Majority Floor Leader, the Assistant Majority Floor Leader, the Minority Floor Leader, and the Assistant Minority Floor Leader will make available copies of these documents in his/her office to any member who so requests. The documents shall be purchased by the House and shall be the property of the House and not of the individual holding the office. The Manual, Rules, precedents and interpretations above referred to, shall be taken as authority in deciding questions not otherwise provided for in these rules.

House Resolution No. 5 was referred to the Committee on Rules, Joint Rules and Bills Perfected and Printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 6 - Representatives Boucher and Jolly
House Resolution No. 7 - Representative Griesheimer

HOUSE CONCURRENT RESOLUTIONS

Representative Crump offered **House Concurrent Resolution No. 1.**

HOUSE CONCURRENT RESOLUTION NO. 1

BE IT RESOLVED, by the House of Representatives of the Ninety-first General Assembly, First Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 10:30 a.m., Thursday, January 4, 2001, to receive a message from His Excellency, the Honorable Roger Wilson, Governor of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Governor of the State of Missouri and inform His Excellency that the House of Representatives and Senate of the Ninety-first General Assembly, First Regular Session, are now organized and ready for business and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Crump, Rule 63 was suspended and **House Concurrent Resolution No. 1** was adopted by the following vote:

AYES: 160

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Dougherty	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Klindt	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers

Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Patek	Phillips	Portwood	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 002

Purgason Vogel

VACANCIES: 001

Representative Crump offered **House Concurrent Resolution No. 2.**

HOUSE CONCURRENT RESOLUTION NO. 2

BE IT RESOLVED, by the House of Representatives of the Ninety-first General Assembly, First Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 10:30 a.m., Wednesday, January 10, 2001, to receive a message from His Honor William Ray Price, Jr., the Chief Justice of the Supreme Court of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Chief Justice of the Supreme Court of the State of Missouri and inform His Honor that the House of Representatives and the Senate of the Ninety-first General Assembly, First Regular Session, are now organized and ready for business and to receive any message or communication that His Honor may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of this resolution.

On motion of Representative Crump, Rule 63 was suspended and **House Concurrent Resolution No. 2** was adopted by the following vote:

AYES: 159

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Dougherty	Enz	Fares	Farnen	Foley
Ford	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Klindt	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Patek	Phillips	Portwood	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Franklin Purgason Vogel

VACANCIES: 001

Representative Crump offered House Concurrent Resolution No. 3.

HOUSE CONCURRENT RESOLUTION NO. 3

BE IT RESOLVED, by the House of Representatives of the Ninety-first General Assembly, First Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 10:30 a.m., Tuesday, January 30, 2001, to receive a message from His Excellency, the Honorable Bob Holden, Governor of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Governor of the State of Missouri and inform His Excellency that the House of Representatives and Senate of the Ninety-first General Assembly, First Regular Session, are now organized and ready for business and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Crump, Rule 63 was suspended and **House Concurrent Resolution No. 3** was adopted by the following vote:

AYES: 157

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Dougherty
Enz	Fares	Farnen	Foley	Ford
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer

Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Klindt	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Patek	Phillips
Portwood	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Brooks	Franklin	Haywood	Purgason	Vogel
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VACANCIES: 001

OATH OF OFFICE

Representative Vogel advanced to the bar and subscribed to the oath of office, which was administered by the Honorable Jim Kreider, Speaker of the House.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 1, introduced by Representative Ward, relating to term limits.

HJR 2, introduced by Representative Reynolds, relating to the prohibition of public aid for religious purposes and institutions.

HJR 3, introduced by Representative Scheve, relating to state departments.

HJR 4, introduced by Representative Farnen, relating to regular appearances of the governor before the house of representatives.

HJR 5, introduced by Representatives Barry and Farnen, et al, relating to school district bond elections.

HJR 6, introduced by Representative Hosmer, relating to education.

HJR 7, introduced by Representatives Seigfreid and Berkowitz, relating to the powers and duties of the state highways and transportation commission.

HJR 8, introduced by Representatives Walton, Johnson, Wilson (42) and Curls, relating to legislative term limits.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 26, introduced by Representatives Wilson (42), Boykins and Curls, et al, relating to a loan repayment assistance program for teachers working in certain school districts.

HB 27, introduced by Representatives Wilson (42), Boykins, Thompson and Curls, relating to unlawful distribution of firearms.

HB 28, introduced by Representatives Wilson (42), Boykins and Curls, relating to unlawful use of weapons.

HB 29, introduced by Representatives Wilson (42), Boykins and Curls, relating to retention and recruitment of teachers.

HB 30, introduced by Representative Gaskill, relating to defense of the flag.

HB 31, introduced by Representative Gaskill, relating to an income tax credit for personal property tax paid on agricultural crops and machinery.

HB 32, introduced by Representative Gaskill, relating to marriage licenses.

HB 33, introduced by Representative Gaskill, relating to unlawful use of weapons.

HB 34, introduced by Representative Gaskill, relating to adoption of the common law.

HB 35, introduced by Representative Gaskill, relating to compulsory ages for school attendance.

HB 36, introduced by Representative Gaskill, relating to the state lottery.

HB 37, introduced by Representative Gaskill, relating to prohibiting possession of tobacco products by minors.

HB 38, introduced by Representative Gaskill, relating to certain crimes involving alcohol.

HB 39, introduced by Representative Gaskill, relating to income taxation.

HB 40, introduced by Representative Gaskill, relating to individuals required to make out returns of income to the state.

HB 41, introduced by Representative Bonner, relating to sports facilities in certain cities and counties.

HB 42, introduced by Representative Bonner, relating to occupation of elective offices of other states by employees of higher education institutions in this state.

HB 43, introduced by Representative Bonner, relating to leaving a child unattended in a motor vehicle.

HB 44, introduced by Representative Bonner, relating to enterprise zones in certain cities.

HB 45, introduced by Representative Farnen, relating to the qualifications of the commissioner of education.

HB 46, introduced by Representative Relford, relating to aiding the escape of a prisoner.

HB 47, introduced by Representatives Relford and Klindt, to authorize a sales tax for regional jail districts and associated court facilities.

HB 48, introduced by Representative Relford, relating to embalmers and funeral directors.

HB 49, introduced by Representative Relford, relating to wages for certain peace officers.

HB 50, introduced by Representative Relford, relating to promotion of students.

HB 51, introduced by Representatives Relford, Ransdall and Davis, relating to motor vehicle license plates.

HB 52, introduced by Representatives Ward and Crump, relating to full-time prosecutors.

HB 53, introduced by Representatives Ward and Crump, relating to the number of associate circuit judges.

HB 54, introduced by Representative Ward, relating to the state highway patrol.

HB 55, introduced by Representatives Ward and Selby, relating to Medicaid coverage.

HB 56, introduced by Representatives Ward and Selby, et al, relating to the elderly and disadvantaged.

HB 57, introduced by Representative Ward, et al, relating to concealable weapons.

HB 58, introduced by Representative Ward, relating to liquor licenses.

HB 59, introduced by Representative Boucher, et al, relating to income taxation.

HB 60, introduced by Representatives Rizzo and Hoppe, relating to certain police officers.

HB 61, introduced by Representative Ward, et al, relating to financial assistance for food pantries.

HB 62, introduced by Representative Reynolds, relating to the state fair commission.

HB 63, introduced by Representative Reynolds, relating to overtime compensation of employees.

HB 64, introduced by Representative Reynolds, relating to public officers and employees.

HB 65, introduced by Representative Reynolds, relating to payments to veterans.

HB 66, introduced by Representative Reynolds, relating to the licensing of tanning bed operators.

HB 67, introduced by Representative Reynolds, relating to the small business franchise act.

HB 68, introduced by Representative Liese, relating to the commission on the death penalty.

HB 69, introduced by Representatives Ward and Selby, relating to grants for volunteer fire protection associations and certain fire protection districts.

HB 70, introduced by Representative Koller, relating to motor vehicles.

HB 71, introduced by Representative Scheve, relating to old age assistance.

HB 72, introduced by Representative Scheve, relating to pharmaceutical tax credits.

HB 73, introduced by Representative Scheve, relating to family restrooms.

HB 74, introduced by Representative Scheve, relating to eligibility for public assistance.

HB 75, introduced by Representative Scheve, relating to property taxation.

HB 76, introduced by Representative Clayton, relating to tampering with a judicial officer.

HB 77, introduced by Representatives Reinhart and Ridgeway, relating to spinal cord injury research projects.

HB 78, introduced by Representatives Kennedy and Richardson, relating to the state board of registration for the healing arts.

HB 79, introduced by Representative Kennedy, relating to the participation of financial institutions in sponsorship and mentoring programs.

HB 80, introduced by Representative Ross, relating to multijurisdictional antifraud enforcement.

HB 81, introduced by Representatives Relford, Ransdall, Davis and Seigfreid, relating to teacher certificates of license.

HB 82, introduced by Representative Gambaro, relating to liens on real property by political subdivisions for abatement of dangerous buildings.

HB 83, introduced by Representative Rizzo, relating to tax credits for certain activities within enterprise zones.

HB 84, introduced by Representative Richardson, relating to recorders of deeds.

HB 85, introduced by Representative Luetkemeyer, relating to law enforcement districts.

HB 86, introduced by Representative Kennedy, relating to the state lottery.

HB 87, introduced by Representative Barry, et al, relating to registered nurse first assistants.

HB 88, introduced by Representative Barry, et al, relating to open referral health plans.

HB 89, introduced by Representative Ross, relating to stealing services.

HB 90, introduced by Representative Ross, relating to drivers without a valid driving license.

HB 91, introduced by Representative Scheve, relating to gambling boat proceeds.

HB 92, introduced by Representative Scheve, relating to state aid for education.

HB 93, introduced by Representative Gaskill, relating to the use of state aircraft by the governor.

HB 94, introduced by Representative Shields, relating to schools.

HB 95, introduced by Representatives Wilson (42), Brooks, Lowe, Johnson (61), Walton, Carnahan and Haywood, et al, relating to school-term calendars.

HB 96, introduced by Representative Scheve, relating to consumer protection of homeowners.

HB 97, introduced by Representative Scheve, for the sole purpose of recalculating certain at-risk moneys.

HB 98, introduced by Representative Scheve, relating to the foundation formula.

HB 99, introduced by Representative Johnson (61), relating to election judges.

HB 100, introduced by Representative Johnson (61), relating to early voting procedures.

HB 101, introduced by Representatives Reinhart and Ridgeway, relating to the retention of family court commissioners.

HB 102, introduced by Representative Mays (50), relating to penalties for violation of public service commission orders.

HB 103, introduced by Representatives Bearden, Phillips, Portwood, Dempsey, Hunter and Byrd, relating to tax relief.

HB 104, introduced by Representative Hollingsworth, relating to caregiver qualifications and registration.

HB 105, introduced by Representatives Johnson (61), Boykins, Walton and Coleman, et al, relating to cosmetology.

HB 106, introduced by Representatives Johnson (61), Bowman, Riback Wilson (25), Walton, Johnson (90), Wilson (42), Boykins, Coleman, Brooks and Curls, et al, relating to a state systemic lupus erythematosus program in the department of health.

HB 107, introduced by Representatives Clayton, Richardson, Monaco, Hilgemann and Lograsso, relating to the tort victims' compensation fund.

HB 108, introduced by Representatives Clayton and Dougherty, relating to the Missouri CASA fund.

HB 109, introduced by Representatives Skaggs and Willoughby, relating to early voting procedures.

HB 110, introduced by Representative Ladd Baker, relating to funding for department of health programs.

HB 111, introduced by Representative Ladd Baker, relating to mattresses.

HB 112, introduced by Representatives Boykins, Walton, Wilson (42), Brooks, Coleman and Johnson (61), relating to qualification and election of school board members in cities not within a county.

HB 113, introduced by Representative Hickey, relating to state building contracts.

HB 114, introduced by Representative Hickey, relating to sales tax.

HB 115, introduced by Representative Hickey, relating to discriminatory wage practices.

HB 116, introduced by Representative Hickey, relating to sales taxation.

HB 117, introduced by Representatives Riback Wilson (25), Bray, Dougherty, Relford, Merideth, Carnahan, Selby, Ostmann, Coleman, Ladd Baker, Farnen, Hosmer, Scheve and Troupe, et al, relating to the creation of an earned income tax credit.

HB 118, introduced by Representatives Clayton, Relford, Shoemyer, Farnen, Wiggins, Scheve, Berkowitz and Dougherty, relating to a pharmaceutical relief program for senior citizens.

HB 119, introduced by Representatives Clayton, Relford, Shoemyer, Farnen, Wiggins, Scheve, Berkowitz and Dougherty, relating to a pharmaceutical relief program for senior citizens.

HB 120, introduced by Representative O'Connor, relating to motor vehicle safety.

HB 121, introduced by Representative Luetkemeyer, et al, relating to a mandatory assembly for veterans' day.

HB 122, introduced by Representative Dougherty, et al, relating to genetic information and testing for insurance purposes.

HB 123, introduced by Representative Dougherty, relating to the division of family services.

HB 124, introduced by Representative Long, relating to public safety offenses.

HB 125, introduced by Representative Long, relating to windshield placards for the physically disabled.

HB 126, introduced by Representative Long, relating to the operation of motor vehicles.

HB 127, introduced by Representatives Bearden, Dempsey, Portwood, Hunter, Burcham, Behnen and Cooper, relating to property taxation.

HB 128, introduced by Representative Fraser, relating to school-term calendars.

HB 129, introduced by Representatives Van Zandt and Campbell, relating to government contracts for the examination of taxpayer records.

HB 130, introduced by Representatives Van Zandt and Campbell, relating to the animal shelter grant fund.

HB 131, introduced by Representatives Holand and Davis, relating to school district tax surcharges.

HB 132, introduced by Representative Gambaro, et al, relating to the creation of a collaborative action team pilot program.

HB 133, introduced by Representative Gambaro, relating to actions by community groups and housing corporations to abate derelict properties.

HB 134, introduced by Representative Selby, relating to comprehensive psychiatric services.

HB 135, introduced by Representative Hosmer, relating to local taxation of cigarettes and tobacco products.

HB 136, introduced by Representative Hosmer, relating to real property.

HB 137, introduced by Representative Hosmer, relating to payment of current property taxes.

HB 138, introduced by Representative Hosmer, relating to cigarette taxes.

HB 139, introduced by Representative Hosmer, relating to small claims court.

HB 140, introduced by Representative Hosmer, relating to taxation for fire protection.

HB 141, introduced by Representative Hosmer, relating to drug courts.

HB 142, introduced by Representative Hosmer, relating to a University of Missouri program to assist organ transplant patients.

HB 143, introduced by Representative Hosmer, relating to dissolution of marriage.

HB 144, introduced by Representatives Bonner, Cierpiot, Ross, Monaco, Kelley (47), Lograsso and Bartle, et al, relating to jails and jailers.

HB 145, introduced by Representative Troupe, relating to health care services.

HB 146, introduced by Representative Troupe, relating to contraceptive health insurance coverage.

HB 147, introduced by Representative Troupe, relating to the prohibition on privately operated prisons.

HB 148, introduced by Representative Troupe, relating to criminal assault.

HB 149, introduced by Representative Troupe, relating to the crime of offender sexual abuse.

HB 150, introduced by Representative Troupe, relating to offender autopsies.

HB 151, introduced by Representative Troupe, relating to insurance coverage for diabetes.

HB 152, introduced by Representative Troupe, relating to the housing of offenders.

HB 153, introduced by Representative Troupe, relating to uniform prescription drug information cards.

HB 154, introduced by Representative Troupe, relating to pharmacies.

HB 155, introduced by Representative Troupe, relating to probation.

HB 156, introduced by Representatives Kennedy and Hilgemann, relating to a St. Louis College of Pharmacy special license plate.

HB 157, introduced by Representative Hosmer, relating to marriage licenses.

HB 158, introduced by Representative Ross, relating to driver's license examination for licensure.

HB 159, introduced by Representative Schwab, relating to operation of motor vehicles.

HB 160, introduced by Representative Bray, et al, relating to public employee due process.

HB 161, introduced by Representative Bray, et al, relating to certain civil actions for discrimination.

HB 162, introduced by Representative Bray, et al, relating to certain rights and obligations of employers and employees in causes of action for wrongful discharge.

HB 163, introduced by Representatives Berkowitz and Wagner, relating to the highway patrol's motor vehicle and aircraft revolving fund.

HB 164, introduced by Representative Troupe, relating to salary schedules for public school teachers.

HB 165, introduced by Representative Troupe, relating to qualification and election of school board members in cities not within a county.

HB 166, introduced by Representative Troupe, relating to minority teaching scholarships.

HB 167, introduced by Representative Troupe, relating to contributions by the state for the detention of juveniles.

HB 168, introduced by Representative Froelker, relating to tax relief for senior citizens.

HB 169, introduced by Representative Froelker, relating to a pharmaceutical assistance program.

HB 170, introduced by Representative Froelker, relating to collection of property taxes.

HB 171, introduced by Representative Froelker, relating to income taxation.

HB 172, introduced by Representative Froelker, relating to a temporary exemption from state and local sales and use tax on retail sales of clothing before the start of the school year.

HB 173, introduced by Representative Froelker, relating to the assisted suicide funding restriction act.

HB 174, introduced by Representative Froelker, relating to teacher and school employee retirement systems.

HB 175, introduced by Representative Froelker, relating to income taxation.

HB 176, introduced by Representative Thompson, et al, relating to truancy.

HB 177, introduced by Representative Thompson, et al, relating to personnel records of peace officers.

HB 178, introduced by Representative Thompson, et al, relating to income tax credits for gifts of personal property to persons with an income below the federal poverty level.

HB 179, introduced by Representative Thompson, et al, relating to health insurance.

HB 180, introduced by Representative Thompson, et al, relating to the department of corrections.

HB 181, introduced by Representative Thompson, et al, relating to home loans.

HB 182, introduced by Representative Thompson, relating to traffic violation records.

HB 183, introduced by Representative Thompson, relating to compensation for wrongful imprisonment.

HB 184, introduced by Representatives Legan, Robirds, Luetkemeyer, Townley, Naeger, Myers, Froelker, Miller and Crawford, relating to restrictions on reintroducing wild elk.

HB 185, introduced by Representatives Legan, Myers, Ostmann, Kreider and Boucher, relating to building regulations in certain counties.

HB 186, introduced by Representative Troupe, relating to a temporary exemption from state and local sales and use tax on retail sales of clothing before the start of the school year.

HB 187, introduced by Representative Troupe, relating to foster care reimbursement.

HB 188, introduced by Representative Bonner, relating to enterprise zones in certain cities.

HB 189, introduced by Representative Bonner, et al, relating to the collection of sales tax revenue on behalf of certain sports authorities.

HB 190, introduced by Representative Ford, relating to licensed gaming activities.

HB 191, introduced by Representatives Hosmer and Hendrickson, relating to tuberculosis.

HB 192, introduced by Representative Hosmer, relating to certain licensed professionals who are in default on student loans.

HB 193, introduced by Representative Hosmer, relating to false claims against the state.

HB 194, introduced by Representatives Hosmer, Farnen, Williams and Champion, relating to certain institutions of higher education.

HB 195, introduced by Representative Hoppe, relating to the regulation of stretcher vans.

HB 196, introduced by Representative Villa, relating to the state highways and road system.

HB 197, introduced by Representative Wagner, relating to ballot questions for maintaining the city manager form of government.

HB 198, introduced by Representative Wagner, relating to bird day.

HB 199, introduced by Representatives Davis and Holand, relating to alternative education programs.

HB 200, introduced by Representatives Davis and Holand, relating to orientation and training of school board members.

HB 201, introduced by Representative Shields, relating to health insurance for the working poor.

HB 202, introduced by Representative Rizzo, relating to transportation development districts.

HB 203, introduced by Representatives Hosmer and Richardson, relating to the regulations and licensing of certain professions.

HB 204, introduced by Representatives Seigfreid and Berkowitz, relating to the state highways and transportation commission.

HB 205, introduced by Representative Relford, relating to forestry.

HB 206, introduced by Representatives Van Zandt and Campbell, relating to taxation by cities.

HB 207, introduced by Representatives Ross and Boucher, relating to the veterans' commission capital improvement trust fund.

HB 208, introduced by Representatives George and Shelton, et al, relating to noncertificated school employees.

HB 209, introduced by Representatives Hosmer, Williams, McKenna, Kennedy, Ward, Bray, Boucher, Relford and Jolly, et al, relating to controlled substances.

HB 210, introduced by Representative Liese, relating to boards of directors in community improvement districts.

HB 211, introduced by Representatives Relford, Ransdall, Davis and Seigfreid, relating to motor vehicle license plates.

HB 212, introduced by Representative Ward, relating to insurance companies.

HB 213, introduced by Representative Ward, relating to premium taxes.

HB 214, introduced by Representative Shields, relating to public retirement systems.

HB 215, introduced by Representatives Bray and Rizzo, et al, relating to tax relief in distressed communities.

HB 216, introduced by Representative Farnen, relating to the phase-in of water corporation rates.

HB 217, introduced by Representative Surface, relating to an Elks Lodge license plate.

HB 218, introduced by Representatives Farnen, Graham, Ridgeway and Reinhart, relating to public schools.

HB 219, introduced by Representatives Townley, Ransdall and Hegeman, relating to property rights.

HB 220, introduced by Representatives Hosmer, Williams, Relford, Jolly, Ward, Kennedy, Smith and Britt, et al, relating to the sexual offender registry.

HB 221, introduced by Representative Kelly (27), relating to income tax deductions for health-related expenses.

HB 222, introduced by Representative Kelly (27), relating to crime victims' compensation.

HB 223, introduced by Representative Kelly (27), relating to the joint committee on corrections.

HB 224, introduced by Representative Kelly (27), relating to house arrestees.

HB 225, introduced by Representatives Boucher, Reynolds, Jolly, Townley, O'Toole, Monaco, Dolan, Myers, Hendrickson and Burcham, et al, relating to tax credits for certain veterans.

HB 226, introduced by Representative Gaskill, relating to tax relief.

HB 227, introduced by Representative Walton, relating to impeachment of municipal elected officials.

HB 228, introduced by Representative Walton, relating to presidential electors.

HB 229, introduced by Representatives Hosmer and Hanaway, relating to the statute of limitations on certain tort actions.

HB 230, introduced by Representatives Hosmer and Hanaway, relating to claims against certain licensed professionals.

HB 231, introduced by Representative Troupe, relating to a board of corrections ombudsman and an office of corrections ombudsman.

HB 232, introduced by Representative Dougherty, relating to taxation for band funds in certain municipalities.

HB 233, introduced by Representative Dougherty, relating to lead abatement projects.

HB 234, introduced by Representative Dougherty, relating to property tax collection.

HB 235, introduced by Representative Dougherty, relating to public school teachers.

HB 236, introduced by Representative Smith, relating to the state juvenile information system.

HB 237, introduced by Representative Smith, relating to the sunshine law.

HB 238, introduced by Representative Smith, relating to license plates.

HB 239, introduced by Representative Smith, relating to environmental protection.

HB 240, introduced by Representative Smith, relating to sales tax exemptions for materials used in the production of livestock or poultry.

HB 241, introduced by Representative Smith, relating to trusts and estates.

HB 242, introduced by Representative Smith, relating to tourism taxes in certain cities.

HB 243, introduced by Representative Treadway, relating to cosmetologists.

HB 243, introduced by Representative Treadway, relating to schools.

HB 245, introduced by Representative Treadway, relating to accountants.

HB 246, introduced by Representative Smith, relating to technological crimes.

HB 247, introduced by Representatives Seigfreid and Relford, relating to the establishment of early voting procedures.

HB 248, introduced by Representatives Ward and Gratz, relating to the training and certification of uniformed officers of the department of corrections.

HB 249, introduced by Representative Treadway, relating to amusement machines.

HB 250, introduced by Representatives Reid and Levin, relating to phonics instruction.

HB 251, introduced by Representatives Crowell and Schwab, relating to operation of motor vehicles.

HB 252, introduced by Representative Hosmer, relating to the protection of certain children.

HB 253, introduced by Representatives Ross and Kelley (47), relating to the regulation of bail bond agents.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SR 2**.

SENATE RESOLUTION NO. 2

BE IT RESOLVED by the Senate, that the Secretary of the Senate inform the House of Representatives that the Senate of the First Regular Session of the Ninety-first General Assembly is duly convened and is now in session and ready for consideration of business;

BE IT FURTHER RESOLVED that the Secretary of the Senate notify the House of Representatives that the Senate is now organized with the election of the following named officers:

President Pro Tem.....Edward Quick
Co-President Pro Tem.....Peter Kinder
Secretary of Senate.....Terry L. Spieler
Sergeant-at-Arms.....Lester S. Marcum
Doorkeeper.....Ken Holman

WITHDRAWAL OF HOUSE BILLS

December 6, 2000

Anne Walker
Chief Clerk
Missouri House of Representatives
Jefferson City, MO 65101

Dear Ms. Walker:

I hereby respectfully request that **House Bill 41** be withdrawn. Your attention to this matter is appreciated.

Sincerely,

/s/ Representative Dennis Bonner
District 51

December 7, 2000

Anne Walker
Chief Clerk
Missouri House of Representatives
Jefferson City, MO 65101

Dear Ms. Walker:

I hereby respectfully request that **House Bill 44** be withdrawn. Your attention to this matter is appreciated.

Sincerely,

/s/ Representative Dennis Bonner
District 51

December 8, 2000

Anne Walker
Chief Clerk
Missouri House of Representatives
Jefferson City, MO 65101

Dear Ms. Walker:

I hereby respectfully request that **House Bill 51** be withdrawn. Your attention to this matter is appreciated.

Sincerely,

/s/ Randall Relford
Sixth District

December 21, 2000

TO: Anne C. Walker, Chief Clerk
FROM: Representative David Schwab
SUBJECT: House Bill 159

Please withdraw **House Bill 159** from the Legislative Docket. Thanks for your assistance to this request.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, January 4, 2001.

HOUSE CALENDAR

SECOND DAY, THURSDAY, JANUARY 4, 2001

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 1 through HJR 8

HOUSE BILLS FOR SECOND READING

- 1 HB 26 through HB 40
- 2 HB 42
- 3 HB 43
- 4 HB 45 through HB 50
- 5 HB 52 through HB 158
- 6 HB 160 through HB 253

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

SECOND DAY, THURSDAY, JANUARY 4, 2001

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God, we stand to join our hearts in prayer as we acknowledge our great need of Your guidance.

You know the clamor of voices in the ears of these men and women of the House. They face daily those seeking to exert influence upon them. Some seek to influence them for the good, others for narrow self-serving causes.

Grant to these called by our people, Your guidance and the gift of patience as they serve the interests of the people of Missouri, and to You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the first day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 8

and

House Resolution No. 9 - Representative Miller

House Resolution No. 10 - Representative Crump

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 1 through **HJR 8** were read the second time.

SECOND READING OF HOUSE BILLS

HB 26 through **HB 40**, **HB 42**, **HB 43**, **HB 45** through **HB 50**, **HB 52** through **HB 158**, and **HB 160** through **HB 253** were read the second time.

ESCORT COMMITTEES

The Speaker appointed the following committee to escort Lieutenant Governor Joe Maxwell and members of the Senate to the House Chamber: Representatives Foley, Hollingsworth, Ford, Fraser, Franklin, Curls, Schwab, Burton, Froelker and Long.

The Speaker appointed the following committee to escort Governor Roger Wilson to the dais: Representatives Graham, Harlan, Farnen, Riback Wilson (25), Seigfreid, Copenhaver, Scott, Linton, Kelley (47) and Ross.

Representative Crump moved that Rule 114 be suspended.

Which motion was adopted by the following vote:

AYES: 144

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boatright	Bonner	Bowman	Boykins
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Dougherty	Enz	Fares	Farnen	Foley
Ford	Fraser	Gambara	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelly 144	Kelly 36	Kennedy	King
Koller	Legan	Levin	Liese	Linton
Lograsso	Lowe	Luetkemeyer	Marble	Marsh
May 149	Mayer	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Patek	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner

Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Ballard	Bartle	Boucher	Bray 84	Clayton
Franklin	Froelker	Gaskill	Harlan	Kelley 47
Kelly 27	Klindt	Lawson	Long	Luetkenhaus
Mays 50	Schwab	Surface		

VACANCIES: 001

JOINT SESSION

The hour of the Joint Session having arrived, the Senate in a body was admitted and Lieutenant Governor Maxwell, presiding, called the Joint Assembly to order.

The Secretary of the Senate called the roll, which showed a majority of the Senators present:

AYES: 029

Bentley	Bland	Carter	Caskey	Childers
DePasco	Foster	Gibbons	Goode	Gross
House	Jacob	Johnson	Kenney	Kinder
Klarich	Loudon	Mathewson	Quick	Rohrbach
Russell	Schneider	Sims	Staples	Steelman
Stoll	Westfall	Wiggins	Yeckel	

NOES: 000

ABSENT: 001

Singleton

ABSENT WITH LEAVE: 001

Scott

VACANCIES: 003

The Chief Clerk of the House called the roll, which showed a majority of the Representatives present:

AYES: 158

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Dougherty	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Klindt	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50

McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Patek	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Bray 84	Clayton	Harlan	Surface
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VACANCIES: 001

The Doorkeeper announced the approach of the Honorable Roger Wilson. The Governor was duly escorted to the House Chamber and the Speaker's dais, where he addressed the members of the Joint Session.

I am going to have fun this morning. Whether you do or not is your business. I want to thank you. I want to thank everybody for the 24 wonderful years of public trust. It has been unbelievable. Let me assure you that nothing ever changes--I got 4 requests for appointments just on my way up the aisle.

To Governor-elect and our statewide office holders, it is a pleasure to be here with you. For all of us, our families -- yours and mine and our supporters, our friends and constituents -- this is an amazing thing that we get to do. It is just wonderful. My apologies for my family -- each of them had an assigned duty today and are not able to be here, but we have already talked about it and I received some adequate coaching on this presentation, so I hope it goes well. I also want to thank the people of the State of Missouri who are an amazing group. I have never seen strength exhibited like I did during the Flood of '93 or in the recent tragedy. There are a lot of people who make our job easier. I am going to list some and I am going to miss some and I really apologize. This is a neat environment and for all you new legislators, welcome. It will be a great experience and I think you will find my words are true -- you are going to enjoy your personal staff. They will keep more hidden from you than you ever realized. I appreciate everybody in this Capitol -- the maintenance people that make sure you and I have a beautiful place to come to work everyday. Those that work hard

and pay their taxes, educate our kids and take care of our mentally ill; the Capitol Police, the Print Shop, the people in the cafeteria, House and Senate and Legislative Research that we rely on so much; the Senior Staff of both Houses and in the Governor's Office; Enrolling and Engraving; and our Doorkeepers, Chief Clerk, Secretary of the Senate, Senate Administration -- they really keep us glued together and make us look better than we deserve together. You know it and I know it.

Everybody is special, but we have a group that is assembled for a special reason -- the Governor's Youth Leadership Conference. They are seated right up here. I would ask that you recognize them. I would ask that they stand. Take a good look because when we are sitting on a nursing home porch in our rockers, they will be running this state. They are going to take great care of us.

I want to thank the press and I know you think I am just sucking up to you for a future run but that is not the case. I do want to thank them because information is golden, it really is and you know that we can talk about disinformation or bad information, but everybody can share a little guilt, but I especially want to thank them for the decorum that they exhibited during the funeral of Governor Carnahan. We dealt with them and they were perfect. They did a wonderful job and I wish you would thank them for that. They are mad at me this morning because they asked for a copy of the speech and John Robinson had to finally tell them, "well Roger hasn't finished writing it yet, so you don't get it". That is the only reason you don't have one.

I love the House and the Senate. I somewhat regret the fact that I didn't get to serve in the House because I certainly enjoyed enough of its raucous humor. A lot of it was at my expense, but I certainly enjoyed it and there is this energy over here that is amazing to watch and it is different from the Senate. I have had some wonderful friends in the House and I thank you so much for your friendship. I also appreciate the tough decisions that you have had to fight your way through and yes you will get some more this year. I regret that. I wish some of these things I or all of us collectively could have taken care of. Governor-Elect Holden has my best wishes and he will have my support. I will say it right now -- Bob Holden deserves everybody's support regardless of party lines. President George Bush deserves everybody's support regardless of party lines. We have got too much at stake whether it is opportunity or a threat to risk letting something important fall through the cracks because of a lack of civility or a mistaken importance of either pride or power. I hope that this General Assembly and this Governor will be able to work very well together.

For you young legislators, I have some warnings -- the minute you see a senior legislator stand up and start to tell about a conference committee that they were on about 20 years ago and get ready to quote, and every member of the conference committee is deceased -- just put your seatbelt on. You might want to revamp your approach if you get a consent bill killed. One of my favorite lines uttered in the Missouri Senate was "Senator, I will never lie to you on the floor". And another of my favorite lines was uttered by Senator Henry Melton. Senator Melton had worked and worked on a Social Services Bill to get it amended. He still didn't like it and probably wasn't going to vote for it. The sponsor who had suffered all of the amendments, finally said, "Senator isn't that good enough?" and he shrugged and said "bad breath is better than no breath at all".

You are going to suffer some embarrassments. That is why you are here, so just get used to it. This is a fishbowl. You are in the public eye and none of us are perfect. Let me share a couple of my embarrassing moments. One happened not too many years ago. I was down at the Capitol Plaza Hotel and I noticed several House members in the audience. So I started naming a few and I thought 'oh this is going to be kind of bad'. I got about 8 or 10 named and I said now have I missed anybody. About 18 hands went up. You can weather that stuff, as long as you have a sense of humor, you can stand your own frailties and I encourage you to think about that.

On government, I've always looked at it in a couple of ways, but one that's never changed is that we have some producers and we have users -- users by necessity, but nonetheless, users. The producers are our manufacturers -- our retailers, the people that we can reach through economic development, helping with tax credits or anything else.

Agriculture, you guys did some great things last year and I look forward to the funding of some innovative agricultural themes this year. That's going to help. If you really want to do something to help agriculture that's what you're going to do is make sure that funding gets in there. Because some of these new co-ops out here that are trying to help the family farms make it need our support. And, maybe it's not enough right now but, boy, it's a good start. So, you keep it up and you keep going there.

Tourism -- Senator Danny Staples will be introducing a Senate bill to enhance the tourism formula and I am making a personal request that you pass that legislation and that you enhance the formula. Because I have never seen a better marriage. What I've seen between the industry, the legislature, the public and the division of tourism -- it's just fantastic. You put them on a production basis a few years ago with House Bill 188, and they've done a marvelous job. And that board is one of the best boards in the state. So, if you would (not that Danny needs any help) give Danny all the help you can on that. I would hope that a House member on the Tourism Committee would introduce that too. It makes sense. It makes sense because when ag. produces, when tourism produces, when manufacturing and retailing produce -- then you can take care of mental health, school children, seniors, corrections. But, we've got to have them strong and I think you can do a few things this year that will really tweak that in a wonderful form.

I sent all of you a letter on Aging. I don't know if you've gotten it yet -- I don't know if you've read it yet. But, obviously I believe very strongly that aging has had some problems in the past and I think we ought to address them. And I had some choices; I could have just done some housekeeping and gone on. But, I'm not going to look back on my career and think -- Rog, you were there for two and one-half months -- why didn't you do something about it? So, I'm asking you to help me move the Division of Aging from Social Services (which is overcrowded) to the Department of Health, which has some very nice horizontal connections in it. And, let's help both departments. Give Social Services some breathing room and give Aging some more attention at the Governor's table. Because, I truly believe in about six to eight years, when baby-boomers become senior-boomers, you and I could have a problem very similar to what we have now with highways, that we're going to wrestle with and bring to the ground somehow. But, I don't want another one coming right behind it just as soon as you get that done. Let's give ourselves a chance for some elevation of senior issues, and get those things debated, get them heard at the budget level and the Governor's table level, so that they don't sneak up on us in a few years. If you need a little more proof of the pudding, for those of you that are new, we've had 14 directors in 20 years. That's an abysmal record. That's no concentration. That's no consistency and we need to change it. It wasn't written there. I just thought that all up on my own.

I would like to see a few efficiencies in the budget too. I've heard that the hiring freeze is me trying to make sure that Bob's got some slots to fill. (See, I listen to the radio, Merrill -- and I love you.) But, I'm telling you; you have a little bit different budget to deal with this year. And, after you've wrestled with it for a couple of months you're going to realize that. And, it's not going to be as much fun as some of the other years have. But, it's something I noticed when I was appropriations chairman and I think we ought to re-institute it every now and then. My proposal today would be to reduce the FTE number, starting today, by 500 people. That's not big -- out of 60,000 -- but it's significant. And, I'll tell you right now, I'm probably taking the easiest 500 and Governor Holden is going to be left with some tougher decisions. So, don't think it's all done even if we get this done. It will free up some money, and, yes, we're having trouble with revenues meeting expectations. Hopefully, that's going to improve and we'll keep a closer eye on it. But, I think this kind of flexibility is important for budgetary reasons. But, I also think that the people that ought to control how many places sit vacant, or how many people you actually allow to a department, are the people that receive the votes. Whether it's in the executive branch or the legislative branch, and I don't think the padding (and I'm not demeaning any department heads) needs to be there. I think you are the ones that need to assign those resources. And, so, when these 500 are cut (and by the way, those are vacancies) I told you they were the easiest ones. I would like you to take some of that money and plow it back into a few of those departments because the reason for some of those vacancies is because the pay is so low, and the work is so hard with direct services (whether mentally ill or others) that we just can't keep people hired. So, if we really want to serve the people that we're actually talking about serving, then let's get serious about it and let's try to get people on hand to help take care of them. And, if we have to raise a few salaries then I think we ought to do it.

While I'm on state workers -- I have a real strong feeling that they/we all have an obligation -- if we actually think we can run a democracy -- if we're not good, we better get good. And that goes for everybody (myself included) to the newest employee of the state. And I think we've had a pretty good attitude for the last eight years in trying to bring

people out and do that. I hope that can continue because it's going to be very important for this next administration. I also want to say that a lot of state employees have jobs that you and I would not take. We wouldn't have them -- we wouldn't even apply for them. I don't think it's fair to use them as punching bags when they are out there working in the Biggs Unit, when they're out there on a highway (and the highest mortality rate in state government is highway workers out there). I know it's easy to kick around, let's just don't do it -- let's just don't do it. If you really want to build a team spirit, you have to lift people up. And you have to tell them when they come into those appropriation hearings, or when they come into your senate and house hearings you have to ask them legitimate questions about "how are you going to get it done?". And, we always do that, but I also know we also take some "pot shots", and, yes, I'm guilty. Let's slow it down, let's give them a chance and let's encourage them. Because I've seen some great work out of them, I've seen them do some great things and I think they deserve better than some of what they've gotten in the past and for that I apologize.

Now, this is a little fun thing I want to do. And it only cost about \$30 million. Back in 1918 when the Capitol was complete there's a drawing of a riverfront entrance, and it's gorgeous. As a matter of fact, Senators already have a copy of that, along with some supporting documents on their desk that they'll receive when they get back. And, as soon as this speech is over each of you will receive a packet. But, a river museum will do several things that I would like to encourage you to do. It would provide more office space close to the Capitol. Possibly with an entrance that you don't have to go outdoors to use. It would provide more parking. It would provide a place for school children to come in and be weather-covered on Amtrak. It would provide a place for us to memorialize Lewis and Clark, which is coming up in 2003. And, if you would grant me this, I would request that a portion of that space be taken up for a memorial to Governor Carnahan. It is beautiful, and it is expensive, and I really feel guilty about coming to you and talking about money when I don't have the source in hand. All I can tell you is I will try to help. It's something that's worthy. It's something that our constituents would enjoy. It's a way you can help tourism. But, more importantly, it's something that will make us more efficient and make Missouri prouder of their seat of government. I hope you enjoy looking at that package. It enthused me the first time I saw it and I hope it enthuses you.

All right, now is the time on the program for a couple of rants. I've noticed that in my speech pattern. And, there are certain things that I really don't have a solution for exactly, but they really burn me up so I want to get everybody thinking about them. Gripping has become a national past time. That's the kind of thing we can fall into. Why has it become a national past time? Because we've got it so good. How many people in here have lived in a house without electricity? How many people in here have lived in a house without indoor plumbing? Do we have it good? Yeah, we have it good -- we have it great. So, what have we done with our spare time? We fill it with a little gripping. Let's change it and let Missouri be the point of impact. Let's really let that happen. Okay, I'm feeling better -- that's good.

Educational peeves -- I don't want teachers blamed for educational problems that have nothing to do with them. A fifty-percent divorce rate and a drug problem are not caused by teachers. They are absolutely our front line on trying to fight a lot of that. Let's try to give them some real help. We've passed laws to punish people that misbehave around the school but I think we're going to have to figure out (even with the safe schools act) how is it that you and I show our support of those teachers? And, you know what, that's not where the real responsibility lies. Pat and I tell the teachers of our children that they're right. And, even if they're wrong, our children have the obligation to be smart enough to figure out how to get along in that classroom so 28 other people's education isn't interrupted. And, until we start giving them that kind of support then let's don't look at teaching or the administration or the legislature. This is something that is the job of 5.4 million people. And if we can handle the Carnahan tragedy and if we can handle the flood of '93, then shame on us for not being able to handle this. Okay, this guy's writing is terrible.

On higher education -- taxpayers, legislators, governors, are working their heads off to try to fully fund higher education. Look what you've done with the A+ program, look what you've done with bright flight. Look what you've done in community colleges. You talk about neat, I didn't think that was possible when I came here in '79. You have done some remarkable things and we can do some more. And, I want you to keep trying. But, I do want to correct the thought process too. I've spoken on several university campuses and I've always dropped this bomb there but I want to drop it here today publicly, too. I've asked a lot of people -- how many people are getting public assistance with your education? Well, unless they have a student loan or are getting a scholarship or something they don't raise their hand. There is a misunderstanding -- there is a misunderstanding. I've had to tell college group after college group after college group that you go out there and thank the person that's running the convenience store that may only have an

eighth-grade education because they go to work every day and help pay for your education. And, we've lost the message someplace and it's got to get back. A lot of people think tuition is going through the roof. Not that we have an ungrateful group of students -- this group is capable of running the world. But, you know what, there's too few thank you's in this word especially to unrecognized taxpayers and voters. And that's one way to do it. I think a college student ought to walk out and tell that person thank you -- just ad hoc -- it would be fun. Now, you've been nice oh, don't forget, Schneider for judge.

Let me thank you for all of the hospitality and kindness that you've extended to me and my family over all these years. And, if you really want to thank me you just take good care of your family. That would be a great thank you. And, take care of this big family that we've got that have selected and sent you here. I've said it before, the flood of '93 just showed me something that totally amazed me. It was unbelievable to see the amount of strength that this state had. And, the respect and strength that I saw during Governor Carnahan's funeral. And, even now, Bob can feel it and I can feel it -- we can all feel it. There is a respect and reverence here that I hope that we can maintain because it's really going to be good for us. It's going to help us maintain the civility that we need. But, I also observed something that just amazed, because I'm ashamed to say it, even to my 52nd year I took it for granted. What we were thrown into was an unbelievable circumstance. And, the thing that caught all of us, and part of the strength of our state, was our Constitution. I'd always had an admiration and respect for it, but I'd never had an understanding of how it could perform. You and I are of a generation that has now seen it perform. So, protect it, improve it if we can, but I think you can rest easy at night -- this 200 years of democracy that we've lived through has us so well protected. And, all we have to do it protect it. Thank you and goodbye.

The Joint Session was dissolved by Lieutenant Governor Maxwell.

Speaker Kreider resumed the Chair.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 9, introduced by Representatives Linton and Lograsso, relating to the state board of education.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 254, introduced by Representative Kelly (27), relating to delivery of prisoners.

HB 255, introduced by Representative Kelly (27), for the sole purpose of increasing access to birth records by adopted adults.

HB 256, introduced by Representative Bonner, relating to disclosure of prior methamphetamine activities on certain real property.

HB 257, introduced by Representative Wagner, relating to public retirement systems.

HB 258, introduced by Representatives Koller, Clayton, Hampton and Relford, relating to certain weapons offenses.

HB 259, introduced by Representatives Koller and Hampton, relating to restrictions on reintroducing wild elk.

HB 260, introduced by Representatives Kennedy, Haywood and Dougherty, relating to compensation and employment benefits of police officers in certain cities.

HB 261, introduced by Representative Linton, et al, relating to promotion of children's reading skills.

HB 262, introduced by Representative Linton, et al, relating to certain public school records.

HB 263, introduced by Representative Linton, et al, relating to required consent for student psychological testing in certain cases.

HB 264, introduced by Representative Linton, et al, relating to the power of local school boards to allow the posting of certain historical documents regardless of religious content.

HB 265, introduced by Representative Hosmer, relating to death penalty.

HB 266, introduced by Representative Treadway, relating to real estate agents and brokers.

HB 267, introduced by Representative Treadway, relating to licensure of design professionals.

HB 268, introduced by Representatives Legan and Kelly (27), et al, relating to the enforcement of age restrictions on the sale of tobacco products.

HB 269, introduced by Representative Legan, relating to the repossession of motor vehicles on behalf of a financial institution.

HB 270, introduced by Representatives Legan, Champion, Boucher, Smith and Farnen, relating to votes taken at public governmental bodies meetings.

HB 271, introduced by Representatives Fraser, Merideth, Berkowitz, Davis and Hagan-Harrell, et al, relating to retention and recruitment of teachers.

HB 272, introduced by Representative Froelker, relating to court pleadings and forms.

HB 273, introduced by Representative Fraser, et al, relating to membership on the state board of education.

HB 274, introduced by Representative Shields, relating to inclement weather exceptions for mandatory days of school attendance.

HB 275, introduced by Representatives Relford, Seigfreid and Davis, relating to a MO-AG Businesses license plate.

HB 276, introduced by Representatives Relford, Seigfreid and Merideth, relating to records kept by the state highway patrol.

HB 277, introduced by Representatives Myers, Black, King, Luetkemeyer and Legan, relating to crimes.

HB 278, introduced by Representatives Myers, Black, King, Luetkemeyer and Legan, relating to drug regulations.

HB 279, introduced by Representatives Shoemyer, Copenhaver, Jolly, Farnen, Clayton and Wiggins, relating to supplemental newborn screening.

HB 280, introduced by Representative Hoppe, relating to the provision of medical transportation services.

HB 281, introduced by Representative Walton, relating to elections.

HB 282, introduced by Representative Walton, relating to elections.

HB 283, introduced by Representative Ward, authorizing the governor to convey certain property in St. Francois County which is part of the Southeast Missouri Mental Health Center to the American Legion.

HB 284, introduced by Representative Hosmer, relating to criminal procedure involving mentally retarded individuals.

HB 285, introduced by Representatives Riback Wilson (25), Johnson (61), Farnen, Ostmann, Campbell, Bray and Coleman, et al, relating to Missouri centers of excellence in women's health.

HB 286, introduced by Representative Smith, relating to refunds of incorrectly collected sales tax to original purchasers.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 1**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the following Senators have been appointed to act with a like committee from the House pursuant to **HCR 1**. Senators: Carter, DePasco, House, Klarich, Rohrbach, Russell, Sims, Stoll, Westfall and Wiggins.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 6:00 p.m., Sunday, January 7, 2001.

HOUSE CALENDAR

THIRD DAY, SUNDAY, JANUARY 7, 2001

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 9

HOUSE BILLS FOR SECOND READING

HB 254 through HB 286

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

THIRD DAY, SUNDAY, JANUARY 7, 2001

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God: we know that You expect us to do our part, for You have created us with minds to think and wills to resolve.

Grant to the men and women of this House a willingness to think hard, clearly, and honestly, guided by Your voice within each of us.

May we stand for nothing in our personal lives which, if multiplied, would weaken our state, which is not better than its citizens and no stronger than those in whom it places its trust.

To You be Glory and Honor forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Adair Stokan, Garrett Stokan, Andrea Baker, Bo Hanneken, Adam Childress, Tara White, Jenny Harter, Christina Gaskin, Lyndon M. Gray, John Charles Gaskin, Elise Gray and Langston Gray.

The Journal of the second day was approved as corrected.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 9 was read the second time.

SECOND READING OF HOUSE BILLS

HB 254 through **HB 286** were read the second time.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 1**.

SENATE CONCURRENT RESOLUTION NO. 1

BE IT RESOLVED by the Senate, the House of Representatives concurring therein, that the President Pro Tem and Co-Pro Tem of the Senate and the Speaker of the House appoint a committee of thirty-six members, one-half from the Senate and one-half from the House to cooperate in making all necessary plans and arrangements for the participation of the General Assembly in the inauguration of the executive officials of the State of Missouri on January 8, 2001; and that the joint committee is authorized to expend the necessary amount in making such plans and arrangements; with expenses to be paid from the joint contingent fund; and

BE IT FURTHER RESOLVED that the Administration Committee of the Senate and the Accounts Committee of the House of Representatives audit, allow and pay the expenses of the legislative participation of the inauguration and that the joint committee be authorized to cooperate with any other committees, officials or persons planning and executing the inaugural ceremonies keeping with the traditions of the great State of Missouri.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the following Senators have been appointed to act with a like committee from the House pursuant to **SCR 1**. Senators: Bentley, Carter, DePasco, Foster, Goode, House, Jacob, Johnson, Klarich, Rohrbach, Russell, Schneider, Sims, Singleton, Stoll, Westfall and Wiggins.

SENATE CONCURRENT RESOLUTION

SCR 1, relating to the Inaugural Committee, was taken up by Representative Crump.

On motion of Representative Crump, Rule 63 was suspended and **SCR 1** was adopted by the following vote:

AYES: 147

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Coleman	Cooper	Copenhaver
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Dougherty	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman

Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Hollingsworth	Holt	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kennedy	King	Klindt	Koller
Lawson	Legan	Levin	Linton	Long
Lowe	Luetkemeyer	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Boatright	Clayton	Crawford	Froelker	Gaskill
Holand	Hoppe	Kelly 36	Liese	Lograsso
Luetkenhaus	O'Connor	Patek	Reid	Surface

VACANCIES: 001

INAUGURAL COMMITTEE

The Speaker appointed the following members to the Inaugural Committee:
Representatives Farnen-Chair, Kreider, Abel, Crump, Foley, Thompson, Barry, Boykins, Hagan-Harrell, Johnson (90), Fraser, Hanaway, Naeger, Shields, Luetkemeyer, Reinhart and Legan.

RESOLUTIONS

Representative Crump offered **House Resolution No. 11.**

HOUSE RESOLUTION NO. 11

WHEREAS, upon occasion the members of the Missouri House of Representatives pause to recognize those outstanding Missouri citizens who have fulfilled their official duties with the utmost dedication, competence, and integrity; and

WHEREAS, the Honorable Rebecca McDowell Cook is to be praised and commended for the effective manner in which she has presided over the deliberation of the House of Representatives prior to its temporary organization, one of the numerous responsibilities of the Secretary of State pursuant to the Constitution of the Great State of Missouri; and

WHEREAS, one of this state's most respected public servants whose commitment to the state and citizenry of Missouri is unmatched, the Honorable Rebecca Cook has wholeheartedly dedicated herself to the duties and responsibilities assigned her as Secretary of State since taking the oath of office on December 16, 1994; and

WHEREAS, during her illustrious tenure in office, Rebecca Cook has been steadfast in her efforts to increase participation in the elections process through various projects including First Vote, a program that encourages high school seniors to register and begin a lifetime of voting as responsible citizens; and

WHEREAS, Mrs. Cook's other notable accomplishments include such impressive projects as the implementation of a centralized voter registration system, expanding the use of technology in libraries across the state, helping older Missourians to avoid investment fraud, and encouraging voter registration; and

WHEREAS, the first Cape Girardeau County native to hold statewide office in Missouri in Ninety-three years, Rebecca Cook has earned the praise, respect, and admiration of all Missourians throughout her impressive term of service as Missouri's 36th Secretary of State:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, unanimously join in expressing our utmost appreciation and deep gratitude to the Honorable Rebecca Cook for the exemplary manner in which she has served this legislative body, and in wishing her only the very best of success in all her future endeavors; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Honorable Rebecca McDowell Cook, as a measure of our esteem for her.

On motion of Representative Crump, Rule 63 was suspended and **House Resolution No. 11** was adopted by the following vote:

AYES: 141

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bonner	Boucher
Bray 84	Britt	Brooks	Burcham	Burton

Byrd	Campbell	Carnahan	Champion	Cierpiot
Coleman	Cooper	Copenhaver	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Dougherty	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Gambaro	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Hollingsworth	Holt	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kennedy	King
Klindt	Koller	Lawson	Levin	Linton
Long	Lowe	Luetkemeyer	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Thompson	Townley	Treadway	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 021

Boatright	Bowman	Boykins	Clayton	Crawford
Froelker	Gaskill	Haywood	Holand	Hoppe

Kelly 36	Legan	Liese	Lograsso	Luetkenhaus
O'Connor	Patek	Reid	Surface	Troupe
Wilson 42				

VACANCIES: 001

Representative Crump offered **House Resolution No. 12.**

HOUSE RESOLUTION NO. 12

WHEREAS, with the opening of the Ninety-first General Assembly of the State of Missouri on Wednesday, January 3, 2001, the members of the Missouri House of Representatives proudly acknowledge services rendered to the General Assembly by distinguished public servants of this fair state; and

WHEREAS, the Honorable William Ray Price, Jr., Chief Justice of the Supreme Court of Missouri, deserves countless words of praise and commendation for the selfless manner in which he has given of his valuable time to administer the oath of office to members of this legislative body in accordance with Missouri law; and

WHEREAS, during the inaugural session of the House of Representatives, Justice Price displayed the highest degree of dedication in continuing the long-established tradition of rendering a sense of both dignity and solemnity in the prestigious ceremony which marks the official beginning of each legislator's two-year in office as an elected representative of the people of Missouri; and

WHEREAS, since his appointment to the Supreme Court in April, 1992, Judge Price has worked tirelessly to help maintain open lines of communication between the judicial and legislative branches of Missouri state government so that each may be informed of the role of the other in serving all citizens; and

WHEREAS, it is entirely fitting and proper that this legislative body should take pause to applaud the numerous laudable achievements of the Honorable William Ray Price, Jr., during his exemplary legal career:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, join unanimously in expressing our most sincere thanks and deepest appreciation to the Honorable William Ray Price, Jr., for the devoted and faithful manner in which he has served this body and further extend our very best wishes for continued great success and even more outstanding accomplishments in executing his numerous varied duties and responsibilities as Chief Justice of our State's Highest Court; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Honorable William Ray Price, Jr., as a mark of our esteem for him.

On motion of Representative Crump, Rule 63 was suspended and **House Resolution No. 12** was adopted by the following vote:

AYES: 145

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bonner	Boucher	Bowman

Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Coleman	Cooper	Copenhaver	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dougherty	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Gambaro	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Hollingsworth	Holt
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kennedy
King	Klindt	Koller	Lawson	Legan
Levin	Liese	Linton	Long	Lowe
Luetkemeyer	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Thompson
Townley	Treadway	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Ballard	Boatright	Clayton	Crawford	Dolan
Froelker	Gaskill	Holand	Hoppe	Kelly 36

Lograsso

Luetkenhaus

O'Connor

Patek

Reid

Surface

Troupe

VACANCIES: 001

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 4, introduced by Representatives Williams, Riback Wilson (25) and Ostmann, et al, relating to the Equal Rights Amendment to the United States Constitution.

INTRODUCTION OF HOUSE BILL

The following House Bill was read the first time and copies ordered printed:

HB 287, introduced by Representative Williams, et al, relating to privately-operated correctional facilities.

WITHDRAWAL OF HOUSE BILL

January 4, 2001

Ted Wedel, Chief Clerk
Missouri House of Representatives
Room 306C
Jefferson City, Mo. 65101

Dear Ted:

I respectfully request to withdraw **House Bill 216**, relating to corporation water rates.
Thank you for your consideration of this request.

Sincerely,
/s/ Rep. Ted Farnen
District 21

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 9:00 a.m., Monday, January 8, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Second Day, Thursday, January 4, 2001, pages 69 and 70, roll call, by showing Representatives Bartle, Boucher and Lawson voting “aye” rather than “absent with leave”.

HOUSE CALENDAR

FOURTH DAY, MONDAY, JANUARY 8, 2001

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 4

HOUSE BILL FOR SECOND READING

HB 287

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

FOURTH DAY, MONDAY, JANUARY 8, 2001

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Eternal God: You give each of us gifts and call us to make use of them. As we celebrate the gifts of leadership in our state, we thankfully acknowledge that all of our gifts come from You, we hold them in trust. Keep in Your care these gifted men and women of the House, our Governor and all who have been called to high office.

Protect their integrity and grant them a light touch as they deal with the stress of service. Bless this new beginning. And to You be glory and power. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Alexandra Lee O'Toole, Timothy James O'Toole, Katherine Lynn O'Toole, Melissa Kleiboeker, K. Joseph "Joe" Simmons, Ashley Gillig, Brittany Gillig, Koni Weaver and Daisy Weaver.

The Journal of the third day was approved as corrected by the following vote:

AYES: 160

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Dougherty	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway

Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Klindt	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 001

Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 001

Patek

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 13 - Representative Hoppe
House Resolution No. 14 - Representatives Ridgeway, Reinhart, Skaggs, Phillips,
Harding and Kelly (36)
House Resolution No. 15 - Representative Purgason
House Resolution No. 16
through
House Resolution No. 18 - Representative Champion
House Resolution No. 19 - Representative Troupe
House Resolution No. 20
and
House Resolution No. 21 - Representative Monaco
House Resolution No. 22 - Representative Ransdall
House Resolution No. 23 - Representative Bartelsmeyer
House Resolution No. 24 - Representative Hoppe
House Resolution No. 25 - Representative Purgason

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 4 was read the second time.

SECOND READING OF HOUSE BILL

HB 287 was read the second time.

MESSAGE FROM THE GOVERNOR

January 5, 2001

**REORGANIZATION PLAN
for the
Division of Aging and the Department of Health
2001**

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF MISSOURI:

By virtue of the authority vested in me by the Constitution and laws of the state of Missouri, including the Omnibus State Reorganization Act of 1974 and sections 26.500 through 26.540, RSMo, I hereby transmit the Division of Aging and Department of Health Reorganization Plan of 2001 (attachment A), which provides for the transfer of the Division of Aging from the Missouri Department of Social Services to the Missouri Department of Health.

Pursuant to Section 26.510 RSMo, said plan shall become effective by Executive Order 01-02, (attachment B) not sooner than August 28, 2001, unless it is disapproved.

/s/ Roger B. Wilson
GOVERNOR

(Attachment A)
REORGANIZATION PLAN
GENERAL BACKGROUND

This plan would rename the current Missouri Department of Health to the Missouri Department of Health and Senior Services and incorporate the Division of Aging currently located within the Department of Social Services into the renamed department.

The Missouri Department of Health is responsible for protecting and promoting the health of the population of Missouri. This is carried out through the assessment of the population's health, identification of health threats and needs, development of policies and priorities, and the assurance of appropriate responses. We implement these core public health functions through collaborative relationships with public and private entities, communities and citizens.

The Division of Aging currently located in the Missouri Department of Social Services is charged with promoting, maintaining, improving, and protecting the quality of life and quality of care for Missouri's older adults and persons with disabilities so they may live as independently as possible with dignity and respect.

SPECIFIC DEPARTMENT STRUCTURE

The reorganized Department of Health and Senior Services will be directed by a Department Director who will have a Chief Operating Officer and two Deputy Directors that report directly to the Director. The Director through the Chief Operating Officer and these two deputies will be responsible for the management of the Department and administration of its programs and services. This includes daily operations and Departmental functions such as those listed below.

The Chief Operating Officer will support and provide oversight for the activities of:

- Operational Offices: *Personnel, Legal, Governmental Policy, Public Information, Training and Professional Development, Women's Health, Minority Health, Epidemiology, Emergency Response/Terrorism*
- Division of Administration: *Fiscal, Administrative and General Services support to all department units*
- Center for Community Development and Health Care Access: *Community development and enhancement of health care access*
- Center for Health Information Management and Evaluation: *Statistical support and health care assurance activities, information technology, technology research and development*

A Deputy Director will support and provide oversight for the activities of the Division of Senior Services and the Division of Health Standards and Licensure.

- Division of Senior Services: *Home and community services program and program of immediate assistance which provides support for older persons and persons with disabilities between the ages of 18 and 59, all of whom live at home. In addition, assistance for persons who encounter abuse, neglect or exploitation.*
- Division of Health Standards and Licensure: *Long term care facilities, health facility regulation, child care licensure, emergency medical services, controlled substance registration, and other institutional programs*

A Deputy Director will support and provide oversight for the activities of the health and public health functions of the Department of Health and Senior Services.

- Center for Local Public Health Services: *Local public health system support*
- Division of Chronic Disease Prevention and Health Promotion: *Combats the major causes of premature death, illness, disability and medical costs*
- Division of Environmental Health and Communicable Disease Prevention: *Investigation of cause, origin, and method of transmission of communicable diseases and diseases caused by environmental hazards*
- Division of Maternal Child and Family Health: *Promotes optimal health by programs designed to meet the health care needs of families*
- Division of Nutritional Health and Services: *Nutritional services and support, population-based surveillance to determine the nutritional status of all Missourians*

OTHER RELATED ISSUES

In addition, the following change will occur by legislation and transfer.

- Using the same statutory model as the Board of Health, a **Board of Senior Services** will be created. Both Boards will advise the Director of the Department of Health and Senior Services on issues relating to their respective areas of expertise.

A Memorandum of Understanding will be developed between the current Department of Health and the Department of Social Services and carried forward to the renamed Department of Health and Senior Services and the Department of Social Services that will provide guidance for the smooth transition and maintenance of specific issues that impact staff and services of both departments.

These Memorandums will include, but not be limited to, issues relating to accounting, chain of command for interim reporting, contracts, data processing, FY02 budget to be transferred, if passed, grants, hiring, legal services, office space (including leasing, utilities, telecommunications, etc.), payroll, personnel and office resources, purchasing, SAM II, state cars, any collective bargaining agreements, vacancy management and warehousing issues.

(Attachment B)
EXECUTIVE ORDER
01-02

WHEREAS, the Missouri Department of Social Services is created pursuant to Chapter 660, RSMo; and

WHEREAS, the Division of Aging is created and established as a division of the Missouri Department of Social Services pursuant to Section 660.050 RSMo; charged with aiding, assisting and safeguarding the lives of the elderly and low-income disabled adults in this State; and

WHEREAS, the Missouri Department of Health is created pursuant to Chapter 192 RSMo, and charged with safeguarding the health of the people in this state; and

WHEREAS, the transfer of the Division of Aging from the Missouri Department of Social Services to the Missouri Department of Health will benefit the citizens of the state because many of the issues impacting Missouri's senior and disabled citizens are integrally related to health and nutrition; and

WHEREAS, the transfer of the Division of Aging from the Missouri Department of Social Services to the Missouri Department of Health will allow Missouri's seniors and disabled citizens to receive information and critical services from one administrative agency of state government; and

WHEREAS, the transfer of the Division of Aging from the Missouri Department of Social Services to the Missouri Department of Health will result in better integration, closer coordination and communication regarding health, nutrition and social services for Missouri's seniors and disabled citizens that will enhance care and treatment and assure that services are provided in an expedient manner; and

WHEREAS, as part of the transfer of the Division of Aging from the Missouri Department of Social Services to the Missouri Department of Health, there will be created a deputy department director of senior services and an advisory board for senior services. Each will work directly to enhance and elevate programs for Missouri's seniors and disabled citizens; and

WHEREAS, the Division of Aging and Department of Health Reorganization Plan of 2001 (attachment A) was not disapproved within sixty days of its submission to the First Regular Session of the 91st General Assembly.

NOW, THEREFORE, I, Roger Wilson, Governor of the State of Missouri, by virtue of the authority vested in me by the Constitution and laws of the state of Missouri, do hereby order the Missouri Department of Social Services and the Missouri Department of Health to cooperate:

1. To transfer all the authority, powers, duties, functions, records, personnel, property, contracts, budgets, matters pending and other pertinent vestiges of the Division of Aging, by Type I, as defined under the Reorganization Act of 1974, to the Missouri Department of Health; and
2. To develop the mechanisms and processes necessary to effectuate the transfer of the Division of Aging to the Missouri Department of Health.

3. To implement all aspects of the Division of Aging and Department of Health Reorganization Plan of 2001 (attachment A).

This Order shall become effective no sooner than August 28, 2001 unless disapproved within sixty days of its submission to the First Regular Session of the 91st General Assembly, and shall remain in effect until rescinded by the Governor.

IN WITNESS WHEREOF, I have
hereunto set my hand and caused to be
affixed the Great Seal of the State of
Missouri, in the City of Jefferson, on this 5th
day of January 2001.

/s/ Roger B. Wilson
GOVERNOR

ATTEST:
/s/ Rebecca McDowell Cook
SECRETARY OF STATE

JOINT SESSION

The Senate and House of Representatives met in Joint Assembly on the steps of the State Capitol and President Pro Tem Quick called the Joint Assembly to order.

Governor-elect Bob Holden was escorted to his place at the podium by the Legislative Inaugural Committee.

Robert Lee Holden III and John D. Holden led the audience in the Pledge of Allegiance to the Flag.

The Honorable Glenn A. Norton, Chief Legal Counsel to Governor-elect Bob Holden sang the National Anthem.

The Invocation was offered by Dr. James I. Spainhower, Missouri State Treasurer (1973-1981).

Remarks by the Honorable Thomas F. Eagleton, United States Senator (1969-1987).

The Honorable Jeff W. Schaeperkoetter, Judge of the 20th Judicial Circuit Court, administered the oath of office to Attorney General Jeremiah W. (Jay) Nixon.

The Honorable Barbara W. Wallace, Judge of the 21st Judicial Circuit Court, administered the oath of office to State Treasurer Nancy Farmer.

The Honorable Duane Benton, Judge of the Supreme Court, administered the oath of office to Secretary of State Matt Blunt.

The Honorable Ronnie L. White, Judge of the Supreme Court, administered the oath of office to Lieutenant Governor Joe Maxwell.

A scripture reading was offered by the Reverend Maurice J. Nutt, C.Ss.R., D.Min., St. Alphonsus “Rock” Catholic Church.

Remarks by Honorable Richard A. Gephardt, Democratic Leader, United States House of Representatives.

Presentation in Song by the Statewide Inaugural Choir, introduced by the Reverends John Modest Miles, Earl Nance and Nathan Green.

The Honorable Ann Covington, Judge of the Supreme Court, introduced the Honorable Calvin R. Holden.

The oath of office was administered to Governor-elect Bob Holden by the Honorable Calvin R. Holden, Judge of the 31st Judicial Circuit Court.

Immediately after the administration of the oath, military honors were rendered to Governor Holden with the firing of a nineteen gun salute by the Battery D, First Battalion, 129th Field Artillery, MOARNG, Independence, Missouri and the flyover by four F-15 Fighter Jets, 131st Fighter Wing, MOANG, Lambert Field, St. Louis, Missouri.

Governor Bob Holden delivered his Inaugural Address.

**INAUGURAL ADDRESS
BY GOVERNOR BOB HOLDEN**

One Bright Future, One Missouri

Today we observe the beginning of a new century. But more importantly, we bear witness to the beginning of a new vision: one bright future, one Missouri.

Only three short months ago, Missourians stood together with the Carnahan and Sifford families in their hour of need. The power of our shared grief made us all stronger.

Thank you, Jean, for the grace you have shown during these difficult days. You have made all of us proud.

Through these challenging times, we have supported our new Governor as he carried out his duties with honor and dignity. His compassion and good humor have lifted our spirits. Thank you, Governor Wilson, for your leadership.

As we reflect on these events, we realize that sometimes it's in the worst of times that we discover the best in ourselves. We came together and moved Missouri forward.

That same power that brought us forward in sorrow can now bring us forward in success. The power of shared common goals can break down any walls that separate us, whether those walls are constructed from personal ideology, special interests, or regional concerns.

The dawn of this new day brings new hopes and new beginnings. Today our dawn has come...the awakening of a new century and a better Missouri.

Our past sunsets have brought us a multitude of gifts. We have unlimited resources—a central location, two international cities, two magnificent rivers, rich farmland, an evolving life sciences corridor, and one of the most talented and productive workforces in the world. These resources and the excellent leadership of the past eight years have carried us far.

Missourians are safer, healthier, and better educated than at any time in our history.

But we cannot...we must not...rest on these accomplishments. Our prosperous past only holds meaning for Missouri if we fulfill our potential for a glorious future.

As we begin this first administration of a new century, I call on all Missourians to reach new heights. Do we have the will? Will we have the courage? Can we summon the imagination to lead?

Missourians of the past have provided the example for us to follow. We live in a state that has produced pioneers such as Harry Truman, George Washington Carver, and Phoebe Apperson Hearst. A state that built the first mile of interstate highway and established the nation's first kindergarten. A state that educated a young woman named Linda Godwin in rural Missouri and sent her into space.

Our history has prepared us...Almighty God has blessed us...with the opportunity to make a difference.

In the words of the famous poet Robert Frost, it is time Missouri took "the road less traveled by" and that will make "all the difference" for our future generations.

With this shining new century, let us think anew. Let us dream anew. Let us build anew.

The ideas, principles, and progress of our past architects have provided a solid foundation. Now we must build a Missouri that we will be proud to pass on to the generations to come. One Missouri that supports the most vulnerable citizens—our young, our poor, our sick, and our elderly. One Missouri that offers the opportunities for our Missouri families and businesses to grow. One Missouri that gives all our citizens the chance to succeed.

Our one Missouri will find its character in our resolve to foster healthy bodies, strong minds, and respect for each other...

its strength in our commitment to giving every child the best possible education...

its prosperity in fostering a well-trained and highly skilled work force.

Our one Missouri will find new prominence in the world marketplace by developing a broader transportation system that is second to none.

Our one Missouri will preserve its future for our families by protecting the environment.

However, the greatest barrier we have to building one Missouri is ourselves. We can no longer think in terms of urban vs. rural, black vs. white, Democrat vs. Republican, St. Louis vs. Kansas City, or the countless other interests that seek to divide us. We must come together to find common ground.

It is time Kansas City and St. Louis realize they live in the same state. These two urban titans must work together to make Missouri competitive in the global marketplace of a new century.

It is time our rural communities and urban centers work together for the good of all our citizens. It is time we judge people by the "content of their character", not by "the color of their skin".

It is time we respect all people—paying respect to the integrity of their views, even if we disagree with the substance of their policies. For we are one Missouri—one bright future.

One of my personal heroes in public service, Robert Kennedy, was fond of quoting English writer George Bernard Shaw, who said: “Some men see things as they are and ask why. I dream things that never were and ask why not”.

Over the next four years, this administration will continue to dream of those possibilities and dare to ask “why not”. We will set our sights on what can be, not what has been.

This administration will lead by example, guided by the principles instilled in me by my parents, my teachers, my heroes, and my family.

Those principles taught me that this administration should never be about any one person—it is about all of us. As a young boy growing up on a farm in southern Missouri, I had parents I love and respect more than they will ever realize.

They believed each generation bears a responsibility to both the generation past and the generation to come. So to our seniors and our children, let me say: my administration will work for you.

As a student who started in a one-room schoolhouse and became the first in my family to graduate from a state university, I was fortunate to learn at the hands of excellent teachers who unlocked doors to opportunity with the knowledge they gave me. Our second son is named for one of those teachers. My administration values those teachers and the future minds they will mold. My administration is for them.

As a college student inspired by heroes such as Robert Kennedy, who sacrificed his life on behalf of a better life for others, I dedicated my life to public service. My administration is for all public servants who believe they can make a difference.

As a partner to my wife Lori and father to our sons, Robert and John D., I have found that nothing is more important than shaping a world where families can share bonds of love and success. To our Missouri families, let me say: we are families who share common backgrounds and uncommon opportunities.

And I will use that knowledge and understanding we have been given to improve Missouri for all families. My administration is for you.

The goal of my administration is to unite all Missourians in forging a bright future that holds maximum opportunities for each of us. I understand your concerns, and I share your aspirations.

I was born in Kansas City, raised on a farm in south central Missouri near a town called Birch Tree, represented Springfield in the Missouri General Assembly, worked in St. Louis, and am glad to be able to say that for the next four years we can continue to call Jefferson City our home.

Yet no matter where I have lived or worked, no matter what the regional interests or issues, I have seen one common conviction that all Missourians share: a faith in our capacity to do better.

This optimism and determination have brought us far in the past, and I believe they can propel us to greatness in the future. The world witnessed such optimism and determination from Great Britain during World War II. At that time, when this island nation was fighting alone to keep freedom alive, the British people were inspired by the new leadership of Sir Winston Churchill. As he stepped forward to assume the role of Prime Minister, Sir Winston said: “I felt as if I were walking with destiny and that all my past life had been but a preparation for this hour.”.

History holds many lessons, and this chapter certainly sends a powerful message to us today. If unity of the human spirit can lift a people to triumph in a time of such turmoil, just think...just think what we can accomplish if our hands, our hearts, and our minds are joined in this time of unparalleled opportunity.

Our past has prepared us for this hour, and from this day forward, we will direct its destiny. We have the vision and the passion to make this our “finest hour”, as we embark on a journey of opportunities. Let us take that journey together. With your help and with God as our compass...let us meet the responsibilities that lie ahead.

Let us walk confidently into the 21st century and make it Missouri’s century. Let our legacy be one bright future—one Missouri.

Thank you.

Presentation in Song by the Statewide Inaugural Choir.

The Benediction was pronounced by Rabbi Susan Talve, Central Reform Congregation, St. Louis, Missouri.

Presentation in Song by the Statewide Inaugural Choir.

On motion of Senate Co-President Pro Tem Kinder, the Joint Assembly was dissolved.

Speaker Kreider resumed the Chair.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 10, introduced by Representative Graham, relating to taxation.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 288, introduced by Representative Campbell, relating to architects and engineers.

HB 289, introduced by Representatives Farnen, Clayton and Hegeman, relating to the phase-in of water corporation rates.

HB 290, introduced by Representative Troupe, relating to school audits in certain metropolitan school districts.

HB 291, introduced by Representative Graham, for the purpose of enacting the dedication to donation act.

HB 292, introduced by Representative Overschmidt, relating to the tourism supplemental revenue fund.

COMMITTEE ASSIGNMENTS

The Speaker announced the following Committee Assignments:

Representative Green (73) has been appointed Chairman of the Budget Committee.

Representative Legan has been appointed a member of the Budget Committee.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Bryd has been appointed a member of the Rules, Joint Rules, and Bills Perfected and Printed Committee.

Representative Hosmer has been appointed a member of the Rules, Joint Rules, and Bills Perfected and Printed Committee.

The following member's presence was noted: Patek.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 12:00 noon, Tuesday, January 9, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Third Day, Sunday, January 7, 2001, pages 84 and 85, roll call, by showing Representatives Bowman, Haywood and Wilson (42) voting "aye" rather than "absent with leave".

HOUSE CALENDAR

FIFTH DAY, TUESDAY, JANUARY 9, 2001

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 10

HOUSE BILLS FOR SECOND READING

HB 288 through HB 292

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

FIFTH DAY, TUESDAY, JANUARY 9, 2001

Speaker Pro Tem Abel in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God: We unite our hearts now before You, and ask that You take us by the hand and help us see people and needs, issues and proposals from the best viewpoint not the worst.

Bless this House, members and staff, lead them in ways of working together that enriches the people of Missouri. Keep us mindful of the hurts of others, and grant your blessings upon this House, this day. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jeff Harter, Shea Newbold, Carrie Quintin, Kori Weaver, Erica Melton, Madeline Mitchell, Nicholas Smith, Tommie Webber, Jovan Williams, Jasmine Williams, Alana Gray and Crystal Parker.

The Journal of the fourth day was approved as corrected by the following vote:

AYES: 154

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Dougherty	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson

Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Klindt	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 003

Hohulin	Murphy	Walton
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PRESENT: 000

ABSENT WITH LEAVE: 005

Bartelsmeyer	Clayton	Long	Patek	Reynolds
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VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 26

and

House Resolution No. 27 - Representative Jolly

House Resolution No. 28 - Representative Gratz

House Resolution No. 29 - Representative Moore

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 10 was read the second time.

SECOND READING OF HOUSE BILLS

HB 288 through **HB 292** were read the second time.

ESCORT COMMITTEES

The Speaker appointed the following committee to escort Lieutenant Governor Joe Maxwell and members of the Senate to the House Chamber for Joint Session at 10:30 a.m., Wednesday, January 10, 2001: Representatives Lowe, Reynolds, Haywood, Berkowitz, Koller, Kelly (36), Hohulin, Vogel, Hegeman and Champion.

The Speaker appointed the following committee to escort the Chief Justice of the Supreme Court of the State of Missouri, The Honorable William Ray Price, Jr., to the dais in Joint Session at 10:30 a.m., Wednesday, January 10, 2001: Representatives Smith, Hosmer, Willoughby, Jolly, Britt, Walton, Shields, Richardson, Secrest and Lograsso.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 2**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the following Senators have been appointed to act with a like committee from the House pursuant to **HCR 2**. Senators: Bentley, Gibbons, Goode, Gross, House, Jacob, Klarich, Schneider, Steelman and Wiggins.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 293, introduced by Representative Kennedy, relating to the contiguous property redevelopment fund.

HB 294, introduced by Representative Smith, relating to consumer protections for long distance telephone service subscribers.

HB 295, introduced by Representative Froelker, relating to qualifications for board members of certain political subdivisions.

HB 296, introduced by Representatives Kennedy and Hegeman, relating to technical assistance for public water systems.

HB 297, introduced by Representative Green (73), relating to primary elections.

HB 298, introduced by Representative Green (73), relating to retainage in private building contracts.

HB 299, introduced by Representative Green (73), relating to aggressive driving.

HB 300, introduced by Representative Ostmann, et al, relating to national teacher certification incentives.

HB 301, introduced by Representatives Wagner and McKenna, relating to weekend voting procedures.

HB 302, introduced by Representatives Hosmer, Skaggs, Williams, Selby, Riback Wilson (25), Johnson (61), Boucher, Bonner and Bray, et al, relating to driving with excessive blood alcohol content.

HB 303, introduced by Representative Hoppe, relating to liquor licenses.

The following members' presence was noted: Clayton and Reynolds.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, January 10, 2001.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Fourth Day, Monday, January 8, 2001, page 99, line 8, by deleting "Bryd" and inserting in lieu thereof "Byrd".

HOUSE CALENDAR

SIXTH DAY, WEDNESDAY, JANUARY 10, 2001

HOUSE BILLS FOR SECOND READING

HB 293 through HB 303

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

SIXTH DAY, WEDNESDAY, JANUARY 10, 2001

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

O Lord, this day is a gift from You and as we move through it, let us be adequate for whatever it holds. Help us to be content with today's troubles so that we will not borrow the troubles of tomorrow.

Protect these men and women of the House from: Hardness of heart towards imperfect neighbors, slowness to see the hurts of the neediest.

And grant to us all this day, the wonderful gifts of laughter and perspective. To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jessica Gatton, Todd Neill, Sarah French and Alex French.

The Journal of the fifth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 30 - Representative Surface
House Resolution No. 31 - Representative King
House Resolution No. 32 - Representative Green (73)
House Resolution No. 33
through
House Resolution No. 37 - Representative Williams
House Resolution No. 38 - Representative Copenhaver

SECOND READING OF HOUSE BILLS

HB 293 through **HB 303** were read the second time.

Representative Crump moved that Rule 114 be suspended.

Which motion was adopted by the following vote:

AYES: 154

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Cierpiot	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Klindt	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Walton	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Champion	Clayton	Dougherty	Long	Patek
Seigfreid	Wagner	Ward		

VACANCIES: 001

JOINT SESSION

The hour of the Joint Session having arrived, the Senate in a body was admitted and Lieutenant Governor Maxwell, presiding, called the Joint Assembly to order.

The Secretary of the Senate called the roll, which showed a majority of the Senators present:

AYES: 027

Bentley	Bland	Carter	Caskey	Childers
DePasco	Foster	Gibbons	Goode	Gross
House	Jacob	Kenney	Kinder	Klarich
Mathewson	Quick	Rohrbach	Russell	Schneider
Sims	Staples	Steelman	Stoll	Westfall
Wiggins	Yeckel			

NOES: 000

ABSENT: 002

Loudon	Singleton
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ABSENT WITH LEAVE: 002

Johnson	Scott
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VACANCIES: 003

The Chief Clerk of the House called the roll, which showed a majority of the Representatives present:

AYES: 152

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	Klindt	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Walton
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Baker	Ballard	Clayton	Dougherty	King
Long	Moore	Patek	Wagner	Ward

VACANCIES: 001

The doorkeeper announced the approach of the Honorable William Ray Price, Jr., Chief Justice of the Missouri Supreme Court. Chief Justice Price was duly escorted to the House Chamber and to the Speaker's dais where he delivered the following message to the assembly in Joint Session:

STATE OF THE JUDICIARY ADDRESS

By
Chief Justice William Ray Price, Jr.
January 10, 2001

Mr. Speaker. Mr. President. Members of the General Assembly.

On behalf of the judges of the state of Missouri, it is a pleasure and an honor to deliver this 28th State of the Judiciary address.

At the outset, let me commend you, both members of the House and members of the Senate, for resolving your issues of leadership. I am certain that each side had hoped for more and that each side had clever strategies in place in the event compromise was not reached. But, you were right to take the high road and to avoid the partisan chicanery that so tires our people. Centuries ago, Sir Francis Bacon noted that:

Nothing doth more hurt in a state than that cunning men pass for wise.

You acted with wisdom and dignity befitting the high honor of the House and of the Senate. I commend you.

Now, just the second day after our inauguration ceremonies, the sense of a new beginning is overwhelming. New faces and new dreams; all in hopes of a brighter future for the people of Missouri. You have the important task of charting the path for our government and people to follow.

Our role in the courts, though equally important, is much more limited. We resolve disputes. We have no power until litigants come to us with a real controversy. When they do, we are not free to choose any resolution. We are first bound to honor our national and our state constitutions. We then follow the laws that you enact. We attempt to do this as fairly and as faithfully as we can, reading the words you chose as simply and accurately as possible. We are not free to do what we might think is best otherwise, nor are we free to do what we might think you meant otherwise. We may only follow the words of the statutes as you have actually written them.

I know some of you are wondering why I am taking time to say this. But, sometimes it is best to say, out loud, the important rules we live by, so there is no confusion between you and us. It is our desire as judges simply to follow and interpret the laws of Missouri, not to chart new paths on our own. That is what the people elect you to do. Your duty in this regard deserves the highest care both in your thoughts and your words.

I am pleased to report to you that the wisdom of the Missouri Plan for merit selection of appellate judges, again, leads the nation. While contested elections in Michigan, Ohio, and Mississippi involved the expenditures of millions and millions of dollars of special interest money, one Missouri Supreme Court judge and three judges of our Court of Appeals were retained without a penny of fund raising or expenditure and without a single negative advertisement.

The Missouri Plan has also shown its value in the diversification of our appellate courts. Our past four appointments-- Sherrie Sullivan, Thomas Newton, George Draper, and Ron Holliger--include two African American men and a woman.

Let me be clear. The Missouri Plan is the example to the nation of the best method for selecting appellate judges. It deserves our continued respect and protection.

We at the Supreme Court are sad that Ann Covington is resigning at the end of this month. As the first woman to serve on our Court of Appeals and Supreme Court, she has played a pivotal role in the history of this state. She played that role with dignity and grace. We will miss her.

We have confidence that the Missouri Plan will serve us well in selecting her successor, but you should note that this is the second judge of the Supreme Court in the past three years to leave the court prematurely to return to the private sector. Last year, Judge Albert Riederer left the Court of Appeals to do the same. These actions speak louder than any words I can say.

As I said before, our core function is to decide lawsuits. For better or for worse, the people of Missouri are still turning to the courts for the resolution of their controversies in great numbers. Last year, approximately 962,000 new cases were filed. Our courts resolved approximately 917,000 cases. We continue to focus on timely resolution of the lawsuits brought before us, and we continue to transfer judges around the state to equalize caseloads.

I am pleased to report that again:

- We disposed of 80% of civil cases within 18 months;
- We disposed of 91% of domestic cases within 12 months;
- We disposed of 85% of associate civil cases in 6 months and 94% within 12 months; and
- We disposed of 85% of circuit court felony cases within 8 months.

Unlike many other states, there are no massive backlogs in our courts and Missouri litigants are able to obtain trial dates as they are needed. We are grateful to the hardworking judges across the state who make this possible. We are also grateful to you for providing the necessary resources for us to do our work.

Last year, I spoke to you about two areas of priority that we would focus on in our administrative capacity, court automation and drug courts. I am pleased to report to you that significant progress was made in both of these areas.

This past calendar year, the Missouri Court Automation Project more than doubled the number of circuit courts in the state benefiting from its case management system. As of today, 15 judicial circuits, consisting of 32 counties, the Supreme Court, and all three districts of the Court of Appeals are now online. During the remainder of this fiscal year we plan to add six additional judicial circuits including 16 counties in the southeastern portion of the state. By July 1, 2001, almost 41% of our caseload and almost 50% of our citizens will have access to the benefits of court automation.

We have kept our promise to use new monies to roll out court automation across the state as quickly as possible. It is crucial that this project be completed.

In the next fiscal year, we plan to add another ten judicial circuits consisting of 27 additional counties: Scotland, Schuyler, Clark, Carroll, Ray, Randolph, Howard, Lafayette, Saline, Benton, Dallas, Hickory, Polk, Webster, Atchison, Gentry, Holt, Nodaway, Worth, Linn, Chariton, Sullivan, St. Louis County probate division, Jefferson, Henry, St. Clair, and Bates. This will increase the benefits of automation to 55% of Missouri's caseload and 76% of Missouri's population. To stop this project halfway, having favored many of our counties, but leaving the others out, would be unthinkable and most likely irreversible.

The usefulness of court automation extends beyond mere judicial record keeping and affects the lives of our citizens in very real ways. In Fulton, Missouri, we developed a pilot site linking an elementary school, a middle school, and a high school to the courts and to the local juvenile officer. The system allows the immediate online exchange of juvenile court and protective custody information, as well as the names of students who have received detention, tardiness, truancy notices, and incident reports.

The need for such a system was quickly apparent. A student moved from Boone County to Fulton without telling her juvenile officer. A school guidance counselor made an inquiry and within 10 minutes learned that the student had a scheduled court appearance for the next day. Without the pilot project, the student would have missed the court appearance and would have gotten into even worse trouble.

Another example of the need for a statewide system of court automation also comes from Callaway County. A mother there was hospitalized with no one to care for her 14-year-old son. The boy was placed in a foster care home so that he could be provided for safely. The home included several other young children. What was not known was that the 14-year-old boy was accused in another county of allegedly sexually molesting children. The failure to have a statewide computer system linking court to court and court to juvenile officer allowed for well-meaning state employees to create a very dangerous situation for the children already in that home. We all need the Missouri Court Automation program to go forward.

Another area of important progress in the past year has been drug courts. As you recall, drug courts provide treatment to non-violent offenders under intense judicial supervision, most often as an alternative to incarceration. We now have 22 adult felony drug courts, 7 juvenile drug courts, and 2 family drug courts. Another 21 adult drug courts, 7 juvenile drug courts, and 6 family drug courts are in the planning stage. Twenty-eight additional counties are considering drug court programs.

The benefits of drug court programs relative to their cost is clear and compelling. As of July 1, 2000, 1147 individuals graduated from Missouri drug courts at an average cost to the state of \$5,042 a person. The recidivism rate for these individuals was about 5%. The cost of incarceration for these individuals would have been at least \$12,700 a year. The recidivism rate for drug offenders who have not graduated from drug court is about 45%.

Listen to those numbers again: \$5,042 a year for drug court compared to \$12,700 a year for incarceration; 5% recidivism rate for drug court graduates compared with a 45% recidivism rate otherwise. If you have to think twice, consider this. Twenty-five drug free babies were born to drug court participants. Estimated hospital savings for those new babies begin at \$4,300 per child. But, how can you even begin to value the hope that now can exist for these new lives?

Just two weeks ago associate circuit Judge Patricia Joyce from here in Jefferson City sent me a copy of a letter she received from one of her drug court graduates. The letter was titled "Gratitude". Let me read parts of that letter to you.

As this year is coming to an end, I have looked back to where I started....I was once again full blown into my addiction...with the same results jail or D.O.C....But by the grace of God my cry for help was answered....I was given the opportunity to receive help for my addiction instead of being locked away as I have [been] so many times before....I could go on forever...to express my gratitude for the people in my life to this day [who] have helped me change from criminal activity to a responsible citizen....I know I have a long way to go and...the road...will be hard....I am very thankful for having this opportunity to start living again...

The author of this letter is now gainfully employed and plans to enroll in college this coming semester.

Drug courts are one of the rare opportunities in government where the least expensive alternative works the best to truly help people in need. We again ask that you support this program.

We again ask that you coordinate the disjointed method of funding this important work so that it can be administered as efficiently and as effectively as possible.

There is one other area of work that I did not speak about last year, that I need to talk about now. It concerns our attempt to speed up the process for the permanent placement of our children who are in foster care.

When it is so dangerous to leave a child with his or her natural parents that the state must intervene and remove the child, then it is the state's obligation to determine what to do with that child as quickly as possible. Although we owe our deepest thanks to those individuals who serve as foster parents, leaving the child in an endless legal morass of foster care is not the answer.

Three years ago, we initiated two pilot projects to see if we could shorten the time to adjudicate permanent placement for these children. One pilot project was in the 2nd judicial circuit under the supervision of Judge Russell Steele. The other was in the 23rd judicial circuit under the supervision of associate circuit Judge Carol Bader. We learned that with aggressive case management and close judicial supervision we could reduce a child's stay in foster care by an average of 105 days, at a savings of \$25 a day per child.

We would like to expand these pilot projects into 5 additional circuits. We have shown that any dollars committed to speeding our foster children to new permanent homes will repay themselves many times over. And, of course, it is the right thing to do for our most unfortunate children.

This is the only opportunity I have to address you as a body for the coming session. Although there are many other matters I could talk about, I have limited my remarks to those that I believe are most important for you to hear. Matters that I believe are most important for the people of Missouri.

I would like you to remember that we are performing our core function timely and well. We do not want to slide backwards into massive backlogs that would delay, and in some cases deny, our citizens access to the courts for the resolution of their disputes.

In our administrative capacity, we attempt to focus upon those matters that are of crucial importance and that have the promise of improved usefulness and efficiency.

One of those areas is statewide court automation. Our new system is working. The project is halfway done. We cannot stop rollout now.

Another is drug courts. They make moral and fiscal sense. They need to be expanded both geographically to new counties and to family and juvenile settings. Funding needs to be coordinated and administered to assure the greatest possible efficiency and effectiveness.

Finally, we need to improve the manner in which we care for our children who have been removed from their natural homes. Resources are needed to expand our two pilot sites into 5 additional counties.

I know that this will be a very difficult year for the state's budget. Everyone will be coming to you with worthwhile programs, all seeking the same money. Please remember, justice is not a luxury to be financed only in good times and cut back in bad times. Justice is the dream of our people that allows them to have faith in their government. It is no mistake, that its promise is how we end our pledge of allegiance.

Thank you. I wish you the very best in your service to the people of Missouri in this session of the General Assembly.

The Joint Session was dissolved by Lieutenant Governor Maxwell.

Speaker Kreider resumed the Chair.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 304, introduced by Representative Walton, relating to the composition of fire protection district boards.

HB 305, introduced by Representative Walton, relating to the creation of subdistricts in certain school districts.

HB 306, introduced by Representatives Wiggins, Clayton, Shoemyer, Berkowitz and Ransdall, et al, relating to the agricultural producer protection act.

HB 307, introduced by Representatives Wiggins, Myers, Williams, Relford, Merideth, Shoemyer and Berkowitz, et al, relating to soil and water conservation districts.

HB 308, introduced by Representatives Clayton and Wiggins, relating to new generation cooperatives.

HB 309, introduced by Representatives McKenna, Johnson (90), Wagner, Selby, Abel and Hollingsworth, relating to allowable costs for state aid to community colleges.

HB 310, introduced by Representative Ostmann, et al, relating to temporary driver's permits.

HB 311, introduced by Representatives Scheve and Reid, relating to pharmaceutical income tax credits for low income elderly and disabled persons.

HB 312, introduced by Representatives Lograsso, Ridgeway, Naeger, Reinhart and Moore, et al, relating to motor vehicles.

HB 313, introduced by Representative Liese, relating to gaming.

HB 314, introduced by Representatives Treadway and Nordwald, relating to the licensure of baccalaureate social workers.

HB 315, introduced by Representatives Foley, Graham, Champion, Miller and Barry, et al, relating to the office of state ombudsman for mental health facility residents.

HB 316, introduced by Representatives Graham, Overschmidt, Griesheimer and Dolan, relating to liquor control.

HB 317, introduced by Representatives Kennedy, Barry, Burcham and Ladd Baker, et al, relating to the department of health.

HB 318, introduced by Representative O'Toole, relating to public retirement plans.

HB 319, introduced by Representative O'Toole, relating to income taxation.

HB 320, introduced by Representatives Williams and Henderson, et al, relating to watercraft regulation.

HB 321, introduced by Representatives Skaggs, Curls, Wilson (42), Campbell, Van Zandt and Hoppe, relating to taxation for public mass transportation systems.

HB 322, introduced by Representatives Campbell and Van Zandt, relating to the transfer of control of certain unaccredited urban school districts from the local school board to the state board of education.

HB 323, introduced by Representatives Crump, Ransdall and Hampton, relating to restraining animals.

HB 324, introduced by Representatives Hollingsworth and Hanaway, relating to bestiality.

HB 325, introduced by Representative Marble, relating to approved uses for school bond moneys.

WITHDRAWAL OF HOUSE BILL

January 9, 2001

Ted Wedel, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306 C
Jefferson City, Missouri 65101

Dear Ted:

I respectfully request to withdraw **House Bill 255**, relating to adoption records.

Your consideration is appreciated.

Sincerely,

/s/ Glenda Kelly
State Representative
District 27

The following member's presence was noted: Ward.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, January 11, 2001.

HOUSE CALENDAR

SEVENTH DAY, THURSDAY, JANUARY 11, 2001

HOUSE BILLS FOR SECOND READING

HB 304 through HB 325

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

SEVENTH DAY, THURSDAY, JANUARY 11, 2001

Speaker Pro Tem Abel in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God, help us to understand that our pace of living often shuts You out of our minds and hearts. Living this fast, shutting You out, leaves us to wonder about with good intentions, half truths and unhappy compromises.

Give to all of us a passion for that which is excellent, rather than the politics of the expedient, for that which is morally right rather than socially correct. Guide this House, and to You be all glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the sixth day was approved as corrected by the following vote:

AYES: 147

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkstresser
Black	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dougherty	Enz	Fares	Farnen
Foley	Ford	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Klindt	Koller
Lawson	Legan	Levin	Liese	Linton

Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Thompson	Townley
Treadway	Van Zandt	Villa	Vogel	Walton
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 002

Dolan Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 013

Ballard	Berkowitz	Clayton	Franklin	Hagan-Harrell
Hickey	Long	Nordwald	Patek	Surface
Troupe	Wagner	Ward		

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

- House Resolution No. 39 - Representative Purgason
- House Resolution No. 40 - Representative Phillips
- House Resolution No. 41 through
- House Resolution No. 43 - Representative Williams
- House Resolution No. 44 - Representative Smith
- House Resolution No. 45 - Representative Relford

House Resolution No. 46 - Representative Mayer
House Resolution No. 47
through
House Resolution No. 52 - Representative Burcham
House Resolution No. 53 - Representative Ford
House Resolution No. 54
and
House Resolution No. 55 - Representative Dempsey
House Resolution No. 56 - Representative Enz
House Resolution No. 57 - Representative Luetkenhaus
House Resolution No. 58 - Representative Dempsey
House Resolution No. 59 - Representative Green (15)
House Resolution No. 60 - Representative Dempsey
House Resolution No. 61 - Representative Luetkenhaus
House Resolution No. 62 - Representative Dempsey
House Resolution No. 63 - Representative Luetkenhaus
House Resolution No. 64
through
House Resolution No. 69 - Representative Naeger

SECOND READING OF HOUSE BILLS

HB 304 through **HB 325** were read the second time.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 5, introduced by Representative Mays (50), extending the Joint Interim Committee on Telecommunications and Energy to the Ninety-first General Assembly.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 326, introduced by Representatives Portwood, Bearden and Reid, relating to gambling moneys for schools.

HB 327, introduced by Representative Rizzo, relating to the petroleum storage tank insurance fund.

HB 328, introduced by Representatives Harlan, Hanaway, Foley, Naeger, Williams, Holand, Dolan, et al, relating to the regulation of managed care.

HB 329, introduced by Representatives Hollingsworth, Gambaro, Davis, Campbell, Holand, Reinhart and Marble, et al, relating to medical assistance for the aged, blind and disabled.

HB 330, introduced by Representative Ostmann, relating to the invasion of privacy.

HB 331, introduced by Representative O'Toole, relating to courthouse restoration funds.

HB 332, introduced by Representatives Ransdall, Berkstresser and Graham, relating to funeral merchandise.

HB 333, introduced by Representatives Relford and Seigfreid, relating to license plates.

HB 334, introduced by Representatives Davis, Seigfreid, Berkowitz, Crump, Hampton, Relford and Froelker, et al, relating to state aid for public schools.

HB 335, introduced by Representative Townley, relating to merchandising practices.

HB 336, introduced by Representatives Townley and Ross, relating to jury duty.

HB 337, introduced by Representatives Ross, Barnett and Britt, relating to public safety offenses involving alcohol.

HB 338, introduced by Representative Ford, relating to the St. Louis riverfront commission.

HB 339, introduced by Representatives Barry, Hanaway, Hosmer, Kennedy and Portwood, et al, relating to the Safe Place for Newborns Act.

HB 340, introduced by Representatives Hoppe and Graham, relating to liquor control.

HB 341, introduced by Representatives Holt, Crump, Coleman, George and Reynolds, et al, relating to insurance coverage for hearing aids.

HB 342, introduced by Representatives Ransdall and Luetkenhaus, relating to fire protection.

HB 343, introduced by Representative Graham, relating to closed captioning of local television news programming.

HB 344, introduced by Representative Graham, relating to tax relief.

HB 345, introduced by Representative Ostmann, et al, relating to eligibility for public assistance.

HB 346, introduced by Representative Luetkemeyer, et al, relating to labor restrictions on offenders.

HB 347, introduced by Representative Troupe, relating to probation services.

HB 348, introduced by Representative Troupe, relating to the regulation of check-cashing businesses.

HB 349, introduced by Representatives Hosmer, Ladd Baker, Britt, Selby, Bray, Kennedy, Boucher, Kelly (27), McKenna, Crawford, Johnson (61), Williams, Relford, Campbell and Reynolds, et al, relating to protection of the elderly.

HB 350, introduced by Representative Rizzo, relating to community cleanup activities.

HB 351, introduced by Representative Hosmer, relating to higher education.

HB 352, introduced by Representative Hosmer, relating to student volunteer opportunities.

HB 353, introduced by Representatives Bartle and Britt, relating to rent recovery by a successor in title.

HB 354, introduced by Representatives Crawford, Kelly (36) and Reinhart, relating to selling a child.

HB 355, introduced by Representative Kelly (27), relating to adoption records.

The following members' presence was noted: Troupe and Hagen-Harrell.

ADJOURNMENT

On motion of Representative Foley, the House adjourned until 4:00 p.m., Monday, January 15, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixth Day, Wednesday, January 10, 2001, pages 105 and 106, roll call, by showing Representatives Champion and Seigfreid voting "aye" rather than "absent with leave".

HOUSE CALENDAR

EIGHTH DAY, MONDAY, JANUARY 15, 2001

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 5

HOUSE BILLS FOR SECOND READING

HB 326 through HB 355

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

EIGHTH DAY, MONDAY, JANUARY 15, 2001

Speaker Kreider in the Chair.

Prayer by Ralph Robinette, Sergeant at Arms.

The Psalmist wrote in Psalm 139:

“Search me O’ God, and know my heart; test me and know my anxious thoughts. See if there is any offensive way in me and lead me in the way everlasting”.

Today we honor a man who had searched his heart and had no offensive way in it. As America honors Martin Luther King, Jr., a loving and caring man who worked for peace and harmony among all people, we ask that the Holy Spirit fill our hearts with those Christian virtues that we may individually and collectively carry on the work of Dr. King.

In Your name we pray, Holy Father. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Autumn Shurley, Jared Shurley, Grant Shurley, Malia Koons and Charles Koons.

The Journal of the seventh day was approved as corrected by the following vote:

AYES: 153

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hampton

Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 001

Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 008

Brooks	Clayton	Dougherty	Hagan-Harrell	Klindt
Patek	Thompson	Wiggins		

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 70 - Representative Moore
House Resolution No. 71 - Representative Farnen
House Resolution No. 72 - Representative Williams
House Resolution No. 73 - Representative Hunter
House Resolution No. 74 - Representative Mayer
House Resolution No. 75 - Representative Kreider
House Resolution No. 76 - Representative Purgason
House Resolution No. 77
and
House Resolution No. 78 - Representative Monaco
House Resolution No. 79 - Representative Kreider

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 5 was read the second time.

SECOND READING OF HOUSE BILLS

HB 326 through **HB 355** were read the second time.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 356, introduced by Representative Clayton, relating to corrections of undercharges by utilities.

HB 357, introduced by Representatives Riback Wilson (25), Kelley (47), Bray, Surface, Hollingsworth, Richardson, Merideth, Campbell, Berkowitz and Burton, et al, relating to the family and community trust.

HB 358, introduced by Representatives Hanaway and Black, et al, relating to estate tax.

HB 359, introduced by Representative Boucher, relating to tax credits for building universal designed homes.

HB 360, introduced by Representatives Boucher and Kennedy, relating to interest and fees.

HB 361, introduced by Representatives Shoemyer, Copenhaver, Wiggins, Berkowitz and Farnen, to authorize the conveyance of certain state property to the Clarence Cannon wholesale water commission.

HB 362, introduced by Representative Riback Wilson (25), relating to the oath used to certify personal property lists.

HB 363, introduced by Representative Champion, et al, relating to detailed base budgeting for state departments.

HB 364, introduced by Representative Champion, et al, relating to dependency exemptions for foster children.

HB 365, introduced by Representative Champion, et al, relating to the adoption of foster children.

HB 366, introduced by Representative Champion, relating to deduction for annuities, pensions and retirement allowances.

HB 367, introduced by Representative Champion, relating to nonemergency medical transportation programs.

HB 368, introduced by Representative Champion, et al, relating to failure to obey the lawful order of a law enforcement officer.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Tuesday, January 16, 2001.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Seventh Day, Thursday, January 11, 2001, pages 115 and 116, roll call, by showing Representative Ballard voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

RULES, JOINT RULES, BILLS PERFECTED AND PRINTED

Tuesday, January 16, 2001, 1:30 pm. Hearing Room 7.

To be considered - HR 5

RULES, JOINT RULES, BILLS PERFECTED AND PRINTED

Wednesday, January 17, 2001, 2:30 pm. Hearing Room 7. **CORRECTION**

To be considered - Executive Session - HR 5

HOUSE CALENDAR

NINTH DAY, TUESDAY, JANUARY 16, 2001

HOUSE BILLS FOR SECOND READING

HB 356 through HB 368

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

NINTH DAY, TUESDAY, JANUARY 16, 2001

Speaker Pro Tem Abel in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God, as we look into the future help us to appreciate Your gifts of the past. We are the inheritors of sturdy faith, magnificent political ideas, a heritage of freedom, and we acknowledge the legacy of our national commitment to education, human rights, equality and justice. We honor leaders who, like Lincoln and King have called us to the higher way, to Your way.

Keep this House in harmony with the great traditions of our nation as they serve the people; and to You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the eighth day was approved as printed by the following vote:

AYES: 156

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61

Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright

Mr. Speaker

NOES: 002

Hohulin Purgason

PRESENT: 000

ABSENT WITH LEAVE: 004

Clayton Dougherty Klindt Patek

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 80

and

House Resolution No. 81 - Representatives Scheve and Enz
House Resolution No. 82 - Representatives Bartelsmeyer and Miller
House Resolution No. 83 - Representative Davis
House Resolution No. 84 - Representative Boucher
House Resolution No. 85 - Representatives Richardson and Jetton

SECOND READING OF HOUSE BILLS

HB 356 through **HB 368** were read the second time.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 11, introduced by Representatives Gambaro, Hanaway, Fraser, Merideth, O'Toole, Carnahan and Bray, et al, relating to the city of St. Louis.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 369, introduced by Representatives Boucher, Farnen, Riback Wilson (25), Liese, Troupe, Hendrickson, Fraser, Dougherty, Hilgemann, Dolan, Selby, Lowe, Walton and Coleman, et al, relating to death penalty.

HB 370, introduced by Representative Crowell, relating to drug regulations.

HB 371, introduced by Representative Crowell, relating to crimes.

HB 372, introduced by Representatives Ladd Baker, Green (73), Reynolds, Green (15), George, Reid and Hagan-Harrell, et al, relating to the trauma center fund.

HB 373, introduced by Representatives Crump and Kennedy, relating to theft of motor fuel.

HB 374, introduced by Representatives Fraser and Abel, et al, relating to the stealing of pets for research purposes and the missing and stolen pet registry.

HB 375, introduced by Representative Fraser, et al, relating to a tax credit for donations to sexual violence crisis service centers.

HB 376, introduced by Representatives Fraser and Liese, relating to equalization of local governmental services for certain property owners.

HB 377, introduced by Representative Fraser, et al, relating to public school teacher retirement.

HB 378, introduced by Representatives Fraser and Hosmer, et al, relating to time limitations for the prosecution of certain offenses.

HB 379, introduced by Representatives Reid, Wiggins, Shoemyer and Myers, et al, relating to free roaming wild elk.

HB 380, introduced by Representatives Hoppe and Hosmer, relating to sale of tobacco products to minors.

HB 381, introduced by Representatives Hoppe and Hosmer, relating to the sale of cigarettes.

HB 382, introduced by Representative Hoppe, relating to retail liquor licenses.

HB 383, introduced by Representatives Hoppe and Smith, relating to judicial department personnel.

HB 384, introduced by Representatives Johnson (61), Riback Wilson (25), Ladd Baker, Gambaro, Bray, Boucher and Johnson (90), relating to funding for department of health programs.

HB 385, introduced by Representative Franklin, relating to certain school retirement systems.

HB 386, introduced by Representative Franklin, relating to the public school retirement system.

HB 387, introduced by Representatives Gambaro, Johnson (61), Kennedy, Boykins and Fraser, relating to land development.

HB 388, introduced by Representatives Portwood, Bearden, Reid, Roark and Dempsey, relating to income taxation.

HB 389, introduced by Representatives Portwood, Dempsey and Bearden, relating to tax relief.

HB 390, introduced by Representatives Portwood, Bearden and Roark, relating to property taxation.

HB 391, introduced by Representative Bartle, for the purpose of repealing provisions of law declared to be unconstitutional.

HB 392, introduced by Representatives Campbell, Kelley (47), Jolly and Fares, relating to federally qualified health centers.

HB 393, introduced by Representative O'Toole, relating to termite inspectors.

HB 394, introduced by Representative O'Toole, relating to the St. Louis police department.

HB 395, introduced by Representative Skaggs, relating to teacher and school retirement systems.

HB 396, introduced by Representative Barry, relating to the regulation of certain medical personnel.

HB 397, introduced by Representative Skaggs, relating to late fees on self-service storage facilities.

HB 398, introduced by Representative Foley, relating to fire protection districts.

WITHDRAWAL OF HOUSE BILL

January 16, 2001

Mr. Ted Wedel, Chief Clerk
Missouri House of Representatives
Capitol Building
Jefferson City, MO 65101

Dear Ted:

I respectfully request the withdrawal of **House Bill 197**, relating to city manager form of government.

Thank you for your assistance.

Sincerely,
/s/ Wes Wagner

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, January 17, 2001.

COMMITTEE MEETING

RULES, JOINT RULES, BILLS PERFECTED AND PRINTED
Wednesday, January 17, 2001, 1:30 pm. Hearing Room 7. AMENDED
To be considered - Executive Session - HR 5

HOUSE CALENDAR

TENTH DAY, WEDNESDAY, JANUARY 17, 2001

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 11

HOUSE BILLS FOR SECOND READING

HB 369 through HB 398

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

TENTH DAY, WEDNESDAY, JANUARY 17, 2001

Speaker Pro Tem Abel in the Chair.

Prayer by Reverend Rudy Beard.

Lord of Life: save these moments from being only a gesture to custom or convention. Help us in this brief time of prayer, as we call upon You for guidance. You are always here, and in our homes and communities. You are the unseen member of this House. Give Your grace and nurture to these men and women as they plan, as they meet.

Keep us all at the business that is before us, in humility and in hard work. To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Ronald Brett Hyatt.

The Journal of the ninth day was approved as printed by the following vote:

AYES: 156

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Dougherty
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt

Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Klindt	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	Ostmann
O'Toole	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright

Mr. Speaker

NOES: 003

Hohulin	Hunter	Patek
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PRESENT: 000

ABSENT WITH LEAVE: 003

Clayton	Gambaro	Relford
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VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 86 - Representative Treadway
House Resolution No. 87 - Representative Hosmer
House Resolution No. 88
and
House Resolution No. 89 - Representative Abel
House Resolution No. 90 - Representative Cooper
House Resolution No. 91 - Representative Kelly (144)
House Resolution No. 92 - Representative King
House Resolution No. 93 - Representative Foley, et al
House Resolution No. 94 - Representative Lograsso

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 11 was read the second time.

SECOND READING OF HOUSE BILLS

HB 369 through **HB 398** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules, and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules, and Bills Perfected and Printed, to which was referred **HR 5**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE RESOLUTION NO. 5**

91st GENERAL ASSEMBLY

RULES OF THE HOUSE

ORDER OF THE DAY AND CALENDAR

Time of Meeting.

Rule 1. The time of meeting by the House unless otherwise ordered, shall be 10:00 o'clock a.m.

Order of Business.

Rule 2. The first of each day, after the House is called to order, shall be employed as follows:

- (a) Prayer.
- (b) Pledge of Allegiance to American Flag.
- (c) Order of Business:
 - (i) Reading and approval of the Journal of the previous day's session.
 - (ii) Introduction and first reading of House Joint Resolutions.
 - (iii) Introduction and first reading of House Bills.
 - (iv) Second reading of House Bills and Joint Resolutions.
 - (v) Reports of standing committees.
 - (vi) Reports of special committees.
 - (vii) Bills, reports and other business on the table.
 - (viii) House Joint Resolutions to be perfected and printed.
 - (ix) House Bills to be perfected and printed.
 - (x) Third reading of House Joint Resolutions.
 - (xi) Third reading of House Bills.
 - (xii) Messages from the Senate.
 - (xiii) First reading of Senate Joint Resolutions and Senate Bills.
 - (xiv) Second reading of Senate Joint Resolutions and Senate Bills.
 - (xv) Third reading of Senate Joint Resolutions.
 - (xvi) Third reading of Senate Bills.
 - (xvii) Introduction of petitions, memorials, remonstrances and resolutions.
 - (xviii) Adoption of petitions, memorials, remonstrances and resolutions.
 - (xix) Such other orders of business as deemed necessary pursuant to law.

Headings in House Calendar.

Rule 3. There shall be provided on the House calendar the following divisions:

- (a) House Bills for second reading.
- (b) House Joint Resolutions for second reading.
- (c) House Bills to be perfected and printed.
- (d) House Joint Resolutions to be perfected and printed.
- (e) House Appropriation Bills to be perfected and printed.
- (f) House Revision Bills to be perfected and printed.
- (g) House Bills - Federal Mandate to be perfected and printed.
- (h) House Bills to be perfected and printed-laid over informally.
- (i) House Joint Resolutions to be perfected and printed-laid over informally.
- (j) House Appropriation Bills to be perfected and printed-laid over informally.
- (k) House Revision Bills to be perfected and printed- laid over informally.
- (l) House Bills - Federal Mandate to be perfected and printed-laid over informally.
- (m) House Bills to be agreed to and placed upon third reading and final passage.
- (n) House Joint Resolutions to be agreed to and placed upon third reading and final passage.
- (o) House Appropriation Bills to be agreed to and placed upon third reading and final passage.
- (p) House Revision Bills to be agreed to and placed upon third reading and final passage.
- (q) House Bills - Federal Mandate to be agreed to and placed upon third reading and final passage.
- (r) House Bills to be agreed to and placed upon third reading and final passage-laid over informally.
- (s) House Joint Resolutions to be agreed to and placed upon third reading and final passage-laid over informally.
- (t) House Appropriation Bills to be agreed to and placed upon third reading and final passage-laid over informally.
- (u) House Revision Bills to be agreed to and placed upon third reading and final passage-laid over informally.
- (v) House Bills - Federal Mandate to be agreed to and placed upon third reading and final passage-laid over informally.
- (w) House Bills reported out of committee by consent and placed upon Consent Calendar for Perfection.
- (x) House Bills perfected by consent to be agreed to and placed upon third reading and final passage.
- (y) Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed.

- (z) Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed-laid over informally.
- (aa) Rules Committee Calendar, House Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage.
- (bb) Rules Committee Calendar, House Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage-laid over informally.
- (cc) Rules Committee Calendar, Senate Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage.
- (dd) Rules Committee Calendar, Senate Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage-laid over informally.
- (ee) Senate Bills for second reading.
- (ff) Senate Joint Resolutions for second reading.
- (gg) Senate Bills for third reading and final passage.
- (hh) Senate Joint Resolutions for third reading and final passage.
- (ii) Senate Revision Bills for third reading and final passage.
- (jj) Senate Bills - Federal Mandate for third reading and final passage.
- (kk) Senate Bills for third reading and final passage-laid over informally.
- (ll) Senate Joint Resolutions for third reading and final passage-laid over informally.
- (mm) Senate Revision Bills for third reading and final passage-laid over informally.
- (nn) Senate Bills - Federal Mandate for third reading and final passage-laid over informally.
- (oo) Senate Bills for Third Reading and Final Passage-Consent Calendar.
- (pp) Courtesy Resolutions Calendar.
- (qq) House Resolutions and Concurrent Resolutions Calendar.
- (rr) Senate Concurrent Resolutions Calendar.
- (ss) Bills in Conference.
- (tt) House Bills with Senate Amendments.
- (uu) House Bills taken from Committee, as provided by the Constitution.
- (vv) Such other calendars as deemed necessary pursuant to law.

Orders of the Day.

Rule 3.5 Upon recess or adjournment the Majority Floor Leader shall advise the entire membership of the business anticipated to be conducted during the remainder of that legislative day and during the next legislative day.

OFFICERS

GENERALLY

Election; Oath; Compensation.

Rule 4. The House shall elect the following officers at the commencement of the first regular session of each general assembly: Its presiding officer, who shall be called Speaker of the House, a Speaker Pro Tem, a Chief Clerk, a Sergeant-at-Arms, a Doorkeeper and a Chaplain who shall hold office during all sessions until the convening of the succeeding General Assembly, unless sooner removed by a vote of the majority of the members. Each shall receive such compensation as may be provided for by law. Each shall take an oath to support the Constitution of the United States and of this State and to faithfully demean themselves in office and to keep the secrets of the House. Said oath shall be administered to the Speaker and Speaker Pro Tem by a Judge of the Supreme Court, Court of Appeals or a Circuit Court and by the Speaker to the other officers. All other officers of the House shall be appointed by the Speaker and receive such compensation as provided by law.

SPEAKER

Speaker to Call Members to Order.

Rule 5. The Speaker shall take the chair at the hour to which the House has been adjourned and immediately call the members to order, and on the appearance of a quorum, shall cause the journal of the preceding day to be read (unless otherwise ordered by the House), which may then be corrected by the House.

**Parliamentary Rulings;
Referral to Parliamentary Committee.**

Rule 6. Parliamentary rulings may be made only by the Speaker or the Speaker Pro Tem. At their option or at the request from a member of the Parliamentary Committee they may refer points of order to the Parliamentary Committee for an advisory opinion. In their absence rulings shall be made by a parliamentary committee. It shall be the duty of the chair when other than the Speaker or the Speaker Pro Tem to call the Parliamentary Committee at the time the point of order is raised and before any discussion on the point of order takes place. The Committee on Parliamentary Procedure shall be composed of the Speaker, the Majority Leader and the Minority Leader, or their designees.

Speaker May Speak on Points of Order.

Rule 7. The Speaker may speak on points of order in preference to other members, arising from his/her seat for that purpose, and shall decide questions of order, subject to an appeal to the House, upon which appeal no member shall speak more than once, except by leave of the House. No member shall inquire of another member nor debate with other members[,] on points of order but shall address his/her remarks only to the chair.

Appeal from the Ruling of the Chair.

Rule 8. Should there be an appeal from any ruling of the chair, the question, "Shall the chair be sustained?" shall be immediately put and determined before the House proceeds to other business.

Speaker Has General Supervision of Hall.

Rule 9. The Speaker shall have general direction and supervision of the Hall and shall preserve decorum and order in the Hall.

Speaker Has Supervision over House Employees.

Rule 10. The Speaker shall have supervision and control over all employees of the House.

Speaker May Substitute Member to Perform Duties.

Rule 11. The Speaker may substitute any member to perform the duties of the Chair in the absence of the Speaker Pro Tem.

Speaker Shall Sign Bills.

Rule 12. The Speaker shall sign all bills, and perform all other duties in relation thereto, as required by the Constitution. He/she shall also sign all joint resolutions and addresses; and all writs, warrants and subpoenas issued by order of the House shall be under his/her hand, attested by the Clerk.

Speaker May Clear the Hall.

Rule 13. In case of disturbance or disorderly conduct in the lobbies or galleries, the Speaker, temporary Speaker or Chairman of the Committee of the Whole House shall have power to order the same cleared.

Manner of Putting Questions.

Rule 14. The Speaker shall rise to state and put questions. Questions shall be in the following form: As many as are in favor (by electric roll call) vote "Aye". As many as are opposed (if by electric roll call) vote "No". (Or if by voice vote say "Aye" or "No.")

OTHER OFFICERS

Speaker Pro Tem.

Rule 15. The Speaker Pro Tem shall perform the duties of Speaker during the sickness or absence of the Speaker, except while some member is discharging such duties as a substitute under Rule 11.

Chief Clerk.

Rule 16. It shall be the duty of the Chief Clerk to serve also as Chief Administrator of the House and to attend the House during its sittings. The Chief Clerk, under the direction of the Speaker, shall: prepare and keep the House Journal and seasonably record the proceedings of the House; keep regular files of House papers; attest all writs, warrants and subpoenas issued by order of the House; keep an account of all fines imposed by the House; maintain a record of the members' attendance; keep an account of the traveling and expense allowances of all the members; transmit to the Senate messages, communications, copies and documents of the House; keep a docket of proceedings on all bills, resolutions and acts; and execute the commands of the House from time to time.

Assistant Chief Clerk.

Rule 17. It shall be the duty of the Assistant Chief Clerk to assist the Chief Clerk in performing his/her duties. The Assistant Chief Clerk shall prepare the daily Journal, supervise the staff of the Chief Clerk, discharge the duties of the Chief Clerk in his/her absence and perform such other duties as may be assigned to him/her.

Reading Clerk.

Rule 18. The duties of the Reading Clerk shall be to attend the House during its sittings and to read to the House all bills, resolutions and communications, and to perform all such acts as are usually required in connection with his/her office, and said Clerk shall be appointed by the Speaker.

Doorkeeper.

Rule 19. It shall be the duty of the Doorkeeper subject to the orders of the Speaker to attend the sittings of the House. The Doorkeeper shall allow no person to come or remain within the bar except such as are admitted by the rules or orders of the House. He/she shall announce all messages or communications from the Governor or the Senate, and admit the bearer within the bar. He/she shall execute the commands of the Speaker, in relation to his/her duties, and shall obey such other orders as may be made by the House.

Sergeant-at-Arms.

Rule 20. It shall be the duty of the Sergeant-at-Arms to attend the House during its sittings; to execute the commands of the House from time to time, together with such process issued by authority thereof as shall be directed to him/her by the Speaker. He/she shall preserve order in the galleries and lobby and keep the entry to the aisle cleared during the session of the House.

Chaplain.

Rule 21. It shall be the duty of the Chaplain or a person designated by the Speaker to attend at the commencement of each day's sitting of the House, to open the sessions thereof with prayer, visit any member who may be sick, and to preach in the Hall of the House of Representatives whenever requested by a vote of the House.

Postmaster.

Rule 22. It shall be the duty of the Postmaster or Postmasters to receive and properly distribute the mail of the members and employees of the House and to perform such other duties as may be required of them. The Postmaster or Postmasters shall be appointed by the Speaker.

Employees.

Rule 23. The House may employ and the Speaker appoint such employees as are necessary and authorized by the Committee on Accounts, Operations and Finance. No person shall be initially hired by the House of Representatives who is related to any member of the House within the fourth degree, by consanguinity or by affinity.

COMMITTEES

By Whom Appointed; Composition of Membership.

Rule 24. All standing and statutory committees shall be appointed by the Speaker who, when appointing a committee, shall designate a member thereof as chairman, designate another member as vice-chairman and designate the total number of members to serve on each committee, except the minority members of each committee shall be appointed by the Minority Leader, subject to the final approval of the Speaker. The vice-chairman shall preside at all committee meetings in the absence of the chairman. The Speaker of the House, the Speaker Pro Tem, the Majority Floor Leader, the Assistant Majority Floor Leader, the Majority Whip, the Minority Floor Leader, the Assistant Minority Floor Leader and the Minority Whip shall be ex officio members of all committees of the House for the purpose of a quorum and discussion but shall have no vote unless they are duly appointed members of said Committee. The membership of all standing committees and of all other committees and commissions, unless otherwise provided by the act or resolution creating them, shall be composed, as nearly as may be, of majority and minority party members in the same proportion as the number of majority and minority party members in the House bears to the total membership of the House.

Kinds Of.

Rule 25. Committees shall be: A Committee of the Whole House, Standing Committees, and Special Committees.

Time of Sitting.

Rule 26. No committee shall sit during the session of the House without leave.

Standing Committees Enumerated.

Rule 27. The standing committees of the House shall be as follows:

1. **Administration and Accounts**[, Operations, and Finance]
- [2. Agri-Business]
- [3] 2. Agriculture
- [4] 3. Appropriations-General Administration
- [5] 4. **Appropriations-Transportation**
5. Appropriations-Education[and Public Safety]
6. Appropriations-Natural and Economic Resources
7. Appropriations-Health and Mental Health
8. Appropriations-Social Services[and Corrections]
9. **Appropriations-Corrections and Public Safety**
- [9] 10. Banks and Financial Institutions
- [10] 11. Budget
- [11. Children, Youth and Families]
12. Civil and Administrative Law
13. Criminal Law
14. **Commerce and Economic Development**
- [15. Consumer Protection and Housing]
- [16] 15. Correctional and State Institutions
- [17] 16. Education-Elementary and Secondary
- [18] 17. Education-Higher
- [19] 18. Elections
- [20] 19. Environment and Energy
- [21. Federal-State Relations and Veterans Affairs]
- [22] 20. Fiscal Review **and Government Reform**
- [23. Governmental Organization and Review]
- [24] 21. Insurance
- [25] 22. Judiciary
- [26] 23. Labor
- [27] 24. Local Government and Related Matters
- [28] 25. Miscellaneous Bills & Resolutions
- [29] 26. Motor Vehicle and Traffic Regulations
- [30] 27. Municipal Corporations
- [31] 28. Professional Registration and Licensing
- [32] 29. Public Health, **Children and Families**
- [33] 30. Public Safety, [and] Law Enforcement **and Veteran Affairs**
- [34] 31. Retirement
- [35] 32. Rules, Joint Rules, and Bills Perfected and Printed
- [36] 33. Critical Issues **and Consumer Protection**
- [37] 34. Social Services[, Medicaid and the Elderly]
- [38. State Parks, Natural Resources] 35. **Conservation, State Parks** and Mining
- [39] 36. Transportation
- [40] 37. Tourism, Recreation and Cultural Affairs
- [41] 38. Urban Affairs
- [42] 39. Utilities Regulation
- [43] 40. Ways and Means
- [44] 41. Workers Compensation and Employment Security

The Speaker may appoint such special committees as he/she deems necessary. Any special committee shall have the authority and duties of a standing committee if so designated by the Speaker.

Duties of the Standing Committees.**Rule 28. (1) *Administration and Accounts*[, *Operations, and Finance*].**

(a) *Duties, generally.* The Committee on **Administration and Accounts** [accounts, operations and finance] shall superintend and have sole and complete control of all financial obligations and business affairs of the House except those employees appointed by or assigned to the Speaker, or assigned to the Budget Committee Chair, the Speaker Pro Tem, the Majority Floor Leader, the Minority Floor Leader and the Officers of the House. The committee shall provide for the receiving and receipt of all supplies, equipment and furnishings purchased for the account of the House, and shall further provide for the use and distribution thereof.

(b) *Funds for operation of members' individual offices.* The committee shall also prescribe rules governing the expenditure of funds allotted to individual members for the operation of their offices. Such rules shall be applied equally to, and shall require the equal treatment of, all members with regard to the expenditure of such funds. Subject to such rules, each member shall have discretion to expend such funds, for the use of his or her office, without the approval of the committee.

(c) *Allotment of offices, chamber seats, parking spaces.* Each member shall be allotted his or her own office, chamber seat and parking assignment. The committee shall assign all offices, chamber seats, and parking spaces under its control and reserved for members, according to seniority within each respective party caucus, except that no member shall be forced to give up his/her offices, chamber seat or parking space that he/she currently occupies. Notwithstanding any provision of this rule to the contrary, the committee may make assignments to House officers, the floor leaders and assistant floor leaders of each party, the Budget Committee Chairman, and the chairman and ranking minority member of the accounts committee, without respect to the seniority of those members.

(d) *Duties of Chief Clerk in Respect to Committee.* The Chief Clerk of the House may be authorized to act for the committee, but only in the manner and to the extent as may have been previously authorized by the committee. Such authorization shall be entered in the minutes of the committee.

The Chief Clerk shall maintain financial records for the House of Representatives in accordance with generally accepted accounting principles. The Chief Clerk of the House shall keep a detailed accounting of all transactions and shall furnish each member of the committee and the Speaker with a copy of such account on a monthly basis.

[(2) *Agri-Business.* The Committee on Agri-Business may consider and report upon bills and matters referred to it relating to the protection, promotion and encouragement of agri-business in the state.]

[(3)] (2) *Agriculture.* The Committee on Agriculture may consider and report upon bills and matters referred to it relating to the protection, promotion and encouragement of agriculture **and agri-business** in this state.

[(4)] (3) *Appropriations-General Administration.* The Committee on Appropriations-General Administration shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Public Debt, Elected Officials, Office of Administration, the General Assembly, the Department of Revenue, [and the Missouri Department of Transportation]

Judiciary and the Public Defender.

(4) *Appropriations-Transportation.* The Committee on Appropriations-Transportation shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money of the Department of Transportation.

(5) *Appropriations-Education [and Public Safety].* The Committee on Appropriations-Education [and Public Safety] shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Elementary and Secondary Education[,] **and** the Department of Higher Education[, the Department of Public Safety and Judiciary].

(6) *Appropriations-Natural and Economic Resources.* The Committee on Appropriations-Natural and Economic Resources shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Agriculture, the Department of Natural Resources, the Department of Economic Development, the Department of Insurance, the Department of Conservation and the Department of Labor and Industrial Relations.

(7) *Appropriations-Health and Mental Health.* The Committee on Appropriations-Health and Mental Health shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Health and the Department of Mental Health.

(8) *Appropriations-Social Services [and Corrections]*. The Committee on Appropriations-Social Services [and Corrections] shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department[s] of Social Services [and Corrections].

(9) *Appropriations-Corrections and Public Safety*. **The Committee on Appropriations-Corrections and Public Safety shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Departments of Corrections and Public Safety.**

[(9)] (10) *Banks and Financial Institutions*. The Committee on Banks and Financial Institutions may consider and report upon bills and matters referred to it relating to banks, banking, savings and loans and other financial institutions.

[(10)] (11) *Budget*. The Committee on Budget shall have the responsibility of filing all appropriation bills, assigning of those bills to the appropriate appropriations committees and shall report upon all bills recommended to it by the respective appropriation committee and any other bills, measures, or questions referred to it pertaining to the appropriation and disbursement of public money.

[(11)] *Children, Youth, and Families*. The Committee on Children, Youth and Families may consider, report upon and conduct ongoing study of bills and matters referred to it concerning the problems of children, youth and families including but not limited to income maintenance, health (including medical and child development research), nutrition, education, welfare, employment and recreation.]

(12) *Civil and Administrative Law*. The Committee on Civil and Administrative Law may consider and report upon bills and matters referred to it relating to civil and administrative laws and procedure.

(13) *Criminal Law*. The Committee on Criminal Law may consider and report upon bills and matters referred to it relating to criminal laws and procedures.

(14) *Commerce and Economic Development*. The Committee on Commerce **and Economic Development** may consider and report upon bills and matters referred to it relating to commerce, industrial growth, expansion and development.

[(15)] *Consumer Protection and Housing*. The Committee on Consumer Protection and Housing may consider and report upon bills and matters referred to it relating to retail sales and practices, credit unions, consumers and housing.]

[(16)] (15) *Correctional and State Institutions*. The Committee on Correctional and State Institutions may consider and report upon bills and matters referred to it relating to adult and juvenile penal and correctional problems, the administration of correctional institutions, the state penitentiary, state hospitals, charitable institutions, and other state properties.

[(17)] (16) *Education-Elementary and Secondary [Education]*. The Committee on **Education**-Elementary and Secondary [Education] may consider and report upon bills and matters referred to it relating to elementary and secondary education in this state, including teachers, financing, property, indebtedness and curriculum.

[(18)] (17) *Education- Higher [Education]*. The Committee on **Education**- Higher [Education] may consider and report upon bills and matters referred to it relating to higher education in the state, including teachers, financing, property, indebtedness and curriculum.

[(19)] (18) *Elections*. The Committee on Elections may consider and report upon bills and matters referred to it relating to elections and election contests involving members of the House.

[(20)] (19) *Environment and Energy*. The Committee on Environment and Energy may consider and report upon bills and matters referred to it relating to the development, use and conservation of energy and other energy related concerns; environmental impact and pollution, including natural resources such as air, water, solid waste; recovery of natural resources of all types and by all means, including environmental impact and public health and safety as it relates to these issues.

[(21)] *Federal-State Relations and Veterans Affairs*. The Committee on Federal-State Relations and Veterans Affairs may consider and report upon bills and matters referred to it relating to the relationship between the Federal Government and the State of Missouri, veterans affairs, the promotion and strengthening of states rights and military and naval affairs of the state.]

[(22)] (20) *Fiscal Review and Government Reform*. (a) The Committee on Fiscal Review **and Government Reform** shall consider any bill, except appropriations bills, which requires net additional expenditure of state money in excess of \$100,000 or which reduces net state revenue by more than \$100,000 in any of the four fiscal years immediately following the effective date of the bill. Any such House bill, after having been perfected and ordered printed by the

House shall be referred to the Committee on Fiscal Review **and Government Reform** for its consideration prior to the bill's submission to the House for third reading and final passage. Any House bill with Senate amendment(s) or any House bill with a Senate substitute which requires net additional expenditure of state money in excess of \$100,000 or which reduces net state revenue by more than \$100,000 in any of the four fiscal years immediately following the effective dates of the bill shall be referred to the Committee on Fiscal Review **and Government Reform** for its consideration prior to the bill's submission to the House. **Any such Senate bill, after having been approved by the regular standing committee to which it was referred, shall be referred to the Committee on Fiscal Review and Government Reform for its consideration prior to the bill's submission to the House for third reading and final passage.** Any Senate or House bill amended so as to increase net expenditures or reduce net revenues shall, upon timely motion, be re-referred to the Committee on Fiscal Review **and Government Reform**. The primary sponsor or, in the case of a Senate bill, the floor handler, of a bill referred to the Committee on Fiscal Review **and Government Reform** shall be entitled to a hearing on the bill but such hearing shall be limited to the reception of testimony by the primary sponsor or floor handler, as the case may be, in person and none other. For the purpose of this rule, "net" is defined as the sum of revenues and expenditures, after reductions and increases brought about by a bill have been calculated. The Committee on Fiscal Review **and Government Reform** may, with the consent of the House Sponsor or Floor Handler, amend an effective date onto any bill referred to the Committee.

(b) The Committee on Fiscal Review **and Government Reform** shall report on any other bills, including those with unknown fiscal notes, measures or questions referred to it by the Speaker.

[(23) *Governmental Organization and Review.*] (c) The Committee [on Governmental Organization and Review] may consider and report upon bills and matters referred to it relating to the reorganization, consolidation and abolition of boards, bureaus, commissions and other offices and departments of the state and local governments; the public buildings of the state, including the Division of Design and Construction, the Division of Facilities Management, the capitol grounds and the state and legislative library. **The Committee is empowered to study and investigate the efficiency and economy of all branches of government including the possible existence of fraud, misfeasance, malfeasance, collusion, mismanagement, incompetence, corruption, waste, conflicts of interests and the improper expenditure of government funds in transactions, contracts and activities of government or government officials and employees. The Committee is authorized to hold hearings, sit and act at any time or place within the State of Missouri during the recess and adjournment periods of the House, administer oaths, and take testimony, either orally or by sworn written statement. If the Committee, after hearing, and upon findings incorporated in a report, deems that a particular activity, bureau, agency, committee, commission, department or any other entity of state government should be discontinued, it shall report such finding to the House for further action by the House. The Committee shall also consider and report on such bills and matters related to the efficiency of government in the state that may be referred to it.**

[(24)] (21) *Insurance.* The Committee on Insurance may consider and report upon bills and matters referred to it relating to insurance and the improvement of insurance laws and the efficiency of the Department of Insurance.

[(25)] (22) *Judiciary.* The Committee on Judiciary may consider and report upon all bills and matters referred to it relating to the judicial branch of the state, the practices and procedures of the courts of this state, and the ethics of public officials.

[(26)] (23) *Labor.* The Committee on Labor may consider and report upon bills and matters referred to it relating to the conditions and interest of labor.

[(27)] (24) *Local Government and Related Matters.* The Committee on Local Government and Related Matters may consider and report upon bills and matters referred to it relating to county courts and local government generally.

[(28)] (25) *Miscellaneous Bills and Resolutions.* The Committee on Miscellaneous Bills and Resolutions may consider and report upon resolutions referred to it and upon any bill which, in the opinion of the Speaker, merits special consideration. Any resolution that is not a courtesy resolution will require action by the House as provided for by the House Rules.

[(29)] (26) *Motor Vehicle and Traffic Regulations.* The Committee on Motor Vehicle and Traffic Regulations may consider and report upon bills and matters referred to it relating to motor vehicles and traffic regulations.

[(30)] (27) *Municipal Corporations.* The Committee on Municipal Corporations may consider and report upon bills and matters referred to it relating to the organization, government and improvement of cities, towns, villages and other questions concerning municipal bodies.

[(31)] **(28) Professional Registration and Licensing.** The Committee on Professional Registration and Licensing may consider and report upon bills and matters referred to it relating to boards, bureaus, and commissions that examine the qualifications of persons engaged in certain professions and occupations and the duties of such agencies and the persons registered by them.

[(32)] **(29) Public Health, Children and Families.** The Committee on Public Health, **Children and Families** may consider and report upon bills and matters referred to it relating to the health of the people of the State of Missouri; **consider, report upon and conduct ongoing study of bills and matters referred to it concerning the problems of children and families including but not limited to income maintenance, health (including medical and child development research), nutrition, education, welfare, employment and recreation.**

[(33)] **(30) Public Safety, [and] Law Enforcement and Veteran Affairs.** The Committee on Public Safety, [and] Law Enforcement **and Veteran Affairs** may consider and report upon bills and matters referred to it relating to the safety of the people of the State of Missouri and to law enforcement; **veteran affairs; and the promotion and strengthening of states rights and military and naval affairs of the state.**

[(34)] **(31) Retirement.** The Committee on Retirement may consider and report upon bills and matters referred to it relating to the retirement and pensions of state and local officials and employees.

[(35)] **(32) Rules, Joint Rules, and Bills Perfected and Printed.**

(a) *Duties, generally.* The Committee on Rules, Joint Rules, and Bills Perfected and Printed shall formulate and present for consideration the rules of the House; shall consider and report upon all propositions to amend or change the rules, which propositions shall stand referred without reading or consideration and without discussion, explanation, or debate to the Committee on Rules, Joint Rules, and Bills Perfected and Printed, and upon any bill which merits special consideration.

(b) *Duties related to printing and proofing bills.* The Committee shall supervise the printing of all bills ordered perfected and printed, insuring that procedures are followed in which all amendments to every such bill are incorporated therein before the bill is printed and the printed copies of the bill on the desks of the members are true and correct copies of the bill as ordered perfected and printed. The Committee shall also supervise the printing of all bills which are truly agreed to and finally passed, insuring that procedures are followed in which every truly agreed to and finally passed bill is a true copy of the bill as passed with clerical errors corrected. The Committee shall report to the House when any perfected or any truly agreed to and finally passed bill is printed under its supervision.

(c) *Duties relating to the issuance of courtesy resolutions.* A courtesy resolution is a non-controversial resolution in the nature of congratulations on the birth of a child, celebration of a wedding anniversary, sympathy on the death of an individual, congratulations on an outstanding citizen achievement or a similar event which is in the practice and procedure of the House to consider as a courtesy resolution. The Committee shall supervise the offering and issuance of all courtesy resolutions. While the House is in session, the resolutions that have been issued under the supervision of the Committee shall be printed in the House Journal by number and sponsor.

(d) *Petition to remove from perfection calendar.* Upon petition of two-thirds of the standing committee chairmen recommending a House Bill or Joint Resolution be removed from the regular perfection calendar and placed on the Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed, the Committee on Rules and Joint Rules shall have authority to consider and remove any House Bill or Joint Resolution from the regular perfection calendar and place it upon the Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed. And any bill so placed upon said calendar shall, after being perfected and printed be placed upon the Rules Committee Calendar, House Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage.

(e) *Petition to remove from third-reading calendar.* Upon petition of two-thirds of the standing committee chairmen, the Committee on Rules, Joint Rules and Bills Perfected and Printed shall have the authority to consider and remove, any Senate bill or Joint Resolution from the regular third reading calendar and place it upon the Rules Committee Calendar, Senate Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage. The Committee has the privilege of reporting at any time and the consideration of its report shall have precedence over all other business. Any bill placed upon the Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed, by the Committee on Rules and Joint Rules, may be recommitted to the Committee on Rules and Joint Rules by a Constitutional majority of the elected members, and if this occurs the bill shall be returned to its place on the Perfection Calendar from which it had been removed.

(f) The Committee may consider and report upon resolutions referred to it and upon any bill which, in the opinion of the Speaker, merits special consideration. Any resolution that is not a courtesy resolution will require action by the House as provided for by the House Rules.

[(36)] **(33) Critical Issues and Consumer Protection.** The Committee on Critical Issues and Consumer Protection may consider and report upon bills and matters referred to it relating to issues of a critical nature to State Government. The Committee will identify those issues and the options available that are most important to citizens and lawmakers and formulate legislation in a systematic and comprehensive manner and provide future planning and direction for a regular structured plan. **The Committee shall consider and report upon bills and matters referred to it relating to retail sales and practices, credit unions, consumers and housing.**

[(37)] **(34) Social Services[, Medicaid and the Elderly].** The Committee on Social Services[, Medicaid and the Elderly] may consider and report upon bills and matters referred to it relating to [social services Medicaid, children's aid and the elderly] **the Department of Social Services.**

[(38)] *State Parks, Natural Resources and Mining.* The Committee on State Parks, Natural Resources and Mining may consider and report upon bills and matters referred to it relating to state parks, fish and game, forestry, mines, water and other natural resources.] **(35) Conservation, State Parks and Mining. The Committee on Conservation, State Parks and Mining shall consider and report upon bills and matters referred to it relating to the Department of Conservation, state parks, fish and game, forestry, natural resources and mining.**

[(39)] **(36) Transportation.** The Committee on Transportation may consider and report upon bills and matters referred to it relating to [roads, highways, bridges, ferries, airports, railroads and other means of transportation] **the Department of Transportation; all means of transportation including but not limited to roads, highways, bridges, ferries, airports, and railroads.**

[(40)] **(37) Tourism, Recreation and Cultural Affairs.** The Committee on Tourism, Recreation and Cultural Affairs may consider and report upon all matters referred to it pertaining to the development and promotion of travel, tourism, recreation, the arts and cultural affairs.

[(41)] **(38) Urban Affairs.** The Committee on Urban Affairs may consider and report upon bills and matters referred to it relating to city planning and other urban issues.

[(42)] **(39) Utilities Regulation.** The Committee on Utilities Regulation may consider and report upon bills and matters referred to it relating to incorporation and regulations of utilities, including gas, electric, water, heating, sewer, cable television, and telephone and telegraph companies, as well as rural electric cooperatives.

[(43)] **(40) Ways and Means.** The Committee on Ways and Means may consider and report upon bills and matters referred to it relating to the revenue and public debt of the state, and the interest thereon, and the administration of taxation and revenue laws. The Committee may also inquire into and suggest to the House such changes, if any, that should be made in respect to existing sources of revenues and such new sources of revenue, if any, that in the judgment of the Committee should be considered by the House.

[(44)] **(41) Workers Compensation and Employment Security.** The Committee on Workers Compensation and Employment Security may consider and report upon bills and matters referred to it relating to the Workmen's Compensation Act, unemployment compensation and employment security.

Duties of Committee Chairman; Organization of Committee.

Rule 29. (a) *Duty to preside; not required to vote.* It is the duty of the chairman to preside at all sessions of the committee. He/she is not required to vote on any measures except in the case of a tie, but he/she may do so if he/she so desires.

(b) *When Chair is Absent.* In the absence of a chairman, the vice-chairman of the committee shall preside, and in his/her absence, a member appointed by the chairman.

(c) *Minute book.* The chairman shall see that a minute book is kept for his/her committee. The minute book shall contain the attendance and voting records of the committee members, a brief statement of the business that comes before the committee, the names of persons and witnesses appearing before the committee and what side of a proposition they appeared on behalf of at the committee hearing. The chief clerk shall be the repository of the minute book after each general assembly.

(d) *Bills, reports, and other documents.* The chairman shall have custody of all bills, papers and other documents referred to the committee and shall make reports authorized by the committee and submit the same to the House without delay.

(e) *Duty to preserve order.* The chairman, while the committee is in session, shall preserve order and decorum in and adjacent to the committee room and shall conduct all hearings in accord with the Rules of the House including the provisions that relate to decorum, debate and dress code. The chairman may punish breaches of order and decorum by censure and exclusion from the hearings.

(f) *When a Bill Fails.* Whenever a motion that a bill "Do Pass" shall fail, or if there be an even division on the question, the chairman shall report said bill back to the House "Do Not Pass" unless the bill is otherwise disposed of by another motion.

Committee Hearings.

Rule 30. All bills referred to committees shall be considered by giving the author, the proponents and the opponents a reasonable opportunity to be heard. Persons addressing the committee must keep their remarks to the point and avoid repetition and are subject to call to order by the chairman for failure to do so. In the discretion of the committee, the length of time allowed any one speaker may be limited.

Quorum.

Rule 31. A majority of all committees of 30 or less, and 15 members of all committees consisting of more than 30 members, shall constitute a quorum for the transaction of business.

Meetings-How Announced.

Rule 32. (a) *One Day's Notice and Journal Entry Required.* Announcement of all meetings of committees, other than meetings of the appropriations committees, shall include a statement of all matters to be considered at the meeting[, shall be read from the clerk's desk] at least one day prior to the meeting and shall be entered in the journal prior to the beginning of the meetings.

(b) *Posting of Agenda.* The chairman of each committee shall give written notice of the time, date, place and tentative agenda of all meetings, including executive sessions, of his/her committee and each committee having matters pending before it shall hold a meeting at such time, date and place unless excused by the Speaker of the House. Notice shall be given at least twenty-four hours prior to the meeting and shall include posting the notice on the bulletin board located outside the Speaker's office.

(c) *When Notice Requirements May Be Waived.* For good cause meetings may be conducted on less than twenty-four hours' notice or at a place or time that is not convenient to the public. When for good cause it is necessary to hold a meeting on less than twenty-four hours' notice or at a place or time that is not convenient to the public, the nature of the good cause shall be stated in the committee's minutes.

Other Duties and Powers.

Rule 33. Each committee, in addition to the duty above prescribed, shall perform such other duties as may be required by the House. If it shall become necessary to compel the presence of any person before a committee or to receive sworn testimony before a committee, a subpoena may be issued under the hand of the Speaker as provided by law and an oath or affirmation may be administered by the chair of the committee as provided by law.

Attendance.

Rule 34. The secretary of each committee shall keep a record of the attendance at each committee meeting in the minute book of the committee, which shall be available to the Speaker on request. Any member of a committee absent, without good cause, from three consecutive meetings of the committee, as shown by the records of the committee, may be dropped therefrom by a statement to that effect entered into the House Journal by the Speaker. The roll shall be called by the chairman or secretary of a committee at each meeting.

Minority Views.

Rule 35. The minority of a committee may not make a report or present a proposition of legislation, but has the right to file views to accompany the report.

Committee Relieved of Bill—When.

Rule 36. No bill shall be taken away from any standing committee of the House, as provided by the Constitution, until after ten legislative days have expired after referral to the committee by the Speaker. If any bill is taken away from any committee by vote of one-third of the elected members of the House, as provided by the Constitution, then the bill shall be placed on a separate calendar, at the foot of the existing House Calendar, and shall not be taken up and considered by the House until all bills on the entire House calendar ahead of such bill have been disposed of by the House.

Election Contest.

Rule 37. Whenever there shall be filed with the Speaker a notice of contest of the election of a member of the House, he/she shall refer the same, without discussion, either to the standing Committee on Elections or a special committee appointed to hear the matter. Said committee shall examine the timeliness and sufficiency of the notice, the depositions and other documents submitted and report to the House its recommendations, whereupon the House shall act by resolution to sustain or reject the committee recommendations.

Ethics Committee; Complaints of Ethical Misconduct.

Rule 38. (a) *Committee Established.* The Speaker shall appoint a Committee on Ethics and name the committee's chair and vice-chair. The committee shall have an equal number of members of the majority and minority party. The minority members of the committee shall be appointed by the minority leader.

(b) *Committee Authority.* The Committee may consider and report upon complaints referred to it relating to a member of the House of Representatives involving the commission of a crime, misconduct, willful neglect of duty, corruption in office or other complaints relating to the ethical conduct of a member. The Committee is authorized to investigate such complaints and, after notice and a hearing conducted pursuant to Rules of Procedure established under this rule, to report to the House its findings, conclusions and recommendation. The Committee is further authorized to sit and act at any time or place within the State of Missouri during the recess and adjournment periods of the House, administer oaths, and take testimony, either orally or by sworn written statement.

(c) *Rules of Procedure.* Within 20 calendar days of the commencement of the first regular session of each general assembly, the Committee on Ethics shall adopt Rules of Procedure for the investigation of complaints of ethical misconduct referred to it involving a member of the House. The proposed Rules of Procedure shall be filed by the Committee in the form of a House Resolution with the Clerk of the House, reported in the Journal, and placed on the House Resolutions Calendar.

(d) *Receipt of Complaint; Investigation.* Upon receipt of a complaint, in writing and under oath, of ethical misconduct by a member of the House made by another member, the Speaker shall refer within 10 days the same, without discussion, to the Committee on Ethics. The complaint shall be confidential. The Committee shall examine the sufficiency of the complaint, and proceed to conduct an investigation as provided in the Committee's Rules of Procedure, if a majority of the Committee appointed so votes upon a roll call.

(e) *Report and Recommendations.* At the conclusion of the investigation, the Committee shall report its findings, conclusions, and recommendation to the House, whereupon the House shall act by resolution to sustain or reject the Committee recommendation. The Committee may recommend that the House expel the member as provided in Article III, Section 18 of the Missouri Constitution, or that the House punish the member as provided in Article III, Section 18 of the Missouri Constitution, by reprimand on the adoption of the resolution or by censure by the Speaker in open session.

(f) *Application of Standing Committee Rules to Ethics Committee.* All rules that pertain to standing committees of the House shall apply to the Committee on Ethics to the extent consistent with this rule and any rules of procedure adopted pursuant to paragraph (c) of this rule.

**Introduced; Manner of Setting Forth
New and Old Material.**

Rule 39. (a) *When.* Bills may be introduced only on the report of a committee or by any member of the House, in the regular order of business. **No bills, other than appropriation bills, shall be introduced in the House after March fifteenth of any regular session unless consented to by a majority of the elected members of the House.**

(b) *Manner of Printing.* Any bill shall have the matter which is being repealed from current law enclosed in bold-faced brackets and the matter which is being added to the law underscored when typewritten and in bold-faced type when printed. A footnote shall be annexed to the first page of each bill which contains material enclosed in bold-faced brackets to the following effect:

"Explanation--Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. **Matter in boldface type in the above bill is new proposed language.**"

Where a section is completely rewritten, the existing section shall be set forth in small type in bold-faced brackets in a note following the new section but the changes need not be distinguished. Any bill or substitute which does not comply with this rule shall not be placed upon the calendar.

(c) *Number of Copies Submitted.* Each bill shall be submitted in triplicate.

Number of Copies Printed.

Rule 40. One thousand copies of all House Bills and House Joint Resolutions shall be printed. The Chief Clerk may provide for the printing of a lesser or greater number if he/she deems it appropriate.

Reading by Title Sufficient.

Rule 41. The reading of a bill by its title shall be deemed sufficient reading unless the further reading be called for. If the further reading be called for and no objection made, the bill shall be read at length; if, however, objection be made, the question shall be determined by the majority of the House.

To Go Upon Calendar—When.

Rule 42. No House Bill shall be placed upon the calendar for second reading until the legislative day following the introduction and first reading of said bill.

**Timing of Placement on Calendar;
Federal Mandate Calendar.**

Rule 43. (a) When a bill is reported from the committee with the recommendation that it "do pass" or "without recommendation", it shall go upon the calendar of the House. No bill shall be taken up for consideration by the House, prior to the first Monday in May, unless it has been upon the calendar for at least one legislative day.

(b) No bill shall be placed on the Federal Mandate Calendar unless it is federally mandated, immediate in nature and reduces revenues or savings if not enacted. A federal mandate bill may only contain subject matter concerning the federal mandate. A member wishing for his or her bill to be considered for placement on the Federal Mandate Calendar

shall request such in writing to the Chair of the Committee where such bill has been assigned. The written request should state the deadline with which the state must comply with the federal mandate and what will happen if the state doesn't comply by this date. A copy of the federal statute(s) or regulation(s) mandating what the state must do shall accompany the written request. If said bill is reported do pass from the committee recommending that said bill be placed on the Federal Mandate Calendar, the Chair shall submit to the Speaker a copy of the original written request along with a copy of the federal statute(s) or regulation(s) mandating state action. If the Speaker concurs that said bill complies with all requirements of this rule, he shall place said bill on the Federal Mandate Calendar. **Federal Mandate bills placed upon the calendar for consideration and distributed to members must be accompanied by a copy of the federal statute(s) or regulation(s) mandating such action.**

Motion to Place on Calendar.

Rule 44. If a bill is reported from the committee with the recommendation that it "do not pass" it shall not go on the calendar of the House unless ordered by a constitutional majority. A motion to have a bill placed upon the calendar must be made within three legislative days after the bill is reported and when the author of the bill is present or the motion is made by a member upon the author's written request. If no such action is taken within said time, the bill shall lie on the table.

Bills Laid Over Informally.

Rule 45. When a bill is reached, in its order, to be perfected and printed, or to be agreed to and read a third time and placed upon its final passage, it [may] **shall** upon the request of the **Majority Floor Leader, or the** author thereof, if a House Bill, or, [(upon the request of its sponsor in the House, if a Senate Bill)], **hold its place upon the calendar, or** be laid over informally, and thereafter called up **from the informal calendar** at any time, in any order, when otherwise in order.

To Appear in Order.

Rule 46. All bills laid over informally and not taken up and disposed of the same day, shall appear in order upon the calendar for the next legislative day following.

Ten Day Rule.

Rule 47. If a bill laid over informally is not taken up for further consideration within ten legislative days after being laid over, it shall lie on the table and be dropped from the calendar of the House without further action by the House.

Consent Calendar.

Rule 48. (a) *Which Bills May Be Placed.* Each committee, after a favorable vote on a bill without amendment, may further determine by a second and affirmative vote of every member present whether or not such bill is of a noncontroversial nature. [Any bill which increases net expenditures of the state or reduces net revenue of the state shall not be considered by the committee for consent] **Any bill which increases net expenditures of the state, reduces net revenue of the state, or contains penalty provisions shall not be considered by the committee for consent;** provided however, any bill which specifically authorizes an easement or right-of-way involving state property may be considered by the committee for placement on the Consent Calendar.

(b) *Procedure.* If the committee shall so determine, the committee report shall include a request that a bill be placed on the "House Consent Calendar for Perfection". Any bill so reported shall automatically be placed on that calendar and after said bill has remained on the "House Consent Calendar for Perfection" for five legislative days, it shall be ordered perfected and advanced to the "House Consent Calendar for Third Reading and Final Passage" without further action of the House, unless five members, with at least two from each political party, have filed written objection with the Chief Clerk. If such objections are filed, the bill shall be sent to the Committee on Rules and Joint Rules. If the Committee on Rules and Joint Rules concurs in the report to place the bill on the "House Consent Calendar for

Perfection", then the bill shall be deemed perfected and placed on the "House Consent Calendar for Third Reading and Final Passage" without further action by the House. If the committee does not concur with the report to place the bill on the "House Consent Calendar for Perfection", then the bill shall be returned to the committee from which it was originally reported. An objection made by five members under this rule cannot be rescinded. **No House bills shall be placed on the "House Consent Calendar for Perfection" after March fifteenth.**

AMENDMENTS Of Committees and Substitutes.

Rule 49. (a) *In Writing.* Proposed amendments must be reduced to writing on demand. Every amendment shall be read in its entirety by the clerk unless it has been distributed in advance, the amendment's sponsor requests waiver of the reading, and there is no objection to the request. An amendment shall be considered to have been distributed in advance if, before it is offered, it has been placed on the members' desks in paper form. **Every amendment that exceeds two pages in length must be distributed in advance unless the amendment's sponsor requests waiver of the distribution, and there is no objection to the request.**

(b) *What Amendments and Substitute Amendments are in Order.* When a bill, motion or proposition is under consideration, a motion to amend and a motion to amend that amendment shall be in order, and it shall also be in order to offer a further amendment by way of substitute, to which one amendment may be offered, but which shall not be voted on until the original amendment is perfected, but either may be withdrawn before amendment or decision is had thereon.

(c) *Committee Substitute Treated as Original.* A House committee substitute shall be considered as an original bill for purposes of amendment.

(d) *House Substitute.* A House substitute shall be considered as an amendment. A House substitute must be distributed to the members at least one legislative day prior to its consideration by the House; except after the Second Monday in May, no House Substitute shall be taken up and considered unless same has been distributed to the members at least two hours before consideration in the House. A House amendment which, in the opinion of the chair, is of such scope and length, that it is in reality a house substitute, must be distributed in the same manner as a house substitute.

(e) *One House Substitute at a Time.* Only one House substitute shall be in order at one time.

(f) *When Federal Mandate Bills Can Be Amended.* Amendments to House and Senate Bills - Federal Mandate are permitted only within the scope of the federal mandate. Perfecting amendments are permitted to make technical corrections.

Committee Substitute Printed.

Rule 50. When a committee recommends a substitute for a bill the original bill will accompany the substitute. The substitute shall be handled on the floor of the House by the chairman or any member designated by the chairman. The Chief Clerk shall have one thousand copies of the substitute printed for the use of the House, except that the Chief Clerk may provide for the printing of a lesser or greater number if he/she deems it appropriate. No committee substitute shall be called from the calendar of the House until the printed copies have reached the members. Amendments, if any, may be offered to the substitute before the vote on the motion to adopt the substitute is taken. If the substitute is defeated the original bill shall be before the House for perfection and shall immediately be considered.

Order of Amendments.

Rule 51. When amendments to any bill, motion or proposition are pending they shall be voted on in the following order:

- (1) Amendments to the amendment are disposed of before the substitute is taken up. Only one amendment to the amendment is in order at one time; but as rapidly as one is disposed of by rejection or incorporation as a part of the amendment, another is in order as long as any member desires to offer one.
- (2) Amendments to the substitute are next voted on, and may be offered seriatim as fast as disposed of until the substitute is perfected.
- (3) The substitute is next voted on. Both the amendment and the substitute having been perfected and presented in final form, the House or committee makes its choice of the two.

(4) The amendment is voted on last. If the substitute has been agreed to, the vote comes on the amendment as amended by the substitute.

Amendments Incorporated in Bill.

Rule 52. All amendments adopted by the House to a bill originating in the House shall be incorporated in the bill as perfected, and the bill, as thus perfected, shall be printed for the use of the members before its final passage. The perfecting and printing shall be done under the supervision of the Committee on Rules, Joint Rules, and Bills Perfected and Printed whose report to the House shall be set forth, in writing, that the bill is truly perfected, and the printed copies furnished to the members are correct.

BILLS

Ayes and Noes Taken.

Rule 53. When a bill shall have passed the House and been returned from the Senate with amendments, said amendments may be concurred in collectively, or amended, by a majority of the members elected, unless objection be made, in which case the vote shall be taken severally, and no amendment or amendments shall be concurred in by the House except by a constitutional majority and the names of those voting for and against recorded upon the Journal of the House.

Repassage.

Rule 54. When all Senate amendments to House bills have been concurred in by the constitutional majority of the House, the question shall then be put: "Shall the bill as amended be passed?" On this question the ayes and noes shall be called for, and as on its first passage, a constitutional majority shall be necessary to the final passage of the bill.

Majority to Perfect.

Rule 55. A quorum being present, a majority of those voting aye and no shall be sufficient to perfect a bill and order it printed.

Amending After Perfection; Perfecting Amendments.

Rule 56. No bill shall be amended after being perfected and printed without a reconsideration of the vote by which it was ordered perfected and printed and if said bill be amended it shall again be perfected and printed, except that a perfecting amendment to make technical corrections is in order after the bill has been ordered perfected and printed and before it has been read the third time.

Motion for Final Passage.

Rule 57. When the Committee on Bills Perfected and Passed reports a bill truly perfected and printed, it shall go upon the calendar to be agreed to and passed. When the bill is taken up in its order, the question shall then be: "Shall the bill be agreed to, read a third time and put upon its final passage?" If a constitutional majority sustains the question the bill shall be put immediately upon its passage.

Bills Not to be Passed on Previous to Roll Call.

Rule 57.5. No bill shall be passed by any roll call previously taken on another bill, nor shall more than one bill be passed on any one roll call.

Course After Passage.

Rule 58. When a bill passes the House, it shall be certified by the Clerk, noting the day of its passage at the foot thereof.

**Perfecting Amendment on
Bills Returned from the Senate.**

Rule 59. No bill may be further amended without placing the bill in conference, except that a perfecting amendment to make technical corrections is in order in the house of origin when the bill is taken up for final passage as amended by the other house. The perfecting amendment may be directed to the bill or to amendments to the bill. If a perfecting amendment is adopted, the bill as finally passed with the perfecting amendment shall be returned to the other house for its concurrence in the perfecting amendment.

Conference Reports.

Rule 60. (a) *Signatures on a Conference Report.* All conference committees shall be composed of five (5) conferees from each house and no conference report shall be submitted to either house unless approved by a majority vote of the full committee with not less than two (2) conferees from each house signing the report.

(b) *Review for Correctness.* Before a conference report is taken up by the House, it shall be reviewed for the technical correctness of the report and of any amendments, bill or substitute the report recommends for passage by the House.

(c) *Notice Requirements.* No conference committee report shall be taken up and considered unless the same has been distributed to the members at least one legislative day prior to its consideration; except after the first Wednesday following the second Monday in May, no conference committee report shall be taken up and considered unless same has been distributed to the members at least two hours before consideration in the House.

(d) *Exceeding the Differences.* Unless authority is granted by the House to exceed the differences, the conferees must confine themselves to matters that are within the scope of the difference between the House position and the Senate position. When a report is offered for adoption, the point of order that the conferees have exceeded the difference shall be in order. The Speaker may rule on the point of order or may place the question of whether the conferees have exceeded the differences before the House for a vote. A majority of members voting prevails on the question.

RESOLUTIONS

Joint and Concurrent Resolutions.

Rule 61. All joint and concurrent resolutions designed to submit to the qualified voters of the state amendments to the Constitution, to be voted upon by such voters, shall be read on three separate days, and shall be reported upon by the committee of the House, and shall otherwise be proceeded upon in like manner as a bill.

Joint and Concurrent of Congress.

Rule 62. (a) *Procedure, Generally.* All joint and concurrent resolutions of the Congress of the United States designed to submit to the legislature an amendment to the Constitution of the United States shall be read on three separate days, shall be reported upon by a committee, shall be adopted only by a constitutional majority and shall otherwise be proceeded upon in like manner as a bill.

(b) *Not to be Amended.* The text of the amendment as proposed by the Congress of the United States shall not be amended.

**Petitions, Memorials, Remonstrances,
and Resolutions.**

Rule 63. All petitions, memorials, remonstrances, resolutions and other papers offered shall stand referred, without reading, consideration, discussion, explanation or debate, to the Committee on Miscellaneous Bills and Resolutions unless referred to some other appropriate committee by the Speaker. Those papers that are favorably recommended by the committee for adoption by the House shall be printed in the Journal and placed upon a resolutions calendar.

SENATE BILLS

Referral.

Rule 64. Each Senate Bill shall, upon second reading, be referred to the appropriate committee of the House.

Go Upon the Calendar.

Rule 65. (a) *Reported out of Committee.* When a Senate Bill is reported from the committee to which referred with the recommendation that it "do pass", or "without recommendation", it shall go upon the House Calendar for the third reading and final passage, provided that no Senate Bill shall be taken up for consideration by the House, prior to the first Monday in May, unless it has been upon the Calendar for at least one legislative day.

(b) *Senate Consent Bills.* A Senate Bill passed by the Senate pursuant to its procedure for consent bills shall be considered for treatment as a consent bill by the House committee to which it was referred without further request but such bills may be amended in the House committee. [However, any bill that is of a controversial nature or increases expenditures of the state or reduces revenue of the state shall not be considered by the committee for consent. The committee, after a favorable vote on the bill, may by a second and affirmative vote of every member present, request] Said bill **shall** be placed on the "Senate Bills for Third Reading and Final Passage-Consent Calendar" only **if the bill meets all other requirements of Rule 48(a).**

(c) *Senate Consent Bills-Objections.* Senate bills passed out of the House committee with the request that the bill be placed on the Senate Bills for Third Reading and Final Passage-Consent Calendar are subject to the five member objection provision of Rule 48.

(d) *Senate Consent Bills-When Taken Up.* No Senate consent bill may be [taken up after 6:00 p.m. on the first Thursday following the third Monday in April] **placed upon the Senate Bills for Third Reading and Final Passage-Consent Calendar after April fifteenth.**

(e) *When Amendment Permitted.* Senate consent bills may be amended in committee but not on the floor of the House unless the Senate Rules allow amendment of House consent bills on the floor of the Senate in which case Senate consent bills may be amended on the House floor.

When Reported "Do Not Pass."

Rule 66. If a Senate Bill be reported from the committee to which referred with the recommendation that it "do not pass" it shall not go upon the calendar of the House for third reading and final passage, unless so ordered by a constitutional majority of the House. In such case, the motion to place the bill on the calendar shall be made within three legislative days of the report, and by a member who has been requested by the Senate sponsor of the bill.

Amendments.

Rule 67. Senate Bills may be amended by the House when placed upon third reading and final passage, before the vote is taken thereon.

Rule 68. Reserved.

MOTIONS

Must Be Read or Stated Before Debate.

Rule 69. When a motion is made it shall be stated by the Chair or read aloud by the Clerk before being debated.

When in Possession of House.

Rule 70. When a motion is stated by the Speaker or read by the clerk it shall be deemed to be in possession of the House. The motion may be withdrawn by the author at any time when another motion is not pending before decision or amendment.

To Be Reduced to Writing.

Rule 71. Every motion shall be reduced to writing if the Speaker or any member demands it.

Must Be Germane.

Rule 72. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

Privileged.

Rule 73. When a question is under debate, no motion shall be entertained but to adjourn; to take recess; to lay on the table; for the previous question; to postpone to a certain day; to commit or amend, or postpone indefinitely; which several motions shall have precedence in the order herein set forth.

Dilatory.

Rule 74. When any of the motions enumerated in the preceding rule have been made and lost, no similar motion shall be entertained until some other business is transacted by the House.

To Adjourn in Order-When.

Rule 75. Except as above limited, and except when a member is speaking or the roll is being called, a motion to adjourn is always in order, and pending the result of such a motion, no member shall leave his seat in the House.

Previous Question.

Rule 76. The previous question shall be in this form: "Shall the question under immediate consideration be now put?" It may be moved like any other question but it shall only prevail when supported by a constitutional majority and until decided shall preclude amendments and debate. If the motion is sustained, the proponent of the matter under consideration shall be allowed one minute in which to make a closing statement before the House votes on the question. The proponent shall not be allowed to make a closing statement after the first Monday in May. A failure to sustain the motion shall not take the matter under consideration from further consideration of the House; but the House shall proceed as if the motion had not been made.

Not Debatable.

Rule 77. Motions to adjourn, to lay on the table, for the previous question, calls for the order of business of the day, and all questions relating to priority of business shall be decided without debate.

Division of Questions.

Rule 78. Any member may have, as a personal right, a division of the question where the sense will admit of it. When the question having been divided is a Senate Bill for Third Reading, each part of the bill shall be voted upon separately and a subsequent separate vote shall be taken on the entire bill.

Indefinite Postponement.

Rule 79. When a question is postponed indefinitely, the same shall not be acted upon again during the session.

Question Laid on Table-How Taken Up.

Rule 80. When a question has been laid on the table, the same cannot be taken up again without a vote of two-thirds of the members present.

MOTION TO RECONSIDER

**Motion to Reconsider Must be Made
In Three Days.**

Rule 81. When a motion that a bill be perfected and printed, or that a bill be agreed to, read a third time, and placed upon its final passage fails, or when any other question is decided by the House, any member voting on the prevailing side may move to reconsider the vote provided that the motion to reconsider is made within three legislative days after the day on which the vote was taken.

Procedure for Motion to Reconsider.

Rule 82. A constitutional majority is required to sustain any motion to reconsider. If the motion to reconsider is sustained the House shall proceed to the original question or motion immediately before proceeding to other business. Any motion to reconsider having failed once shall not be considered again, except to reconsider the vote by which an appropriation bill failed to pass. In the case of an appropriation bill, the motion to reconsider may be considered as many times as the House chooses.

DECORUM AND DEBATE

On Speaking.

Rule 83. When any member is about to speak in a debate or deliver a matter to the House, he/she shall rise from his/her seat and respectfully address himself/herself to "Mr. Speaker" or "Madam Speaker." The member shall refer, as appropriate, to other members as "Lady", "Gentleman" or "Representative". The member shall confine himself/herself to the questions under debate and avoid personality. If any member violates the rules of the House the Speaker, or any member, may call him/her to order. Any member called to order shall immediately sit down, unless permitted to explain, and the House shall, if appealed to, decide the case without debate.

Appeals.

Rule 84. If there is no appeal, the decision of the Chair is final. If the decision is in favor of the member called to order he/she may proceed; if otherwise, and the case requires it, he/she shall be liable to the censure of the House.

Member to Rise; When Two or More Rise.

Rule 85. The Speaker shall not recognize any member desiring to speak unless such member arises at his/her desk. When two or more members rise at the same time the Speaker shall name the member who is to speak first, the other members having the preference next to speak.

Member May Speak-How Often.

Rule 86. No member shall speak more than twice on the same question without leave of the House, nor more than once until any other member desiring to speak has spoken. Except when reporting a bill or resolution from a committee, no member may speak, interrogate or inquire for more than fifteen minutes unless by unanimous consent of the House.

**No Member Shall Name Another
Member in Debate.**

Rule 87. No member shall name another member in debate, but shall refer to the member by district number or by county.

Members Not To Use Profanity.

Rule 87.5. No member may use profanity either while speaking on the floor or while in committee.

Members Not to Walk Across the House-When.

Rule 88. While the Speaker is putting any question or addressing the House, no one shall walk out of or cross the House. When a member is speaking or the Journal is being read, no member shall engage in any private conversation; nor while a member is speaking shall anyone pass between him/her and the Chair. No member shall walk between two members who are engaged in debate or inquiries in the hall of the House.

Order of Questions.

Rule 89. All questions shall be propounded in the order in which they are moved except privileged questions, which shall be propounded as stated in Rule 73.

Voting.

Rule 90. Every member shall be present within the hall of the House during its sittings, unless excused or necessarily prevented; and shall vote on each question put, unless he/she has a direct personal or pecuniary interest in such question. No member shall be recorded as voting when he/she was not present in the chamber when the vote was taken. Nothing herein contained shall prohibit a member from voting "Present" on a question, and such vote shall be recorded in the Journal. In the case of equal division the question shall be lost.

**Verification of the Roll;
Members Not to Interrupt Calling of Ayes and Noes; Changing Vote.**

Rule 91. No member shall be permitted to interrupt a roll call and no member shall be allowed to vote or to change his/her vote (except to have his/her vote correctly recorded) after a verification is begun or after the final vote is announced.

Demand for Verification.

Rule 92. Any five members may demand a verification of the roll if such demand is made before the vote is announced.

Bell to Signal Beginning and End of Vote.

Rule 93. At a reasonable time prior to the beginning of taking the ayes and noes by electric roll call on any question, a bell notifying the members of a roll call shall be sounded. After the votes are registered the absentees shall be noted and upon demand of any member, another bell signifying that a call of absentees is being taken shall be sounded and a reasonable time shall be allowed after the sounding of the bell before the voting is closed.

**Reference to Electric Roll Call System
to be Understood.**

Rule 94. In all cases where a rule of the House of Representatives refers to the "calling of the names of the members" or "calling of the ayes and noes" or "calling of the roll", such reference shall be understood to refer also to the "taking" of the vote by electric roll call system. There shall be a taking of the vote by electric roll call system on the motion of any one member which is seconded by four other members immediately standing. A vote by electronic roll call shall be limited to thirty minutes, except in cases of quorum calls.

Dress Code.

Rule 95. At all times when the House is seated, proper attire for gentlemen shall be formal business attire, including coat, tie, dress trousers and dress shoes or dress boots. Proper attire for women shall be dresses. Skirts and dress slacks shall be worn with a blazer or sweater and appropriate dress shoes are required. At no time when the House is seated shall members or staff be permitted to wear denim jeans or denim dresses, regardless of color. This rule shall apply to all members or staff on the floor of the House and lower gallery.

Eating, Smoking, and Other Distractive Activities.

Rule 96. No food, newspapers, or other items or activities distractive to House deliberations shall be permitted on the floor of the House while the House is in Session. Smoking is prohibited in the House Chambers, upper and lower galleries, except members may smoke in the East Gallery.

Ascending the Dais.

Rule 97. No person shall ascend the Dais without first being recognized to do so by the Speaker.

INTERIM PROCEDURE

Bills-End of Regular Session.

Rule 98. (a) *To be Laid Upon Speaker/President's Desk; When Re-referred.* All House Bills or House joint resolutions in possession of the House and not finally acted upon shall, at 5:59 p.m. on the first Friday following the second Monday in May in odd-numbered years, be laid on the Speaker's desk. All Senate bills and joint resolutions in possession of the House and not finally acted upon shall, at 5:59 p.m. on the first Friday following the second Monday in May in odd-numbered years, be laid on the President Pro-Tem's desk. House bills and joint resolutions laid on the Speaker's desk may be re-referred by the Speaker to House committees at the second regular session of the General Assembly in even-numbered years.

(b) *When Rule May be Suspended.* This rule may only be suspended by a vote of two-thirds of the elected members of the House.

Bills-Pre-Filing.

Rule 99. A member or member-elect of the House of Representatives may file a bill or joint resolution by mail or in person with the Clerk of the House at any time during the period beginning on December first and ending on the day

before a regular session begins which next precedes the session at which the bill or joint resolution is to be considered. Upon receiving a bill or joint resolution filed during the filing period preceding a regular session of the general assembly in odd-numbered years, the Clerk of the House shall immediately date, number and have the bill or joint resolution printed in the most economical manner as approved by the House Rules Committee and made available according to the rules and practices of the general assembly next preceding that for which the bill or joint resolution is filed and those bills and joint resolutions received during the filing period preceding a regular session in an even-numbered year shall be printed and made available according to the then effective rules of that general assembly.

Interim Committees.

Rule 100. All standing committees may meet to consider bills or to perform any other necessary legislative function during the interim between the session ending on the thirtieth day of May and the session commencing on the first Wednesday after the first Monday of January; except the Speaker may appoint a subcommittee, made up of members of the standing committee, to act in the place of the standing committee during the interim. Members of each of the committees, or any subcommittee thereof, shall be reimbursed from the contingent fund of the House for their necessary and actual expenses incurred while attending meetings of the committee or subcommittee if approved by the Speaker.

CALL OF THE HOUSE

Names of Members to be Called.

Rule 101. A call of the House may be made at any time on motion seconded by ten members and sustained by a majority of those present; (names of members may be called orally or by electric roll call) and under a call of the House a majority of those present may send for and compel the attendance of absent members; and a majority of all the members present shall be a sufficient number to adjourn.

Absent Members May Be Sent For.

Rule 102. Upon the call of the House, the names of those members present shall be recorded and the absentees noted, and those whose names do not appear may be sent for and taken into custody wherever found by the Sergeant-at-Arms or special messenger appointed.

Prohibited While Electric Voting System Open.

Rule 103. No call of the House shall be made after the Speaker has directed the clerk to open the electric voting device to record the names of the members and until the vote be announced. This rule shall not prohibit the calling of the absentees (reading by the clerk of the names of members who have not voted) at the request of any member while a roll call is in progress.

Majority Not Under Arrest May Censure and Fine Delinquent Members.

Rule 104. The majority of those present, not under arrest, may make an order for the censure or fine of delinquent members, and prescribe the terms under which they shall be discharged.

Release from Custody.

Rule 105. When a member shall have been discharged from custody and admitted to his/her seat the House shall decide whether such discharge shall be with or without fees; and, in like manner, whether a delinquent member, taken into custody by a special messenger shall defray the expense of such special messenger.

COMMITTEE OF WHOLE HOUSE

When Permitted.

Rule 106. On motion, the House may resolve itself into a Committee of the Whole House for consideration of any business which may properly come before it.

Chairman Appointed by Speaker.

Rule 107. In forming a Committee of the Whole House, the Speaker shall leave his/her chair and shall appoint a Chairman to preside in the Committee.

Procedure Upon Bills.

Rule 108. Upon a bill being committed to a Committee of the Whole House, the same shall first be read at length by the Clerk, and then again read and debated by clauses, leaving the preamble to be last considered. After report, the bill shall again be subject to debate and amended by clauses, as before.

Amendment to Motion Must be Incorporated in Original Motion.

Rule 109. All amendments made to an original motion in Committee of the Whole House shall be incorporated with the motion and so reported.

Amendment Shall be Noted.

Rule 110. All amendments made to reports, resolutions or other matters committed to a Committee of the Whole House shall be noted and reported, as in case of bills.

Rules of Proceedings.

Rule 111. Rules and proceedings of the House shall be observed in Committee of the Whole House, as far as they are applicable, except that limiting the number of times of speaking.

Quorum.

Rule 112. A majority of the members elected shall be a quorum to do business; and if, at any time, a sufficient number shall not be present in Committee of the Whole House, and the Committee shall arise, and the Speaker shall resume the chair and the Chairman report the cause of the rising of the Whole Committee.

ADMISSION TO HALL

Definitions.

Rule 113. The space between the granite columns shall be known as the floor of the House and the space beyond the granite columns on either side shall be known as the lower gallery, and the space on the upper floor of the Hall shall be known as the upper gallery.

Admission to House Floor.

Rule 114. No person shall be admitted to the floor of the House or the House East Gallery other than the officers and members of the House and the staffs of the Speaker, Speaker Pro Tem, Majority and Minority Floor Leaders, Assistant Majority and Assistant Minority Floor Leaders and Chairman of the Budget Committee and, at the request of the

Speaker, technical support staff needed to maintain data processing and other equipment. Other persons may be admitted to the floor and East Gallery with the consent of the House. Guests may upon written request, submitted five days in advance and with the consent of the Speaker, address the House from the dais at the beginning or adjournment of a daily legislative session or any recess thereof.

Admission to Lower Gallery.

Rule 115. No person shall be admitted to the lower gallery of the House except members of the General Assembly, spouses of members, employees of the House, Joint Committee Staff, the Governor, the Lieutenant Governor, the Secretary of State, the State Auditor, the State Treasurer, Judges of the Supreme Court, the Clerk of the Supreme Court, Judges of the Courts of Appeals or Circuit Courts, the Attorney General, Members of Congress, the Governor's Chief of Staff and former members of the General Assembly who are not registered lobbyists or who do not lobby for an individual or organization, and physically disabled persons. No official except current members of the General Assembly otherwise allowed to the lower gallery by this rule shall engage in any activity supporting or opposing any bill or resolution before the House from the lower gallery. Other persons may be admitted to the gallery by the chair upon special request of any Representative when the House is in session. Members of the press may enter the lower galleries while the House is in session for the purpose of interviewing members of the House.

Admission to Upper Gallery.

Rule 116. The gallery at the front of the chamber above the Speaker's dais shall be reserved for members of the press having valid credentials issued by the Speaker. All other upper galleries shall be open to the public. There shall be no smoking in the upper rear or upper side galleries.

Privileges of Former Members.

Rule 117. Former members of either House of the General Assembly employed as legislative counsel or agents shall enjoy only such privileges as are under these rules accorded to other legislative counsel and agents.

Permission Required for Electronic Devices.

Rule 118. Tape recorders, portable phones, video equipment, television equipment, photography equipment, and/or any other electronic recording devices are not authorized for use on the floor of the House or in any gallery of the House Chambers unless permission has been granted from the Chair. Nothing contained in this rule shall prevent any member from using a portable laptop computer, which is hereby specifically authorized, unless any other member objects to the noise created or generated by any such laptop computer in which case the Chair may rule on whether or not any specific laptop computer shall be removed from the House floor.

RULES

May be Rescinded or Amended-How.

Rule 119. Any motion or resolution purporting to rescind or change the standing rules of the House or to introduce a new rule shall stand without reading or consideration and without discussion, explanation, or debate to the Committee on Rules. Such motions or resolutions as shall be favorably recommended by such committee for adoption by the House shall, upon such recommendation, be printed in the Journal and shall be placed upon a Resolutions Calendar. A constitutional majority shall be required to pass such a resolution.

May Be Dispensed With.

Rule 120. Rules 81 and 82 of the House shall not be suspended or dispensed with, unless by unanimous consent or unless two-thirds of the elected members concur therein. A rule which requires a two-thirds vote shall not be suspended, except by unanimous consent or unless two-thirds of the elected members concur therein. No other standing rule or order of the House shall be suspended, except by unanimous consent or unless a constitutional majority concur therein and motions for that purpose shall be limited to the question or proposition under consideration.

Jefferson's Manual.

Rule 121. The rules of parliamentary practice comprised in "Jefferson's Manual" and the "Rules of the House of Representatives of the United States" and the official collection of precedents and interpretations of the rules by parliamentary authorities of the United States House shall govern the House in all cases in which they are applicable and not inconsistent with the standing rules and orders of the House and the joint rules of the Senate and House of Representatives. The Office of the Chief Clerk, the Speaker, the Speaker Pro Tem, the Majority Floor Leader, the Assistant Majority Floor Leader, the Minority Floor Leader, and the Assistant Minority Floor Leader will make available copies of these documents in his/her office to any member who so requests. **Three copies of these documents shall be available during sessions of the House: one copy shall be at a location determined by the majority party, one copy shall be at a location determined by the minority party, and one copy shall be in the possession of the Sergeant-at-Arms.** The documents shall be purchased by the House and shall be the property of the House and not of the individual holding the office. The Manual, Rules, precedents and interpretations above referred to, shall be taken as authority in deciding questions not otherwise provided for in these rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 399, introduced by Representative Berkstresser, relating to reimbursement of expenses in condemnation and inverse condemnation proceedings.

HB 400, introduced by Representatives Treadway, Foley, Hegeman, O'Connor, Holand and Dolan, et al, relating to physician assistants.

HB 401, introduced by Representative Treadway, relating to dental care.

HB 402, introduced by Representative Boucher, relating to the release of probation documents.

HB 403, introduced by Representatives Hosmer and Kreider, relating to closed records for municipal electric utilities in certain circumstances.

HB 404, introduced by Representatives Graham, Riback Wilson (25), Shields, Holt, Kelly (27), Ostmann and Hosmer, et al, relating to the authority of senate bill 40 boards.

HB 405, introduced by Representatives Kelley (47) and Long, relating to income taxation.

HB 406, introduced by Representatives Kelley (47), Ostmann, Fraser, Long, Williams and Riback Wilson (25), et al, relating to the duties of the board of probation and parole.

HB 407, introduced by Representatives Kelley (47), Bartle, Myers, Hendrickson, Byrd, Portwood, and Phillips, et al, relating to public libraries.

HB 408, introduced by Representative Kelley (47), relating to grave lot conveyances.

HB 409, introduced by Representative Surface, to authorize the conveyance of certain properties between the Missouri national guard and the city of Joplin.

HB 410, introduced by Representatives Holt, George, Bearden and Ostmann, et al, relating to removal of weeds.

HB 411, introduced by Representative Hegeman, relating to the large animal veterinary medicine loan repayment program.

HB 412, introduced by Representative Hegeman, relating to egg dealers and retailers licenses.

HB 413, introduced by Representative Hegeman, relating to denial of unemployment benefits.

HB 414, introduced by Representatives Hegeman and Scott, relating to the employment of food services directors in facilities licensed by the division of aging.

HB 415, introduced by Representative Hendrickson, relating to submission of bond issues to the voters.

HB 416, introduced by Representative O'Connor, relating to the regulation and licensing of the practice of naturopathic medicine.

HB 417, introduced by Representatives Dougherty, Fraser and Froelker, relating to CASA funding.

HB 418, introduced by Representatives Dougherty and Fraser, et al, relating to the foster care reimbursement rate.

HB 419, introduced by Representative Selby, relating to county planning and zoning.

HB 420, introduced by Representatives Williams and Franklin, et al, relating to motorcycle safety education.

HB 421, introduced by Representatives Graham, Farnen, Dempsey, Ostmann, Gambaro, Portwood and McKenna, et al, relating to consumption of intoxicating beverage as proximate cause of injury in tort actions.

HB 422, introduced by Representative Froelker, relating to heirloom birth certificates and marriage licenses.

HB 423, introduced by Representatives Dougherty and Wiggins, relating to environmentally conscious motor vehicles.

HB 424, introduced by Representatives Riback Wilson (25), Farnen, Haywood, Villa and Van Zandt, et al, relating to disclosures to parents of postsecondary education students.

COMMUNICATION

Pursuant to Section 226.133, RSMo, the Missouri Department of Transportation has presented to the General Assembly its proposed plan and an analysis thereof.

A copy is on file in the office of the Chief Clerk.

The following member's presence was noted: Gambaro.

ADJOURNMENT

On motion of Representative Foley, the House adjourned until 10:00 a.m., Thursday, January 18, 2001.

HOUSE CALENDAR

ELEVENTH DAY, THURSDAY, JANUARY 18, 2001

HOUSE BILLS FOR SECOND READING

HB 399 through HB 424

HOUSE RESOLUTION

HCS HR 5, (1-17-01) - Crump

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

ELEVENTH DAY, THURSDAY, JANUARY 18, 2001

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Eternal God: You lead all who seek into the ways of truth. Lead the men and women of this House to make good choices. Compel us to be just and honest in our dealings with others. Keep us concerned for those whose need is great. Let our motives be above suspicion. Let our word be dependable.

Hear the prayers from our hearts now, in this moment of silence, as we prepare for this day. To You be all glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the tenth day was approved as printed.

RESOLUTION

House Resolution No. 102 was offered by Representative Vogel.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 95 - Representative Liese
House Resolution No. 96 - Representative Merideth
House Resolution No. 97 - Representatives Dolan and Bearden
House Resolution No. 98 - Representative Murphy
House Resolution No. 99 - Representatives Surface, Burton, Hohulin and Hunter
House Resolution No. 100
and
House Resolution No. 101 - Representative Crowell
House Resolution No. 103 - Representatives Hohulin and Hunter
House Resolution No. 104 - Representative Campbell
House Resolution No. 105 - Representative Mayer
House Resolution No. 106 - Representative Richardson

SECOND READING OF HOUSE BILLS

HB 399 through **HB 424** were read the second time.

HOUSE RESOLUTION

HCS HR 5, relating to Rules of the House, was taken up by Representative Crump.

Representative Crump offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Resolution No. 5, by amending Rule 27, Page 6, by deleting Line 30, and inserting in lieu thereof the following:

“29. Children, Families and Health”; and

Further amend Rule 27, Page 6, by deleting Line 34, and inserting in lieu thereof the following:

“33. Critical Issues, Consumer Protection and Housing”; and

Further amend Rule 27, Page 6, by deleting Line 35, and inserting in lieu thereof the following:

“34. Social Services, Medicaid and the Elderly”; and

Further amend Rule 28, Page 10, by deleting Line 10, and inserting in lieu thereof the following:

“(29) Children, Families and Health. The Committee on Children, Families and Health may”; and

Further amend Rule 28, Page 11, by deleting Line 7, and inserting in lieu thereof the following:

“(33) Critical Issues, Consumer Protection and Housing. The Committee on Critical Issues, Consumer Protection and Housing”; and

Further amend Rule 28, Page 11, by deleting Line 13, and inserting in lieu the following:

“(34) Social Services, Medicaid and the Elderly. The Committee on Social Services, Medicaid and the Elderly”.

On motion of Representative Crump, **House Amendment No. 1** was adopted.

Representative Crump offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Resolution No. 5, by amending Rule 24, Page 5, by inserting after the word “standing” the following: **“conference, interim”**.

On motion of Representative Crump, **House Amendment No. 2** was adopted.

On motion of Representative Crump, **HCS HR 5, as amended**, was adopted by the following vote:

AYES: 155

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dougherty	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Bowman

Dolan

Kelley 47

Klindt

Patek

Relford

Surface

VACANCIES: 001

COMMITTEE ASSIGNMENTS

ADMINISTRATION AND ACCOUNTS

Davis, D. J. - **Chair**

Skaggs, Bill - **V. Chair**

Behnen, Bob

Bonner, Dennis

Fraser, Barbara

Froelker, James V.

Gratz, William (Bill)

Hanaway, Catherine L

Long, Beth L.

Scott, Delbert

Surface, Chuck

Troupe, Charles Quincy

Villa, Thomas

AGRICULTURE

Wiggins, Gary - **Chair**

Shoemyer, Wes - **V. Chair**

Barnitz, Frank A.

Black, Lanie

Boatright, Matt

Britt, Phillip M.

Coleman, Maida J.

Cooper, Shannon

Davis, D. J.

Farnen, Ted

Gratz, William (Bill)

Hampton, Mark

Kelly, Gary

Kelly, Van
King, Jerry R
Klindt, David
Legan, Kenneth
Mayer, Robert
Moore, Danielle
Myers, Peter
Overschmidt, Francis S.
Robirds, Estel
Seigfreid, James
Smith, Philip

APPROPRIATIONS - EDUCATION

Graham, Chuck - **Chair**
Fraser, Barbara - **V. Chair**
Bearden, Carl
Burton, Gary L.
Carnahan, John R.
Cunningham, Jane
Davis, D. J.
Fares, Kathlyn J.
Farnen, Ted
Green, Tom
Hagan-Harrell, Mary M.
Haywood, Esther
Hollingsworth, Katherine
Linton, William C.
Ostmann, Cindy
Rector, Rex
St. Onge, Neal
Williams, Deleta
Willoughby, Philip
Wright, Mark

APPROPRIATIONS - GENERAL ADMINISTRATION

Bonner, Dennis - **Chair**
Villa, Thomas - **V. Chair**
Berkstresser, Judy
Ford, Louis H.
Gratz, William (Bill)
Hampton, Mark
Hartzler, Ed
Legan, Kenneth

Liese, Chris
Luetkemeyer, Blaine
Marsh, B.J.
Roark, Brad
Schwab, David
Seigfreid, James
Shelton, O.L.
Vogel, Carl
Wagner, Wes
Walton, Juanita Head

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wilson, Vicky Riback - **Chair**
Johnson, Connie "LaJoyce" - **V. Chair**
Barry, Joan
Boykins, Amber (Holly)
Cierpiot, Connie J.
Curls, Melba J.
Enz, Catherine S.
Harding, Meg
May, Bob
Miller, Ronnie
Moore, Danielle
Naeger, Patrick A.
O'Connor, Patrick
Reynolds, David L.
Shields, Charles W.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Ransdall, Bill L. - **Chair**
Gambaro, Derio L. - **V. Chair**
Bartelsmeyer, Linda
Boatright, Matt
Bowman, John L.
Britt, Phillip M.
Coleman, Maida J.
George, Thomas E.
Griesheimer, John E.
Hegeman, Daniel J.
Jetton, Rod
Lowe, Jene'e M.
Mayer, Robert
McKenna, Ryan Glennon

Myers, Peter
Phillips, Susan C.
Shoemyer, Wes
Townley, Merrill M.
Treadway, Joseph L.
Wiggins, Gary

APPROPRIATIONS - SOCIAL SERVICES

Troupe, Charles Quincy - **Chair**
Brooks, Sharon Sanders - **V. Chair**
Baker, Lana Ladd
Bartle, Matt
Berkowitz, Sam
Black, Lanie
Hilgemann, Robert
Kelley, Pat
Kennedy, Harry
Naeger, Patrick A.
Portwood, Charles
Purgason, Chuck
Reinhart, Annie
Scheve, May
Thompson, Betty L.
Van Zandt, Tim

APPROPRIATIONS-CORRECTIONS AND PUBLIC SAFETY

Kelly, Glenda - **Chair**
Kelly, Gary - **V. Chair**
Barnett, Rex
Behnen, Bob
Boucher, Bill
Cooper, Shannon
Copenhaver, Nancy
Crawford, Larry
Crowell, Jason
Hunter, Steve
Johnson, Richard K.
Kelly, Van
Mays, Carol Jean
Monaco, Ralph A.
Relford, Randall H.
Ward, Dan

APPROPRIATIONS-TRANSPORTATION

Bray, Joan - **Chair**
Jolly, Cathy - **V. Chair**
Barnitz, Frank A.
Crawford, Larry
Dempsey, Tom
Henderson, Steve
Hosmer, Craig
Lawson, Maurice
Levin, David
Scott, Delbert
Selby, Harold R.

BANKS AND FINANCIAL INSTITUTIONS

Liese, Chris - **Chair**
Wagner, Wes - **V. Chair**
Ballard, Charles
Burton, Gary L.
Crowell, Jason
Ford, Louis H.
Franklin, Richard
Hagan-Harrell, Mary M.
Harlan, Tim
Hartzler, Ed
Hoppe, Thomas
Jetton, Rod
Kelly, Glenda
Linton, William C.
Luetkemeyer, Blaine
Richardson, Mark L.
Skaggs, Bill
Thompson, Betty L.
Treadway, Joseph L.
Wright, Mark

BUDGET

Green, Timothy P. - **Chair**
Wilson, Yvonne S. - **V. Chair**
Bearden, Carl
Bonner, Dennis
Boykins, Amber (Holly)
Bray, Joan

Campbell, Marsha
Crawford, Larry
Ford, Louis H.
Graham, Chuck
Hegeman, Daniel J.
Holand, Roy W.
Kelley, Pat
Kelly, Glenda
Legan, Kenneth
Luetkemeyer, Blaine
Merideth III, Denny J.
Myers, Peter
Purgason, Chuck
Ransdall, Bill L.
Reinhart, Annie
Schwab, David
Shelton, O.L.
Shields, Charles W.
Troupe, Charles Quincy
Wilson, Vicky Riback

CHILDREN, FAMILIES AND HEALTH

Barry, Joan - **Chair**
Selby, Harold R. - **V. Chair**
Champion, Norma
Coleman, Maida J.
Curls, Melba J.
Hampton, Mark
Hilgemann, Robert
Holand, Roy W.
Hunter, Steve
Kelly, Van
King, Jerry R
Monaco, Ralph A.
Phillips, Susan C.
Ross, Carson
Wilson, Vicky Riback

CIVIL AND ADMINISTRATIVE LAW

Smith, Philip - **Chair**
Carnahan, John R. - **V. Chair**
Bartle, Matt
Bowman, John L.
Byrd, Richard
Fraser, Barbara
Hoppe, Thomas
Ridgeway, Luann
Townley, Merrill M.

COMMERCE AND ECONOMIC DEVELOPMENT

Rizzo, Henry C. - **Chair**
Gambaro, Derio L. - **V. Chair**
Barnitz, Frank A.
Boatright, Matt
Bowman, John L.
Byrd, Richard
Cierpiot, Connie J.
Curls, Melba J.
Dempsey, Tom
Gaskill, Sam
Green, Tom
Henderson, Steve
Marble, Gary
Mays, Carol Jean
Portwood, Charles
Relford, Randall H.
Roark, Brad
Thompson, Betty L.
Troupe, Charles Quincy
Villa, Thomas
Vogel, Carl
Walton, Juanita Head

CONSERVATION, STATE PARKS AND MINING

Relford, Randall H. - **Chair**
Haywood, Esther - **V. Chair**
Ballard, Charles
Burcham, Tom
Dempsey, Tom
Fraser, Barbara

Hickey, John
Hilgemann, Robert
Jetton, Rod
King, Jerry R
Klindt, David
Lawson, Maurice
Luetkenhaus, Bill
May, Bob
Merideth III, Denny J.
Overschmidt, Francis S.
Purgason, Chuck
Selby, Harold R.

CORRECTIONAL & STATE INSTITUTIONS

Gratz, William (Bill) - **Chair**
Hampton, Mark - **V. Chair**
Black, Lanie
Burcham, Tom
Copenhaver, Nancy
Gratz, William (Bill)
Haywood, Esther
Koller, Don
Moore, Danielle
Nordwald, Charles
Rector, Rex
Relford, Randall H.
Townley, Merrill M.
Ward, Dan

CRIMINAL LAW

Hosmer, Craig - **Chair**
Britt, Phillip M. - **V. Chair**
Baker, Lana Ladd
Barnett, Rex
Burcham, Tom
Dolan, Jonathan
Johnson, Richard K.
Jolly, Cathy
Kelly, Gary
Mayer, Robert
Reid, Michael J
Ridgeway, Luann
Walton, Juanita Head

CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING

Harlan, Tim - **Chair**
Harding, Meg - **V. Chair**
Baker, Lana Ladd
Barry, Joan
Bartle, Matt
Carnahan, John R.
Fraser, Barbara
Froelker, James V.
Jolly, Cathy
Kelley, Pat
Levin, David
Lowe, Jene'e M.
Marble, Gary
Naeger, Patrick A.
Portwood, Charles
Reid, Michael J
Scheve, May
Shelton, O.L.
Townley, Merrill M.
Williams, Deleta

EDUCATION - ELEMENTARY AND SECONDARY

Franklin, Richard - **Chair**
Walton, Juanita Head - **V. Chair**
Barnitz, Frank A.
Bartelsmeyer, Linda
Bartle, Matt
Berkowitz, Sam
Black, Lanie
Brooks, Sharon Sanders
Cierpiot, Connie J.
Copenhaver, Nancy
Cunningham, Jane
Davis, D. J.
Fares, Kathlyn J.
Hagan-Harrell, Mary M.
Harding, Meg
Haywood, Esther
Holand, Roy W.
Jolly, Cathy
Levin, David
Miller, Ronnie

Myers, Peter
Relford, Randall H.
Shields, Charles W.
Shoemyer, Wes

EDUCATION - HIGHER

Williams, Deleta - **Chair**
Bowman, John L. - **V. Chair**
Champion, Norma
Farnen, Ted
Holt, Bruce W.
Johnson, Connie "LaJoyce"
Klindt, David
Marsh, B.J.
May, Bob
Shields, Charles W.
Willoughby, Philip

ELECTIONS

Seigfreid, James - **Chair**
Coleman, Maida J. - **V. Chair**
Bartelsmeyer, Linda
Boykins, Amber (Holly)
Dolan, Jonathan
Enz, Catherine S.
Farnen, Ted
Hagan-Harrell, Mary M.
Harding, Meg
Harlan, Tim
Hendrickson, Carl
King, Jerry R
Long, Beth L.
Murphy, Jim
Shelton, O.L.
Wagner, Wes

ENVIRONMENT AND ENERGY

Lawson, Maurice - **Chair**
Barnitz, Frank A. - **V. Chair**
Berkowitz, Sam
Bray, Joan
Crawford, Larry

Gratz, William (Bill)
Griesheimer, John E.
Harding, Meg
Linton, William C.
Marble, Gary
Merideth III, Denny J.
Myers, Peter
Ostmann, Cindy
Secrest, Patricia K.
Walton, Juanita Head
Wiggins, Gary

ETHICS

Clayton, Robert - **Chair**
Britt, Phillip M. - **V. Chair**
Cierpiot, Connie J.
Crowell, Jason
Foley, James Michael
Hanaway, Catherine L
Harlan, Tim
Hohulin, Martin (Bubs)
Lograsso, Don
Wilson, Yvonne S.

FISCAL REVIEW AND GOVERNMENT REFORM

Hollingsworth, Katherine - **Chair**
Wilson, Yvonne S. - **V. Chair**
Berkstresser, Judy
Bonner, Dennis
Hendrickson, Carl
Holand, Roy W.
Lawson, Maurice
Marble, Gary
Monaco, Ralph A.

INSURANCE

Luetkenhaus, Bill - **Chair**
Ward, Dan - **V. Chair**
Burton, Gary L.
Cunningham, Jane
Ford, Louis H.
George, Thomas E.

Hartzler, Ed
Henderson, Steve
Jolly, Cathy
Liese, Chris
Linton, William C.
Luetkemeyer, Blaine
Selby, Harold R.
Surface, Chuck
Treadway, Joseph L.
Wagner, Wes

JUDICIARY

Monaco, Ralph A. - **Chair**
Willoughby, Philip - **V. Chair**
Boykins, Amber (Holly)
Burcham, Tom
Byrd, Richard
Carnahan, John R.
Crowell, Jason
Hollingsworth, Katherine
Johnson, Connie "LaJoyce"
Lograsso, Don
Mayer, Robert
Richardson, Mark L.
Ridgeway, Luann
Scheve, May
Smith, Philip
Villa, Thomas

LABOR

Hickey, John - **Chair**
George, Thomas E. - **V. Chair**
Bowman, John L.
Byrd, Richard
Cunningham, Jane
Green, Tom
Hunter, Steve
Johnson, Richard K.
Kennedy, Harry
Luetkenhaus, Bill
Murphy, Jim
O'Connor, Patrick
Portwood, Charles

Reynolds, David L.
Secrest, Patricia K.
St. Onge, Neal

LOCAL GOVERNMENT AND RELATED MATTERS

Hoppe, Thomas - **Chair**
Holt, Bruce W. - **V. Chair**
Berkstresser, Judy
Dolan, Jonathan
Foley, James Michael
George, Thomas E.
Griesheimer, John E.
Lograsso, Don
Merideth III, Denny J.
Murphy, Jim
Overschmidt, Francis S.
Phillips, Susan C.
Reynolds, David L.
Rizzo, Henry C.
Robirds, Estel
Ross, Carson
Seigfreid, James
Wagner, Wes

MISCELLANEOUS BILLS AND RESOLUTIONS

O'Toole, James P. - **Chair**
Ballard, Charles

MOTOR VEHICLE AND TRAFFIC REGULATIONS

O'Connor, Patrick - **Chair**
Hilgemann, Robert - **V. Chair**
Ross, Carson

MUNICIPAL CORPORATIONS

Shelton, O.L. - **Chair**
George, Thomas E. - **V. Chair**
Coleman, Maida J.
Enz, Catherine S.
Fares, Kathlyn J.
Gambaro, Derio L.
Kennedy, Harry

Levin, David
Reid, Michael J
St. Onge, Neal
Villa, Thomas

PROFESSIONAL REGISTRATION & LICENSING

Treadway, Joseph L. - **Chair**
Johnson, Richard K. - **V. Chair**
Barry, Joan
Behnen, Bob
Brooks, Sharon Sanders
Dolan, Jonathan
Hegeman, Daniel J.
Holand, Roy W.
Kennedy, Harry
Koller, Don
Nordwald, Charles
O'Connor, Patrick
Portwood, Charles
Schwab, David
Shoemyer, Wes

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERANS AFFAIRS

Boucher, Bill - **Chair**
McKenna, Ryan Glennon - **V. Chair**
Barnett, Rex
Britt, Phillip M.
Burcham, Tom
Copenhaver, Nancy
Gaskill, Sam
Hampton, Mark
Hunter, Steve
Kelly, Gary
Kelly, Van
Miller, Ronnie
Ransdall, Bill L.
Reynolds, David L.
Ross, Carson
Selby, Harold R.
St. Onge, Neal
Surface, Chuck
Ward, Dan
Williams, Deleta

RETIREMENT

Hagan-Harrell, Mary M. - **Chair**

Davis, D. J. - **V. Chair**

Dempsey, Tom

Franklin, Richard

Haywood, Esther

Hendrickson, Carl

King, Jerry R

O'Toole, James P.

Secrest, Patricia K.

Skaggs, Bill

Wright, Mark

RULES, JOINT RULES, BILLS PERFECTED AND PRINTED

Crump, Wayne F. - **Chair**

Foley, James Michael - **V. Chair**

Abel, Mark C.

Byrd, Richard

Hanaway, Catherine L

Hickey, John

Hosmer, Craig

Johnson, Connie "LaJoyce"

Johnson, Richard K.

Kelly, Glenda

Lograsso, Don

Long, Beth L.

Luetkemeyer, Blaine

Naeger, Patrick A.

Shields, Charles W.

SOCIAL SERVICES, MEDICAID, AND THE ELDERLY

Baker, Lana Ladd - **Chair**

Berkowitz, Sam - **V. Chair**

Berkstresser, Judy

Gambaro, Derio L.

Holand, Roy W.

Hollingsworth, Katherine

Holt, Bruce W.

Johnson, Connie "LaJoyce"

May, Bob
Phillips, Susan C.
Purgason, Chuck
Reinhart, Annie
Thompson, Betty L.

TOURISM, RECREATION AND CULTURAL AFFAIRS

Overschmidt, Francis S. - **Chair**
Thompson, Betty L. - **V. Chair**
Berkstresser, Judy
Champion, Norma
Curls, Melba J.
Fares, Kathlyn J.
Franklin, Richard
Froelker, James V.
Henderson, Steve
Holt, Bruce W.
Luetkemeyer, Blaine
McKenna, Ryan Glennon
Robirds, Estel
Shoemyer, Wes
Ward, Dan

TRANSPORTATION

Koller, Don - **Chair**
Green, Tom - **V. Chair**
Bearden, Carl
Berkowitz, Sam
Black, Lanie
Bray, Joan
Crawford, Larry
Graham, Chuck
Lowe, Jene'e M.
Mays, Carol Jean
McKenna, Ryan Glennon
Ostmann, Cindy
Rector, Rex
Roark, Brad
Scott, Delbert
Seigfreid, James

URBAN AFFAIRS

Curls, Melba J. - **Chair**
Lowe, Jene'e M. - **V. Chair**
Bartle, Matt
Brooks, Sharon Sanders
Campbell, Marsha
Hartzler, Ed
Phillips, Susan C.
Rector, Rex
Ridgeway, Luann
Ross, Carson
Skaggs, Bill
Van Zandt, Tim
Willoughby, Philip

UTILITIES REGULATION

Mays, Carol Jean - **Chair**
Copenhaver, Nancy - **V. Chair**
Boucher, Bill
Brooks, Sharon Sanders
Burton, Gary L.
Cooper, Shannon
Green, Tom
Griesheimer, John E.
Hegeman, Daniel J.
Hilgemann, Robert
Holt, Bruce W.
Hosmer, Craig
Miller, Ronnie
Moore, Danielle
O'Toole, James P.
Rector, Rex
Rizzo, Henry C.
Roark, Brad
Roberts, Estel
Scott, Delbert
Smith, Philip
Wiggins, Gary
Willoughby, Philip
Wright, Mark

WAYS AND MEANS

Kennedy, Harry - **Chair**
Van Zandt, Tim - **V. Chair**
Campbell, Marsha
Cooper, Shannon
Froelker, James V.
Gambaro, Derio L.
Hegeman, Daniel J.
Hickey, John
Hohulin, Martin (Bubs)
Luetkenhaus, Bill
Mays, Carol Jean
Reid, Michael J
Richardson, Mark L.
Vogel, Carl
Wiggins, Gary

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Reynolds, David L. - **Chair**
Secrest, Patricia K.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 6, introduced by Representative Myers, et al, urging the Governor to protest against the regulatory practice of the Federal Fish and Wildlife Service and United States Army Corps of Engineers to control the flow of the Missouri River.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 425, introduced by Representatives O'Toole, Gambaro, Burton, Mays (50), Hickey, Foley and McKenna, et al, relating to underground facility safety and damage prevention.

HB 426, introduced by Representative O'Toole, relating to public retirement systems and benefits.

HB 427, introduced by Representatives Hampton and Kelly (36), relating to minimum teacher's salary supplements.

HB 428, introduced by Representatives Kelly (36), Monaco and Bonner, relating to eluding a law enforcement official.

HB 429, introduced by Representative Kelly (36), relating to teacher and school employee retirement systems.

HB 430, introduced by Representative Kelly (36), relating to wages for certain peace officers.

HB 431, introduced by Representative Barry, relating to health care licensure.

HB 432, introduced by Representative Liese, relating to mortgages and mortgage brokers.

HB 433, introduced by Representative Bartle, for the purpose of repealing expired provisions of law.

HB 434, introduced by Representatives Merideth and Britt, relating to enterprise zones.

HB 435, introduced by Representatives Merideth, Graham and Levin, et al, relating to the recognition of languages used by the deaf community.

HB 436, introduced by Representatives Merideth, Britt, Berkowitz, Myers, Black, Richardson and Graham, et al, relating to the Missouri airport protection act.

HB 437, introduced by Representative Griesheimer, relating to emissions inspections.

HB 438, introduced by Representative Griesheimer, relating to emissions inspections.

HB 439, introduced by Representatives Hegeman, Farnen, Crump and Barnett, et al, relating to prosecutors' pay.

HB 440, introduced by Representatives Boucher and Luetkenhaus, relating to persons required to submit DNA samples for the state DNA profiling system.

HB 441, introduced by Representatives Holt, Boucher, Hampton, Coleman, George, Reynolds, Ross and Abel, et al, relating to the awarding of honorary high school diplomas to certain veterans.

HB 442, introduced by Representatives Smith and Skaggs, relating to public hospital records and meetings.

HB 443, introduced by Representative Gratz, relating to the distribution of the no-call database list.

HB 444, introduced by Representatives Kreider, Barry, Farnen, Robirds, Boucher, Crawford and Britt, et al, relating to the criminal activity forfeiture act.

HB 445, introduced by Representative Luetkenhaus, relating to the correction of certain statutory cross-references in chapter 288 of the revised statutes of Missouri.

HB 446, introduced by Representative Luetkenhaus, relating to the implementation of the industrial classification system for determination of employer unemployment contributions.

HB 447, introduced by Representative Luetkenhaus, relating to the advisory committee for electronic commerce.

HB 448, introduced by Representative Luetkenhaus, relating to assessment of real property.

HB 449, introduced by Representative Myers, relating to motor vehicle financial responsibility.

HB 450, introduced by Representative Myers, relating to real estate ownership.

HB 451, introduced by Representatives Myers, Coleman and Black, relating to supplemental newborn screening.

HB 452, introduced by Representative Gratz, relating to vocational enterprises.

HB 453, introduced by Representatives Ransdall, Berkowitz and Wiggins, relating to the emergency response commission.

WITHDRAWAL OF HOUSE BILL

January 17, 2001

The Honorable Jim Kreider
Speaker of the House
State Capitol
Jefferson City, Mo 65101

Dear Mr. Speaker:

I respectfully request that **House Bill 292** (relating to the tourism supplemental revenue fund) be withdrawn. Thank you for your consideration.

Sincerely,

/s/ Francis Overschmidt
State Representative
District 110

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 4:00 p.m., Monday, January 22, 2001.

HOUSE CALENDAR

TWELFTH DAY, MONDAY, JANUARY 22, 2001

HOUSE CONCURRENT RESOLUTION FOR SECOND READING
HCR 6

HOUSE BILLS FOR SECOND READING
HB 425 through HB 453

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

TWELFTH DAY, MONDAY, JANUARY 22, 2001

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

Almighty God, creator of all that is, dignify this House with Your grace today. These legislators assembling here seek a blessing of wisdom, light, and spiritual muscle, as they prepare and discuss future laws to serve their people. Hold their families back home in Your care.

Continue to inspire these chosen men and women to hear Your voice in the rustling of the papers and the voices of committee, in the calls and letters from constituents, in the dictation and even in the bickering. With Your presence even these mundane tasks may begin in You and end in the greater good of us all. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the eleventh day was approved as corrected by the following vote:

AYES: 149

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Black	Boatright	Bonner	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144

Kelly 27	Kelly 36	Kennedy	King	Klindt
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Schwab	Scott	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 001

Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 012

Berkstresser	Boucher	Clayton	Dolan	Dougherty
Hoppe	Nordwald	Patek	Relford	Scheve
Secrest	Troupe			

VACANCIES: 001

RESOLUTION

Representative Crump offered House Resolution No. 109

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 107 - Representative Kennedy
House Resolution No. 108 - Representative Burcham
House Resolution No. 110 - Representative Crump

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 6 was read the second time.

SECOND READING OF HOUSE BILLS

HB 425 through **HB 453** were read the second time.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 454, introduced by Representative Monaco, relating to the removal of a guardian or conservator.

HB 455, introduced by Representatives Monaco and Jolly, relating to peace officer standards and training.

HB 456, introduced by Representatives Monaco, Hosmer, Jolly, Riback Wilson (25), O'Toole, Johnson (90) and Kennedy, relating to jury service.

HB 457, introduced by Representatives Kreider, Hampton and Boucher, et al, relating to the financing of capital improvements for schools.

HB 458, introduced by Representatives Lawson, Myers and Barnett, et al, relating to the use of warning signals on motor vehicles.

HB 459, introduced by Representatives Liese and Luetkemeyer, et al, relating to insurance liquidation.

HB 460, introduced by Representative Hollingsworth, relating to manufactured housing.

HB 461, introduced by Representative Ostmann, et al, relating to grandparent visitation.

HB 462, introduced by Representatives Foley and Naeger, relating to the practice of pharmacy.

HB 463, introduced by Representatives Overschmidt, Lawson, Myers, Kelly (27) and Berkstresser, et al, relating to the tourism supplemental revenue fund.

HB 464, introduced by Representative Smith, relating to juvenile courts.

HB 465, introduced by Representative Smith, relating to nursing home administrators.

HB 466, introduced by Representative Smith, relating to a smoking cessation treatment program.

HB 467, introduced by Representative Smith, relating to administrative procedure.

HB 468, introduced by Representative Selby, relating to the state board of registration for the healing arts.

HB 469, introduced by Representative Selby, relating to certificates of registration for physicians.

HB 470, introduced by Representatives Shields and Hegeman, relating to the creation of a "Sergeant Robert Kimberling Memorial Highway".

HB 471, introduced by Representatives Jolly, Johnson (90), Willoughby, Kelly (36), Hampton, Britt, Hosmer and Harding, et al, relating to drug trafficking.

HB 472, introduced by Representatives Burton, Miller, O'Connor, Van Zandt, Hegeman, Mays (50) and Griesheimer, et al, relating to utility access to public rights-of-way.

HB 473, introduced by Representatives Robirds, Kreider and Myers, et al, relating to noxious weeds.

HB 474, introduced by Representative Froelker, relating to motor vehicle financial responsibility.

HB 475, introduced by Representative Froelker, relating to teachers' salaries.

HB 476, introduced by Representative Froelker, relating to public safety offenses.

HB 477, introduced by Representative Graham, relating to temporary driver's permits.

WITHDRAWAL OF HOUSE BILL

January 18, 2001

Mr. Ted Wedel, Chief Clerk
House of Representatives
State Capitol
Jefferson City, MO 65101

Dear Ted:

I respectfully request that **HB 191** be withdrawn. Thank you for your attention to this matter.

Cordially,

/s/ W. Craig Hosmer
State Representative
District 138

The following members' presence was noted: Troupe, Boucher and Nordwald.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Tuesday, January 23, 2001.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Eleventh Day, Thursday, January 18, 2001, page 164, lines 9 and 10, by deleting all of said lines and inserting in lieu thereof the following:

Davis, D. J. - **Co-Chair**
Skaggs, Bill - **Co-Chair**

COMMITTEE MEETINGS

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 24, 2001, 2:00 pm. Hearing Room 7.
Organizational meeting.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, January 23, 2001, 10:00 am. Hearing Room 6 upon adjournment.
Public testimony regarding the Dept. of Mental Health.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, January 24, 2001, 10:00 am. Hearing Room 6 upon adjournment.
Public testimony regarding the Dept. of Mental Health.

BUDGET

Tuesday, January 23, 2001, 12:00 pm. Hearing Room 3.
Presentation by the Office of Administration.
Presentation by MO Consolidated Health Care Plan.

BUDGET

Wednesday, January 24, 2001. Hearing Room 3 upon morning adjournment.
Presentation by Economic Development on Tax Credits.

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Wednesday, January 24, 2001, 7:00 pm. Hearing Room 6.
Presentation by the Dept. of Social Services and public testimony on TANF Time Limits.

HOUSE CALENDAR

THIRTEENTH DAY, TUESDAY, JANUARY 23, 2001

HOUSE BILLS FOR SECOND READING

HB 454 through HB 477

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

THIRTEENTH DAY, TUESDAY, JANUARY 23, 2001

Speaker Pro Tem Abel in the Chair.

Prayer by Father David Buescher.

Holy God, You create women and men in such a range of diversity, yet with similarity of the inner needs of the soul. You invite us to cooperate in Your plan to make each human person fit in harmony and prosperity into the social fabric of our nation and state.

We ask Your presence again today here in these rooms in our state Capitol, but even more significantly, in those rooms within the minds and hearts of these legislators. Grant them abundance in continued wisdom and inner direction, God, so that what they do outwardly here may rebound to the peace, joy, and progress of the people You so love and have so blessed. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the twelfth day was approved as printed by the following vote:

AYES: 154

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27

Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 001

Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 007

Clayton	Dougherty	Klindt	Ostmann	Patek
Relford	Reynolds			

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

- House Resolution No. 111 - Representative Abel
House Resolution No. 112 - Representative Lawson

House Resolution No. 113 - Representative Fares
House Resolution No. 114 - Representative Surface
House Resolution No. 115 - Representative Clayton
House Resolution No. 116
through
House Resolution No. 118 - Representative Hagan-Harrell
House Resolution No. 119 - Representative Enz
House Resolution No. 120
and
House Resolution No. 121 - Representative Ransdall
House Resolution No. 122 - Representative Mayer
House Resolution No. 123 - Representative Ford

SECOND READING OF HOUSE BILLS

HB 454 through **HB 477** were read the second time.

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 1 - Miscellaneous Bills & Resolutions
HJR 3 - Fiscal Review and Government Reform
HJR 4 - Fiscal Review and Government Reform
HJR 5 - Education-Elementary and Secondary
HJR 7 - Transportation
HJR 8 - Miscellaneous Bills & Resolutions

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 26 - Education-Higher
HB 29 - Education-Elementary and Secondary
HB 35 - Education-Elementary and Secondary
HB 42 - Education-Higher
HB 43 - Criminal Law
HB 45 - Education-Elementary and Secondary
HB 46 - Criminal Law
HB 52 - Local Government and Related Matters
HB 53 - Judiciary
HB 54 - Public Safety, Law Enforcement and Veteran Affairs
HB 55 - Social Services, Medicaid and the Elderly
HB 56 - Ways and Means
HB 58 - Local Government and Related Matters

HB 60 - Urban Affairs
HB 61 - Social Services, Medicaid and the Elderly
HB 62 - Agriculture
HB 63 - Labor
HB 64 - Labor
HB 66 - Professional Registration and Licensing
HB 67 - Commerce and Economic Development
HB 69 - Local Government and Related Matters
HB 70 - Transportation
HB 71 - Transportation
HB 73 - Children, Families and Health
HB 74 - Social Services, Medicaid and the Elderly
HB 75 - Ways and Means
HB 78 - Professional Registration and Licensing
HB 79 - Ways and Means
HB 80 - Public Safety, Law Enforcement and Veteran Affairs
HB 82 - Municipal Corporations
HB 83 - Commerce and Economic Development
HB 84 - Local Government and Related Matters
HB 87 - Children, Families and Health
HB 88 - Critical Issues, Consumer Protection and Housing
HB 89 - Criminal Law
HB 90 - Criminal Law
HB 94 - Public Safety, Law Enforcement and Veteran Affairs
HB 95 - Education-Elementary and Secondary
HB 96 - Banks and Financial Institutions
HB 99 - Elections
HB 100 - Elections
HB 101 - Judiciary
HB 102 - Utilities Regulation
HB 104 - Children, Families and Health
HB 105 - Professional Registration and Licensing
HB 106 - Children, Families and Health
HB 109 - Elections
HB 110 - Children, Families and Health
HB 111 - Children, Families and Health
HB 112 - Education-Elementary and Secondary
HB 113 - Labor
HB 114 - Ways and Means
HB 115 - Labor
HB 116 - Ways and Means
HB 117 - Ways and Means
HB 118 - Civil and Administrative Law
HB 120 - Motor Vehicle and Traffic Regulations
HB 124 - Conservation, State Parks and Mining

- HB 125** - Motor Vehicle and Traffic Regulations
- HB 126** - Motor Vehicle and Traffic Regulations
- HB 127** - Ways and Means
- HB 128** - Education-Elementary and Secondary
- HB 129** - Ways and Means
- HB 130** - Agriculture
- HB 132** - Education-Elementary and Secondary
- HB 133** - Municipal Corporations
- HB 134** - Children, Families and Health
- HB 135** - Local Government and Related Matters
- HB 136** - Fiscal Review and Government Reform
- HB 137** - Ways and Means
- HB 138** - Local Government and Related Matters
- HB 139** - Civil and Administrative Law
- HB 140** - Local Government and Related Matters
- HB 141** - Judiciary
- HB 142** - Children, Families and Health
- HB 143** - Civil and Administrative Law
- HB 144** - Criminal Law
- HB 145** - Critical Issues, Consumer Protection and Housing
- HB 146** - Critical Issues, Consumer Protection and Housing
- HB 147** - Correctional and State Institutions
- HB 148** - Criminal Law
- HB 149** - Criminal Law
- HB 150** - Correctional and State Institutions
- HB 151** - Insurance
- HB 152** - Correctional and State Institutions
- HB 153** - Insurance
- HB 154** - Professional Registration and Licensing
- HB 155** - Correctional and State Institutions
- HB 156** - Motor Vehicle and Traffic Regulations
- HB 157** - Children, Families and Health
- HB 158** - Motor Vehicle and Traffic Regulations
- HB 160** - Labor
- HB 161** - Civil and Administrative Law
- HB 162** - Labor
- HB 163** - Public Safety, Law Enforcement and Veteran Affairs
- HB 164** - Education-Elementary and Secondary
- HB 165** - Education-Elementary and Secondary
- HB 166** - Education-Higher
- HB 167** - Civil and Administrative Law
- HB 170** - Ways and Means
- HB 171** - Ways and Means
- HB 172** - Miscellaneous Bills & Resolutions
- HB 173** - Critical Issues, Consumer Protection and Housing

HB 174 - Retirement
HB 175 - Ways and Means
HB 176 - Education-Elementary and Secondary
HB 177 - Public Safety, Law Enforcement and Veteran Affairs
HB 178 - Ways and Means
HB 179 - Insurance
HB 180 - Correctional and State Institutions
HB 181 - Banks and Financial Institutions
HB 182 - Motor Vehicle and Traffic Regulations
HB 183 - Judiciary
HB 184 - Conservation, State Parks and Mining
HB 185 - Miscellaneous Bills & Resolutions
HB 186 - Miscellaneous Bills & Resolutions
HB 187 - Children, Families and Health
HB 188 - Commerce and Economic Development
HB 189 - Commerce and Economic Development
HB 192 - Education-Higher
HB 193 - Civil and Administrative Law
HB 194 - Education-Higher
HB 196 - Transportation
HB 198 - Education-Elementary and Secondary
HB 199 - Education-Elementary and Secondary
HB 200 - Education-Elementary and Secondary

INTRODUCTION OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were read the first time and copies ordered printed:

HCR 7, introduced by Representative Dempsey, et al, relating to the recommendations of the Missouri Citizen's Commission on the Compensation of Elected Officials.

HCR 8, introduced by Representative Seigfreid, et al, relating to the recommendations of the Missouri Citizen's Commission on the Compensation of Elected Officials.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 478, introduced by Representatives Hosmer and Hendrickson, relating to tuberculosis.

HB 479, introduced by Representatives Hosmer, Britt, McKenna, Hampton, Barnett, Richardson, O'Toole, Ross and Merideth, et al, relating to selection and training of peace officers.

HB 480, introduced by Representatives Thompson, Fraser, Boucher, Rizzo and Jolly, et al, relating to the elimination of local sales and use tax on food.

HB 481, introduced by Representative Luetkenhaus, relating to fire protection.

HB 482, introduced by Representative Luetkenhaus, relating to property taxation.

HB 483, introduced by Representatives Luetkenhaus and Ostmann, relating to indecent solicitation of a child.

HB 484, introduced by Representative Luetkenhaus, relating to dental care.

HB 485, introduced by Representatives Crowell and Jetton, relating to road signs directing travelers to vo-tech schools.

HB 486, introduced by Representatives Davis, Abel, Kennedy, Harlan, Richardson, Griesheimer and Froelker, et al, relating to vision examinations for students.

HB 487, introduced by Representatives Davis, Seigfreid, Shields and Hegeman, relating to the establishment of the Missouri tobacco settlement trust fund.

HB 488, introduced by Representatives Koller, Overschmidt, Robirds and Berkstresser, relating to a tourism community enhancement district.

HB 489, introduced by Representatives Selby and Ward, relating to eligibility for certain educational grant programs.

HB 490, introduced by Representatives Kelly (36), Kelley (47) and Kelly (144), relating to state buildings.

HB 491, introduced by Representatives George and Hickey, et al, relating to election of marshals in cities which contract for police service.

HB 492, introduced by Representatives Levin, Myers, Jetton, Boucher and Secrest, et al, relating to individual income tax.

HB 493, introduced by Representatives Levin, Jetton, Boucher and Secrest, et al, relating to tax relief.

HB 494, introduced by Representatives Levin, Jetton, Boucher and Secrest, et al, relating to tax relief for the elderly.

HB 495, introduced by Representatives Levin, Myers, Jetton, Boucher and Secrest, et al, relating to income taxation.

HB 496, introduced by Representative Surface, relating to an Elks Lodge license plate.

HB 497, introduced by Representative Luetkenhaus, relating to fire protection.

HB 498, introduced by Representatives Wagner and McKenna, relating to ballot questions for maintaining the city manager form of government.

HB 499, introduced by Representatives Rizzo and Scheve, relating to regulation of natural gas suppliers.

HB 500, introduced by Representatives Carnahan, Fraser, Wilson (42), Haywood, Coleman and Monaco, relating to dental care.

HB 501, introduced by Representatives Bowman, Foley, O'Connor, Abel, Monaco and Coleman, et al, relating to water pollution bonds.

WITHDRAWAL OF HOUSE BILL

January 18, 2001

Ted Wedel, Chief Clerk
Missouri House of Representatives
Room 306C
Jefferson City, MO 65101

Dear Ted:

I respectfully request to withdraw **House Bill 283**, which deals with conveyance of property in St. Francois County.

Thank you for your consideration to this request.

Sincerely,

/s/ Dan Ward
Representative

107th District

The following member's presence was noted: Reynolds.

ADJOURNMENT

On motion of Representative Foley, the House adjourned until 10:00 a.m., Wednesday, January 24, 2001.

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION

Thursday, January 25, 2001. Hearing Room 1 upon adjournment.
Overview of House Bill 2 and House Bill 3.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 24, 2001, 2:00 pm. Hearing Room 7.
Organizational meeting.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, January 24, 2001, 10:00 am. Hearing Room 6 upon adjournment.
Public testimony regarding the Dept. of Mental Health.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Monday, January 29, 2001, 1:00 pm. Hearing Room 5.
Public testimony on House Bill 6 and House Bill 7.

BUDGET

Wednesday, January 24, 2001. Hearing Room 3 upon morning adjournment.
Presentation by Economic Development on Tax Credits.

CIVIL AND ADMINISTRATIVE LAW

Wednesday, January 24, 2001, 3:00 pm. Hearing Room 1.

EDUCATION - ELEMENTARY AND SECONDARY

Wednesday, January 24, 2001. Hearing Room 1 upon morning adjournment.
Organizational meeting.

ETHICS

Thursday, January 25, 2001. Northeast Side Gallery upon adjournment.
Approval: Rules of Procedure.

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Wednesday, January 24, 2001, 7:00 pm. Hearing Room 6.
Presentation by the Dept. of Social Services and public testimony on TANF Time Limits.

HOUSE CALENDAR

FOURTEENTH DAY, WEDNESDAY, JANUARY 24, 2001

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 7 and HCR 8

HOUSE BILLS FOR SECOND READING

HB 478 through HB 501

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

FOURTEENTH DAY, WEDNESDAY, JANUARY 24, 2001

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

God, Your justice is so often shown in Your compassion and mercy. Lead the hearts of our legislators today even further on the road of compassion and charity. Let them sense the needs of all people in their constituencies, but particularly of the poor and needy, the downtrodden and weak, and all the children, that the work in these halls may be a ministry, their employment here a vocation.

Help them temper their deliberations in deep benevolence, the kind which demands that mature strength of profound humanity. We place these men and women into both Your loving care and Your fatherly challenge, today and all days. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the thirteenth day was approved as printed by the following vote:

AYES: 149

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gaskill	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly

Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Reynolds	Richardson	Ridgeway	Roark
Robirds	Ross	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Van Zandt	Villa	Vogel
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 001

Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 012

Clayton	Dougherty	Gambaro	George	Klindt
Levin	Patek	Relford	Rizzo	Scheve
Troupe	Wagner			

VACANCIES: 001

RESOLUTION

Representative Harlan offered House Resolution No. 152.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 124

through

House Resolution No. 131 - Representative Dolan

House Resolution No. 132 - Representative Richardson, et al

House Resolution No. 133 - Representative Roark

House Resolution No. 134 - Representative Ward

House Resolution No. 135

through

House Resolution No. 138 - Representative Byrd, et al

House Resolution No. 139 - Representatives Villa and O'Toole

House Resolution No. 140

and

House Resolution No. 141 - Representative Liese

House Resolution No. 142 - Representative Rector

House Resolution No. 143 - Representative Relford

House Resolution No. 144

through

House Resolution No. 151 - Representative Johnson (90)

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 7 and **HCR 8** were read the second time.

SECOND READING OF HOUSE BILLS

HB 478 through **HB 501** were read the second time.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 9, introduced by Representative Bonner, et al, relating to the Public Service Commission.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 502, introduced by Representative Ward, to authorize the governor to convey certain property in St. Francois County Center to the American Legion.

HB 503, introduced by Representative Ward, relating to fire protection.

HB 504, introduced by Representatives Ward and Selby, relating to public assistance.

HB 505, introduced by Representatives Johnson (61), Gambaro, Curls, Carnahan, Coleman, Shelton and Johnson (90), relating to national teacher certification incentives.

HB 506, introduced by Representatives Johnson (61), Carnahan, Shelton, Johnson (90) and Coleman, relating to the parents in education grant program and fund.

HB 507, introduced by Representatives Johnson (61), Carnahan, Shelton, Johnson (90) and Coleman, relating to the Department of Elementary and Secondary Education.

HB 508, introduced by Representatives Johnson (61), Gambaro, Carnahan, Shelton and Coleman, relating to the business dropout abatement program.

HB 509, introduced by Representatives Johnson (61), Gambaro, Curls, Carnahan, Coleman, Shelton and Johnson (90), relating to tax relief for employers who encourage employees to volunteer at public schools.

HB 510, introduced by Representatives Overschmidt and Griesheimer, relating to vandalism.

HB 511, introduced by Representatives Johnson (90), Byrd, Carnahan, Harding, Portwood, Coleman and Willoughby, et al, relating to the amendment of definitions regarding telemarketing practices to further protect consumers.

HB 512, introduced by Representatives Ladd Baker, Portwood, Graham, Reid, Boucher, Riback Wilson (25) and Barry, et al, relating to medical assistance for employed persons with disabilities.

HB 513, introduced by Representative Hosmer, relating to sentencing.

HB 514, introduced by Representative Skaggs, relating to public retirement systems.

HB 515, introduced by Representative Foley, relating to emergency communications system districts.

HB 516, introduced by Representatives Richardson and Mayer, relating to stealing.

HB 517, introduced by Representative Hosmer, relating to the licensing of motor vehicle dealers.

HB 518, introduced by Representatives Hartzler and Rector, relating to the operation of motor vehicles and public safety.

HB 519, introduced by Representative Froelker, relating to the public school retirement system.

HB 520, introduced by Representative Merideth, relating to absorption of municipalities.

HB 521, introduced by Representatives Burton and Mays (50), relating to expedited dispute resolution procedures for the public service commission.

HB 522, introduced by Representative Koller, for the sole purpose of providing sales tax exemptions for admission fees for hunting and fees for sales of feed and equipment used for production of certain domestically raised pheasants, partridges and quail.

HB 523, introduced by Representative Koller, relating to highway beautification.

HB 524, introduced by Representatives Britt and McKenna, relating to the confidentiality of certain records.

HB 525, introduced by Representatives Monaco, O'Toole, O'Connor, Green (73) and Hickey, relating to fireman's rule.

HB 526, introduced by Representative Scheve, relating to immunizations for children.

HB 527, introduced by Representative Luetkenhaus, relating to compensatory time for members of the highway patrol.

HB 528, introduced by Representatives Crump, Hampton, Britt, Smith, Ransdall, Koller and Berkowitz, et al, relating to medical expenses of prisoners.

HB 529, introduced by Representatives Hosmer and Marsh, relating to funding for family court services.

HB 530, introduced by Representatives Hosmer, Selby, Hilgemann, Bowman, Marsh and Boucher, et al, relating to oversight of public privatization contracts.

HB 531, introduced by Representative Ladd Baker, relating to the housing of offenders.

HB 532, introduced by Representative Bartle, relating to the Missouri tobacco settlement trust fund.

HB 533, introduced by Representative Johnson (90), et al, relating to offenses against the person.

HB 534, introduced by Representatives Johnson (90), Hollingsworth, McKenna, Wagner, Selby and Abel, relating to county contracts.

HB 535, introduced by Representative Bowman, relating to foreign language instruction in elementary schools.

HB 536, introduced by Representative Bowman, relating to finance instruction in secondary schools.

HB 537, introduced by Representatives Ostmann, Riback Wilson (25) and Richardson, et al, relating to marriage.

HB 538, introduced by Representative Abel, relating to primary elections.

HB 539, introduced by Representative Ladd Baker, relating to tax relief for shared care.

HB 540, introduced by Representative Hosmer, relating to juror pay.

HB 541, introduced by Representative Abel, relating to certain campaign information disclosures.

WITHDRAWAL OF HOUSE BILLS

January 24, 2001

Ted Wedel, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, Missouri 65101

Dear Ted:

I respectfully request to withdraw **House Bill 370**, relating to imposing minimum sentences for manufacturers of methamphetamine.

Your time and consideration on the matter is appreciated.

Sincerely,

/s/ Jason G. Crowell

January 24, 2001

Ted Wedel, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, Missouri 65101

Dear Ted:

I respectfully request to withdraw **House Bill 371**, relating to crime of possessing anhydrous ammonia.

Your time and consideration on the matter is appreciated.

Sincerely,

/s/ Jason G. Crowell

The following members' presence was noted: Rizzo, Gambaro and Troupe.

ADJOURNMENT

On motion of Representative Foley, the House adjourned until 10:00 a.m., Thursday, January 25, 2001.

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION

Thursday, January 25, 2001. Hearing Room 1 upon adjournment.

Overview of House Bill 2 and House Bill 3.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, January 30, 2001. Hearing Room 7 upon adjournment.

Public testimony.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Monday, January 29, 2001, 1:00 pm. Hearing Room 5.

Public testimony on House Bill 6 and House Bill 7.

ETHICS

Thursday, January 25, 2001. Northeast Side Gallery upon adjournment.

Approval: Rules of Procedure.

INTERIM JOINT COMMITTEE ON IMMIGRATION

Monday, January 29, 2001, 2:00 pm. Senate Committee Room 1 (Room 118).

Finalize report. Executive Session.

HOUSE CALENDAR

FIFTEENTH DAY, THURSDAY, JANUARY 25, 2001

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 9

HOUSE BILLS FOR SECOND READING

HB 502 through HB 541

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

FIFTEENTH DAY, THURSDAY, JANUARY 25, 2001

Speaker Pro Tem Abel in the Chair.

Prayer by Father David Buescher.

God of progress and peace, we ask Your grace and friendship today. Instill in this House again, and in all its members, enthusiasm for the work at hand, zeal to see the work through to the end, and hope that You guide and direct our times and this place.

This day requests Your passion. We need Your divine keenness for these tasks at hand, to Your greater glory and our further advancement. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fourteenth day was approved as printed by the following vote:

AYES: 153

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Dougherty
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27

Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Ransdall
Rector	Reid	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 002

Hohulin Purgason

PRESENT: 000

ABSENT WITH LEAVE: 007

Clayton	Hilgemann	Klindt	Patek	Reinhart
Relford	Surface			

VACANCIES: 001

Representative Dougherty assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 153

through

House Resolution No. 157 - Representative Fares

House Resolution No. 158 - Representative Holt

House Resolution No. 159 - Representative Burton, et al
House Resolution No. 160
and
House Resolution No. 161 - Representative Barry
House Resolution No. 162 - Representative Bowman
House Resolution No. 163 - Representative Van Zandt
House Resolution No. 164 - Representative King
House Resolution No. 165 - Representative Miller
House Resolution No. 166
through
House Resolution No. 168 - Representative Barnitz
House Resolution No. 169 - Representative Harding
House Resolution No. 170 - Representative Byrd
House Resolution No. 171 - Representatives Bonner and Monaco
House Resolution No. 172
and
House Resolution No. 173 - Representative Johnson (90), et al
House Resolution No. 174 - Representative Lowe
House Resolution No. 175 - Representatives Ross and Lograsso

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 9 was read the second time.

SECOND READING OF HOUSE BILLS

HB 502 through **HB 541** were read the second time.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were read the first time and copies ordered printed:

HCR 10, introduced by Representative Holand, et al, relating to the federal Individuals with Disabilities Education Act (IDEA).

HCR 11, introduced by Representatives Haywood and Thompson, relating to the Missouri Public Service Commission.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 542, introduced by Representatives Ridgeway, Luetkenhaus, Naeger, Abel, Berkstresser and Secrest, relating to the department of insurance.

HB 543, introduced by Representative Bartle, relating to mandatory observance of certain state holidays by the general assembly.

HB 544, introduced by Representatives Holand and Treadway, relating to medical records.

HB 545, introduced by Representatives Berkowitz, Kreider, Smith, Barry, Selby, Ransdall, Reynolds, Hampton, Black, Shoemyer, Britt and Carnahan, et al, relating to tax relief.

HB 546, introduced by Representatives Ladd Baker and Hosmer, et al, relating to criminal background checks for certain employees.

HB 547, introduced by Representative Froelker, relating to income taxation.

HB 548, introduced by Representatives O'Toole and Gambaro, relating to certain police relief and retirement systems.

HB 549, introduced by Representatives Holand and Hampton, relating to fish and game.

HB 550, introduced by Representatives Van Zandt and Campbell, relating to sales and use tax exemptions for services, materials and supplies used in the production of printed materials.

HB 551, introduced by Representatives Lograsso, Bartle, Naeger, Scott, Hanaway, Ross, Portwood and Klindt, et al, relating to estate tax.

HB 552, introduced by Representatives Crump, Hagan-Harrell and Griesheimer, relating to retirement of certain state employees.

HB 553, introduced by Representatives Barnett, Hosmer, Richardson and Mayer, et al, relating to county boards of equalization.

HB 554, introduced by Representatives Barnett, Hosmer, Richardson and Mayer, et al, relating to appropriations to state departments.

HB 555, introduced by Representatives Foley and Hanaway, relating to a life sciences research program.

HB 556, introduced by Representatives Hendrickson, Enz and Murphy, relating to taxation.

HB 557, introduced by Representatives Kennedy, Shelton, Hilgemann, Levin and Portwood, relating to the creation of a regional taxicab commission.

HB 558, introduced by Representatives Haywood and Thompson, relating to rate regulations for certain utilities.

HB 559, introduced by Representative Van Zandt, relating to the use of unclaimed property funds for education.

HB 560, introduced by Representative Wright, relating to the promotion of educational preparedness for children.

HB 561, introduced by Representative Wright, relating to income tax credits for child care.

HB 562, introduced by Representatives Monaco and Lograsso, relating to clerks' salaries.

HB 563, introduced by Representatives Monaco, Jolly, Kennedy, Bonner and Gambaro, et al, relating to sexual crimes.

HB 564, introduced by Representatives Barry, Berkowitz and Gratz, et al, relating to the transfer of human fetal parts.

Speaker Pro Tem Abel resumed the Chair.

WITHDRAWAL OF HOUSE BILLS

January 24, 2001

Ted Wedel, Chief Clerk
Missouri House of Representatives
Room 306C
Jefferson City, MO 65101

Dear Ted,

I respectfully request to withdraw **House Bill 62**, which deals with the State Fair Commission.

Thank you for your consideration of this request.

Yours truly,

/s/ David L. Reynolds

January 24, 2001

Ted Wedel, Chief Clerk
Missouri House of Representatives
Room 306C
Jefferson City, MO 65101

Dear Ted,

I respectfully request to withdraw **House Bill 67**, which regulates small business franchises.

Thank you for your consideration of this request.

Yours truly,

/s/ David L. Reynolds

January 24, 2001

Mr. Ted Wedel, Chief Clerk
House of Representatives
State Capitol
Jefferson City, MO 65101

Dear Ted:

I respectfully request that **HB 358** be withdrawn. Thank you for your attention to this matter.

Sincerely,

/s/ Catherine L. Hanaway
Representative - District 87

January 25, 2001

The Honorable Jim Kreider
Speaker of the House
Room 308, State Capitol
Jefferson City, MO 65101

Dear Speaker Kreider:

I respectfully request that **House Bill 330** be withdrawn. Thank you for your attention to this matter.

Sincerely,

/s/ Cindy Ostmann

ADJOURNMENT

On motion of Representative Foley, the House adjourned until 4:00 p.m., Monday, January 29, 2001.

COMMITTEE MEETINGS

APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY

Tuesday, January 30, 2001, 8:00 am. Hearing Room 1.

Brief committee orientation.

Public testimony Department of Public Safety.

APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY

Wednesday, January 31, 2001, 8:00 am. Hearing Room 1.

Public testimony Department of Corrections.

APPROPRIATIONS - EDUCATION

Monday, January 29, 2001, 1:00 pm. Hearing Room 1.

Overview of two and four year formula. Coordinating Board-Higher Education.

APPROPRIATIONS - EDUCATION

Tuesday, January 30, 2001. Hearing Room 1 upon adjournment.

University of MO, Lincoln University, Linn State, Coordinating Board - Operating Budget.

APPROPRIATIONS - EDUCATION

Wednesday, January 31, 2001. Hearing Room 1 upon adjournment.

Community Colleges. Public testimony for Higher Education.

APPROPRIATIONS - EDUCATION

Thursday, February 1, 2001. Hearing Room 1 upon adjournment.

Public testimony for Department Of Elementary and Secondary Education.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, January 30, 2001. Hearing Room 7 upon adjournment.

Public testimony.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 31, 2001. Hearing Room 7 upon adjournment.

Elected Officials.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Monday, January 29, 2001, 12:00 pm. Hearing Room 6.

Committee work session.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, January 30, 2001. Hearing Room 6 upon adjournment.

Public testimony regarding the Departments of Health and Mental Health.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, January 31, 2001. Hearing Room 6 upon adjournment.

Public testimony regarding the Departments of Health and Mental Health.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Monday, January 29, 2001, 1:00 pm. Hearing Room 5.

Public testimony on House Bill 6 and House Bill 7.

APPROPRIATIONS - SOCIAL SERVICES

Tuesday, January 30, 2001, 8:00 am. Hearing Room 3.

Committee also meeting upon adjournment. Department of Social Services.

APPROPRIATIONS - SOCIAL SERVICES

Wednesday, January 31, 2001, 8:00 am. Hearing Room 3.

Committee also meeting upon adjournment.

Public testimony Department of Social Services.

APPROPRIATIONS - TRANSPORTATION

Tuesday, January 30, 2001, 8:30 am. Hearing Room 7.

Organizational meeting.

BUDGET

Wednesday, January 31, 2001, 7:00 pm. Hearing Room 3.

Budget overview presentation.

CHILDREN, FAMILIES, AND HEALTH

Tuesday, January 30, 2001, 3:00 pm. Hearing Room 4.

To be considered - HB 111, HB 142, HB 157

CIVIL AND ADMINISTRATIVE LAW

Wednesday, January 31, 2001, 3:00 pm. Hearing Room 1.

To be considered - HB 143, HB 161, HB 193

COMMERCE AND ECONOMIC DEVELOPMENT

Tuesday, January 30, 2001, 5:00 pm. Hearing Room 3.

To be considered - HB 189

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, January 30, 2001, 3:00 pm. Hearing Room 3.

To be considered - HB 199, HB 200, HJR 5

EDUCATION - HIGHER

Wednesday, January 31, 2001, 3:00 pm. Hearing Room 5.

To be considered - HB 26, HB 166, HB 192, HB 194

ELECTIONS

Tuesday, January 30, 2001, 7:30 pm. Hearing Room 7.

To be considered - HB 99, HB 100, HB 109

INTERIM JOINT COMMITTEE ON IMMIGRATION

Monday, January 29, 2001, 2:00 pm. Senate Committee Room 1 (Room 118).

Finalize report. Executive Session.

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, January 30, 2001, 3:00 pm. Hearing Room 7.

Executive Session may follow.

To be considered - HB 52, HB 69, HB 84, HB 140

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Tuesday, January 30, 2001, 8:00 am. Hearing Room 6.

Executive Session may follow.

To be considered - HB 54, HB 80, HB 94, HB 177

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Tuesday, January 30, 2001, 5:00 pm. Hearing Room 3.

Joint meeting with House and Senate Veterans Committee members.

Guest speaker Lt. Gov. Joe Maxwell.

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, January 30, 2001, 8:00 pm. Hearing Room 6.

To be considered - HB 55, HB 61, HB 74.

TRANSPORTATION

Wednesday, January 31, 2001, 3:00 pm. Hearing Room 6.

To be considered - HB 71, HB 196, HJR 7

WAYS AND MEANS

Tuesday, January 30, 2001, 3:00 pm. Hearing Room 2.

Presentations by State Tax Commission, Department of Revenue.

To be considered - HB 79, HB 114, HB 116, HB 129, HB 170, HB 175

HOUSE CALENDAR

SIXTEENTH DAY, MONDAY, JANUARY 29, 2001

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 10 and HCR 11

HOUSE BILLS FOR SECOND READING

HB 542 through HB 564

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

SIXTEENTH DAY, MONDAY, JANUARY 29, 2001

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

Almighty God, Your psalmist in the Hebrew Holy Writings says this:

If it had not been the Lord who was on our side, when our enemies attacked us, then the flood would have swept us away. (Psalm 124)

In this Chamber today let there be people who disagree in ways and means, yes, but never enemies. May these discussions and deliberations be tempered by the ambition which all these men and women have in common ----- the common benefit and continued progress of the individuals, families, and groups of our state.

If at times there are feelings of enmity, Lord, in these negotiations and consultations, may You still be, truly in their hearts and on their lips, and rightly at their side in this journey together. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fifteenth day was approved as printed by the following vote:

AYES: 139

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Berkowitz	Black	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Copenhaver
Crawford	Crump	Cunningham	Curls	Davis
Dolan	Dougherty	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Hickey	Hilgemann	Hohulin	Hollingsworth
Holt	Hosmer	Jetton	Johnson 61	Johnson 90

Jolly	Kelley 47	Kelly 144	Kelly 27	Kennedy
Klindt	Koller	Lawson	Legan	Levin
Liese	Lograsso	Lowe	Luetkemeyer	Luetkenhaus
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 017

Bartelsmeyer	Bearden	Behnen	Berkstresser	Boatright
Burcham	Cooper	Crowell	Dempsey	Henderson
Hendrickson	Holand	Hunter	King	Linton
Marble	Purgason			

PRESENT: 000

ABSENT WITH LEAVE: 006

Hoppe	Kelly 36	Long	Patek	Richardson
Walton				

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 176
through
House Resolution No. 179 - Representative Dempsey
House Resolution No. 180 - Representative Henderson
House Resolution No. 181 - Representative Relford
House Resolution No. 183 - Representative Burcham
House Resolution No. 184
and
House Resolution No. 185 - Representative Smith

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 10 and **HCR 11** were read the second time.

SECOND READING OF HOUSE BILLS

HB 542 through **HB 564** were read the second time.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 47 - Correctional and State Institutions
HB 48 - Professional Registration and Licensing
HB 49 - Public Safety, Law Enforcement and Veteran Affairs
HB 50 - Education-Elementary and Secondary
HB 76 - Judiciary
HB 107 - Judiciary
HB 108 - Children, Families and Health
HB 195 - Local Government and Related Matters
HB 202 - Transportation
HB 203 - Public Safety, Law Enforcement and Veteran Affairs
HB 204 - Transportation
HB 205 - Conservation, State Parks and Mining
HB 207 - Public Safety, Law Enforcement and Veteran Affairs
HB 208 - Labor
HB 209 - Criminal Law
HB 210 - Local Government and Related Matters
HB 211 - Motor Vehicle and Traffic Regulations
HB 212 - Insurance
HB 213 - Ways and Means
HB 214 - Retirement
HB 215 - Ways and Means

- HB 217** - Motor Vehicle and Traffic Regulations
- HB 218** - Education-Higher
- HB 219** - Agriculture
- HB 220** - Civil and Administrative Law
- HB 221** - Ways and Means
- HB 222** - Civil and Administrative Law
- HB 223** - Fiscal Review and Government Reform
- HB 224** - Correctional and State Institutions
- HB 225** - Ways and Means
- HB 226** - Ways and Means
- HB 227** - Local Government and Related Matters
- HB 228** - Elections
- HB 229** - Judiciary
- HB 230** - Judiciary
- HB 231** - Correctional and State Institutions
- HB 236** - Civil and Administrative Law
- HB 237** - Civil and Administrative Law
- HB 238** - Motor Vehicle and Traffic Regulations
- HB 239** - Environment and Energy
- HB 240** - Ways and Means
- HB 241** - Civil and Administrative Law
- HB 242** - Tourism, Recreation and Cultural Affairs
- HB 243** - Professional Registration and Licensing
- HB 244** - Public Safety, Law Enforcement and Veteran Affairs
- HB 245** - Professional Registration and Licensing
- HB 246** - Civil and Administrative Law
- HB 247** - Elections
- HB 248** - Correctional and State Institutions
- HB 249** - Professional Registration and Licensing
- HB 250** - Education-Elementary and Secondary
- HB 251** - Transportation
- HB 252** - Miscellaneous Bills & Resolutions
- HB 253** - Public Safety, Law Enforcement and Veteran Affairs
- HB 254** - Correctional and State Institutions
- HB 256** - Critical Issues, Consumer Protection and Housing
- HB 257** - Retirement
- HB 259** - Conservation, State Parks and Mining
- HB 260** - Municipal Corporations
- HB 262** - Civil and Administrative Law
- HB 263** - Education-Elementary and Secondary
- HB 264** - Education-Elementary and Secondary
- HB 266** - Professional Registration and Licensing
- HB 267** - Professional Registration and Licensing
- HB 268** - Local Government and Related Matters
- HB 269** - Civil and Administrative Law

HB 270 - Civil and Administrative Law
HB 271 - Education-Elementary and Secondary
HB 272 - Judiciary
HB 273 - Education-Elementary and Secondary
HB 274 - Education-Elementary and Secondary
HB 275 - Motor Vehicle and Traffic Regulations
HB 276 - Public Safety, Law Enforcement and Veteran Affairs
HB 277 - Criminal Law
HB 278 - Criminal Law
HB 279 - Children, Families and Health
HB 280 - Local Government and Related Matters
HB 281 - Elections
HB 282 - Elections
HB 284 - Criminal Law
HB 285 - Children, Families and Health
HB 286 - Ways and Means
HB 287 - Correctional and State Institutions
HB 288 - Professional Registration and Licensing
HB 289 - Utilities Regulation
HB 290 - Education-Elementary and Secondary
HB 291 - Children, Families and Health
HB 293 - Municipal Corporations
HB 294 - Critical Issues, Consumer Protection and Housing
HB 295 - Local Government and Related Matters
HB 296 - Environment and Energy
HB 297 - Elections
HB 298 - Labor
HB 299 - Criminal Law
HB 300 - Education-Elementary and Secondary
HB 441 - Public Safety, Law Enforcement and Veteran Affairs

COMMITTEE REPORTS

Committee on Ethics, Chairman Clayton reporting:

Mr. Speaker: Your Committee on Ethics, to which was referred **CITY OF ST. LOUIS CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

TO: State Representative Robert Clayton
FROM: State Representative Russ Carnahan
DATE: January 16, 2001
RE: City of St. Louis Caucus

In accordance with Section 105.473.3(2)(c)d RSMo 2000, we are listing the following members of the General Assembly as members of the City of St. Louis Caucus.

<i>Representative</i>	<i>District</i>
/s/ Boykins, Amber	60
/s/ Carnahan, Russ	59
/s/ Coleman, Maida	63
/s/ Dougherty, Patrick	67
/s/ Ford, Louis	58
/s/ Gambaro, Derio	65
/s/ Hilgemann, Robert	64
/s/ Johnson, Connie LaJoyce	61
/s/ Kennedy, Harry	66
/s/ O'Toole, James	68
/s/ Shelton, O.L.	57
/s/ Troupe, Charles	62
/s/ Villa, Thomas	108

Mr. Speaker: Your Committee on Ethics, to which was referred **HOUSE FRESHMAN CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

TO: Robert Clayton, Chairman House Ethics Committee

FROM: Representative Carl Bearden
Freshman Caucus Chairman

DATE: January 22, 2001

RE: House Freshman Caucus

Pursuant to Section 105.473.3(2)(c)d RSMo, 2000 and the rules of the Missouri House of Representatives, a listing of the members of the 91st General Assembly's House of Representatives Freshman Caucus is attached.

Please consider this letter a formal application to the committee on Ethics to approve this caucus to be recognized as a duly filed and approved caucus of the General Assembly.

The officers were elected at follows:

Carl Bearden, District 16	Chairman
Jane Cunningham, District 86	Vice-Chairman
Richard Byrd, District 94	Secretary/Treasurer

I will serve as a designated member to present the request to the Committee. Please contact me at (573) 751-2949 if you have any questions concerning this caucus organization.

Sincerely,

/s/ Rep. Carl Bearden

Members of the Freshman Caucus

/s/ Frank A. Barnitz - 150	/s/ Carl Bearden - 16
/s/ Robert J. Behnen - 2	/s/ John L. Bowman - 70
/s/ Sharon Sanders Brooks - 37	/s/ Tom Burcham - 106
/s/ Richard G. Byrd - 94	/s/ Russ Carnahan - 59
/s/ Maida Coleman - 63	/s/ Shannon Cooper - 120
/s/ Nancy Copenhaver - 22	/s/ Jason Crowell - 158
/s/ Jane Cunningham - 86	/s/ Tom Dempsey - 18
/s/ Kathlyn Fares - 91	/s/ Tom Green - 15
/s/ Meg Harding - 30	/s/ Esther Haywood - 71
/s/ Steve Henderson - 116	/s/ Bruce W. Holt - 17
/s/ Steve Hunter - 127	/s/ Rod Jetton - 156
/s/ Connie "LaJoyce" Johnson - 61	/s/ Richard K. Johnson - 90
/s/ Cathy Jolly - 45	/s/ Gary Kelly - 36
/s/ Van Kelly - 144	/s/ Jenée' Lowe - 44
/s/ B. J. Marsh - 136	/s/ Bob May - 149
/s/ Robert N. Mayer - 159	/s/ Danielle Moore - 20
/s/ Charles R. Portwood - 92	/s/ Rex Rector - 124
/s/ Brad Roark - 139	/s/ Wes Shoemyer - 9
/s/ Neal C. St. Onge - 88	/s/ Thomas A. Villa - 108
/s/ Juanita Head Walton - 69	/s/ Philip Willoughby - 33

Mr. Speaker: Your Committee on Ethics, to which was referred **House Resolution No. 182, Rules of Procedure for the Ethics Committee**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo, with House Committee Amendment No. 1.**

House Resolution No. 182

RULE 1. Scope and Authority - These Rules of Procedure govern the conduct of the investigation of complaints of ethical misconduct by a member of the House and are adopted pursuant to House Rule 38.

RULE 2. Definitions

As used in these rules, unless the context requires otherwise, the following words and terms shall have the following meanings, and the use of masculine gender shall include the feminine.

(1) Censure - A sanction which recognizes the respondent's conduct constituted a legal or moral wrong, and which shall include punishment in the form of denying privileges of office, which recommendation is included as part of the committee's report and requires the presence of the respondent in the chamber during consideration and vote by the entire House on such resolution.

(2) Letter of Reproval - A sanction which expresses disapproval of conduct based on the appropriateness of such conduct by a legislator, regardless of whether the conduct constitutes a legal or moral wrong and is included as part of the committee's report.

(3) Reprimand - A sanction which recognizes the respondent's conduct constituted a legal or moral wrong and which may include punishment in the form of denying privileges of the office, which recommendation is included as part of the committee's report, is issued by the Speaker and the recommendation for reprimand is made a public record.

RULE 3. Quorums

A quorum exists when a majority of the members of the Committee are present.

RULE 4. Form of Complaints

A. All complaints filed with the Speaker against a member of the House shall be made by a member. The complaints shall be confidential and shall be referred to the Committee on Ethics within ten (10) days and shall be in writing and under oath, setting forth in simple, concise and direct statements:

- (1) The name and legal address of the member or members acting as complainant;
- (2) The name of the member of the House alleged to have engaged in the commission of a crime, misconduct, willful neglect of duty, corruption in office or other acts constituting ethical misconduct. "Misconduct", means:
 - (a) Any conduct constituting a legal or moral wrong which materially impairs the member's ability to perform the duties of his office or substantially impairs public confidence in the General Assembly;
 - (b) Any conduct constituting a conflict of interest under chapter 105, RSMo;
 - (c) The intentional filing of a false complaint or the filing of a complaint in reckless disregard of the truth.
- (3) The nature of the alleged crime, misconduct, neglect, corruption or other unethical act, including when applicable, the specific law, rule, regulation or ethical standard violated;
- (4) The facts alleged to have given rise to the violation; and
- (5) Where the facts are alleged upon the information and belief of the complainant, the complaint shall so state and set forth the basis for such information and belief.

B. All documents in the possession of the complainant that are relevant to and in support of the allegations shall be appended to the complaint.

RULE 5. Initial Examination of the Complaint by the Committee

A. Within thirty (30) days of the assignment of the complaint by the Speaker, the Committee shall determine if it is in compliance with Rule 4 of these Rules, and whether on the face of the complaint, the allegations contained therein are within the jurisdiction of the Committee, and if so, whether the allegations merit proceeding to a preliminary hearing. The complainant shall not act as a member of the Committee at a hearing in which the complainant is likely to be called as a necessary witness. A respondent shall not act as a member of the Committee for purposes of his complaint.

B. Complaints determined not to be in compliance with Rule 4 of these Rules shall be returned to the complainant with a general statement that it is not in compliance with the Rules of Procedure. The complaint may be resubmitted in the proper form.

C. Once a determination has been made that the complaint complies with Rule 4 of these rules, a majority of the Committee appointed shall vote by roll call to either:

- (1) Defer action pending completion of any other administrative, disciplinary, commission, or judicial proceeding;
- (2) Proceed to a preliminary hearing;
- (3) Dismiss the complaint.

D. In determining whether or not to proceed the Committee shall consider the following:

- (1) The credible evidence contained in the complaint or appended thereto of the commission of a crime, misconduct, willful neglect of duty, corruption in office, or other acts violating applicable ethical standards;
- (2) Other administrative or disciplinary action by other interested bodies;
- (3) Criminal investigation, Missouri Ethics Commission proceeding, or judicial proceedings, either civil or criminal; and
- (4) Other relevant circumstances that would justify expediting, declining or deferring action by the Committee.

E. Complaints determined to be in compliance with Rule 4 of these Rules and accepted for a preliminary hearing shall be transmitted to the respondent with a copy of the Rules of Procedure and notice in writing that the respondent has twenty-one (21) calendar days to respond to the complaint either by way of answer or motion pursuant to Rule 6 of these Rules. The complainant shall also be notified, in writing, of the action of the Committee. Examination of the complaint and the determination of Rule 4.C. shall be conducted in a closed meeting.

RULE 6. Answers and Motions

A. If the Committee determines that the complaint merits proceeding to a preliminary hearing, the respondent shall have twenty-one (21) calendar days in which to respond to the complaint by way of answer or motion, unless this time period is waived by the respondent. Any answer or motion shall be in writing, signed by the respondent and his counsel, if he has one, and shall be limited to the following:

- (1) An admission or denial under oath, of the allegations set forth in the complaint, including negative and affirmative defenses, and any other relevant information, including supporting evidence which the respondent may desire to submit;
- (2) An objection to the jurisdiction of the Committee to investigate the complaint; or
- (3) An objection to the participation of any member of the Committee in an investigation of the complaint on the grounds that the member cannot render an impartial and unbiased decision in the case. The majority of the members present shall rule on the objection to the participation of any member of the Committee. A temporary replacement shall be made to serve on the Committee on Ethics for all actions concerning a particular complaint for any member of the Committee who is prevented from acting on a complaint under these rules.

B. Any motion submitted pursuant to this rule is not in lieu of an answer and shall be accompanied by a memorandum of points and authorities. Answers or motions not submitted within the twenty-one (21) calendar-day-period shall not be considered by the Committee.

C. The Chairman of the Committee shall pass upon such motions as soon as practicable and notice of the decision shall be furnished to the respondent and the complainant. A motion to quash a subpoena shall be decided by the Chairman of the Committee.

D. Time limitations imposed by this Rule may be extended when, in the discretion of the Chairman, such extension would facilitate a fair and complete inquiry and may be shortened when the Chairman determines that there are special circumstances compelling expedition, and upon twenty-four (24) hours notice of said action to the respondent and the claimant.

E. In the event that a special counsel is retained by the Committee, the attorney-client privilege is applicable to the Committee and not to the House.

RULE 7. Preliminary Hearings

A. A preliminary hearing may be held to hear arguments based on the pleadings submitted in the case. The preliminary hearing shall be an open meeting. The committee shall provide the complainant and the respondent or counsel for the complainant and respondent an opportunity to present, orally or in writing, a statement, which shall be under oath or affirmation, regarding the allegations and any other relevant questions arising out of the pleadings. A complainant or respondent who is represented by counsel shall not be questioned in the absence of counsel unless an explicit waiver is obtained.

B. The committee shall require that testimony be given under oath or affirmation. The form of the oath or affirmation shall be: "Do you solemnly swear (or affirm) that the testimony you will give before this committee in the matter now under consideration will be the truth, the whole truth, and nothing but the truth (so help you God)?" The oath or affirmation shall be administered by the Chairman or Committee member designated by him to administer oaths. Members of the committee shall be give an opportunity to question the complainant and respondent or counsel for the complainant or respondent following the opening statements.

C. At the conclusion of the preliminary hearing, a majority of the Committee shall vote by roll call to either:

- (1) Dismiss the complaint; or
- (2) Proceed by
 - (a) undertaking an investigative hearing; or
 - (b) deciding the case based upon the preliminary hearing.

A decision based upon a preliminary hearing shall require the consent of the respondent.

D. If the committee decides to make a summary decision of the case and the respondent accepts this disposition the committee may, by a majority vote, recommend one of the following sanctions:

- (a) Letter of reproof;
- (b) Reprimand; or
- (c) Censure.

RULE 8. Investigative Hearings

A. An investigative hearing may be held on the record to receive evidence upon which to base findings, conclusions, and recommendations, if any, to the House. The Committee may require, by subpoena or otherwise, or by subpoena duces tecum, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers and documents as it deems necessary. The Committee may obtain a court-issued subpoena in the event that any person refuses to obey the subpoena issued by the Committee.

B. Prior to setting a hearing date and issuing subpoenas for witnesses, the Committee shall resolve the scope and purpose of the hearings. A copy of this statement of scope and purpose shall be furnished to all witnesses. During the course of the hearings the Committee may expand or contract the scope in light of evidence received.

C. The order of the investigative hearing shall be as follows:

- (1) The Chairman shall open the hearing by stating the Committee's authority to conduct the investigation, the purpose of the investigation and its scope.

(2) The complainant and the respondent or counsel for the complainant and respondent shall be permitted to make opening statements. Such opening statements shall not exceed fifteen minutes.

(3) Testimony from witnesses and other evidence pertinent to the matter under investigation shall be received in the following order:

- (a) Witnesses and other evidence offered by the complainant;
- (b) Witnesses and other evidence offered by the respondent;
- (c) Witnesses and other evidence offered by the Committee staff; and
- (d) Rebuttal witnesses.

(4) The Chairman or his designee shall examine each witness. The Committee members may then question the witness. The respondent or his counsel may then cross-examine the witness. Redirect or recross examination may be permitted in the Chairman's discretion. With respect to witnesses offered by the respondent, a witness shall be examined first by the respondent or his counsel, if he has one, and then may be cross-examined by the complainant or his counsel, if he has one, and then may be cross-examined by the Chairman or his designee. Committee members may then question the witness. Redirect and recross examination may be permitted in the Chairman's discretion.

D. Testimony of all witnesses shall be taken under oath. The form of the oath shall be: "Do you solemnly swear or affirm that the testimony you will give before this committee in the matter now under consideration will be the truth, the whole truth, and nothing but the truth, so help you God?" The oath shall be administered by the Chairman or Committee member designated by him to administer oaths.

RULE 9. Admissibility of Evidence

A. The object of the hearings shall be to ascertain the truth. Any evidence that is relevant and probative shall be admissible, unless privileged or unless the Constitution otherwise requires its exclusion. Objections going only to the weight that should be given to evidence will not justify its exclusion.

B. The Chairman or other member presiding shall rule upon any question of admissibility of testimony or evidence presented to the Committee. The Chairman or other member presiding may limit the presentation of repetitious evidence. Rulings shall be final unless reversed or modified by a majority vote of the Committee members present.

C. At an investigative hearing, the burden of proof is on the complainant with respect to each count to establish the facts alleged therein clearly and convincingly by the evidence that he introduces.

RULE 10. Witnesses

A. A subpoena to a witness shall be served sufficiently in advance of his scheduled appearance to allow him a reasonable period of time, as determined by the Committee, to prepare for the hearing and to employ counsel should he so desire.

B. Except as otherwise specifically authorized by the Chairman, no member of the Committee or staff shall make public the name of any witness subpoenaed by the Committee before his scheduled appearance.

C. Witnesses at investigative hearings may be accompanied by their counsel for the purpose of advising them concerning their constitutional rights and to raise objections to procedures or to the admissibility of testimony and evidence. Counsel for a witness other than the respondent shall not be permitted to engage in oral argument with the Committee. After a witness has testified, his counsel may submit to the Committee, in writing, any questions he wishes propounded to his client and any request for additional witnesses or other evidence. Such request may be granted in the discretion of the Committee.

D. The respondent may apply to the Committee for the issuance of subpoenas for the appearance of witnesses or the production of documents on his behalf. The application shall be granted upon good cause shown by the respondent that the proposed testimony or evidence is relevant and not otherwise available. The application shall be denied if not made at a reasonable time or if the testimony or evidence would be merely cumulative.

E. The respondent is entitled to present witnesses in his behalf. However, the chairman may limit such testimony when, in his discretion, he finds the testimony is repetitious or cumulative.

F. Each witness subpoenaed by the committee shall be reimbursed for those reasonable expenses approved by the Committee.

G. Each witness shall be furnished a printed copy of the Rules of Procedure and the pertinent provisions of the Rules of the House applicable to the rights of witnesses.

H. Within ten (10) calendar days before the scheduled investigative hearing, the Chairman shall notify the respondent, in writing, of the witnesses that are to appear before the Committee. Within five (5) calendar days before the scheduled investigative hearing, the respondent shall notify the Committee, in writing, of the witnesses that are to appear in his behalf. Additional witnesses may be brought before the Committee, in the discretion of the Chairman or other member presiding and upon good cause, if their whereabouts or existence were unknown to the respondent at the time for submission of the witness list to Committee.

RULE 11. Findings, Conclusions and Recommendations

A. At the completion of the preliminary hearing or investigative hearings, the Committee, by a majority vote of its members, shall, within forty-five (45) days, adopt a report stating its findings and conclusions on the complaint. The report shall be filed with the Chief Clerk of the House and shall be printed in the House Journal. In the event the Committee finds that the complaint is not well-founded, the report shall so state, and shall include a copy of a Letter of Reprimand if the Committee authorized such sanction. In the event the Committee finds that the complaint is well-founded, the report shall state the Committee's recommendation in a resolution appended thereto.

B. The resolution shall state the Committee's findings and conclusions on each allegation in the complaint with the recommendation that the House:

- (1) Expel the member as provided in Article III, Section 18 of the Missouri Constitution;
- (2) Punish the member as provided in Article III, Section 18 of the Missouri Constitution, by reprimand on the adoption of the resolution, or by censure by the Speaker in open session; or
- (3) Take no further action, stating the reasons therefor.

RULE 12. Matters not covered in these Rules of Procedure

The Rules of Procedure of the United States House of Representatives Committee on Standards of Official Conduct of the 103rd Congress shall be taken as guidelines in deciding questions, issues, and other matters not otherwise provided for in these Rules of Procedure, except that the Rules of the Missouri House of Representatives governing the party representation on committees shall apply to this Committee.

House Committee Amendment No. 1

AMEND House Resolution No. 182 (1481L.011), Page 2, Section 5(E), Line 5 of said subsection, by deleting the words “**Rule 4.C.**” and by inserting in lieu thereof the following: “**Rule 5.C.**”.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 565, introduced by Representative Monaco, relating to disclosure of prior methamphetamine activities on certain real property.

HB 566, introduced by Representatives Hanaway, Sanders Brooks, Bowman, Linton, May (149) and Behnen, et al, relating to honorary high school diplomas for World War II veterans.

HB 567, introduced by Representative Treadway, relating to professional registration.

HB 568, introduced by Representative Treadway, relating to professional registration.

HB 569, introduced by Representative Green (73), relating to funds for certain convention and sports complexes.

HB 570, introduced by Representative Green (73), relating to employment security.

HB 571, introduced by Representatives Dolan and Lowe, relating to the TWA Flight 800 International Memorial.

HB 572, introduced by Representative Dolan, relating to the crime of passing a bad check.

HB 573, introduced by Representative O'Toole, relating to Missouri commission on total compensation.

HB 574, introduced by Representatives Selby, Jolly and Ward, relating to statutes of limitation for the prosecution for certain offenses.

HB 575, introduced by Representatives O'Connor, Abel and Foley, relating to motor vehicle franchise practices.

HB 576, introduced by Representatives Willoughby, Mays (50), Johnson (90), Harding and Skaggs, et al, relating to funding utilicare.

HB 577, introduced by Representative Bray, et al, relating to contributions to political party committees.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 3**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SS SCR 2**.

SENATE SUBSTITUTE
FOR
SENATE CONCURRENT RESOLUTION NO. 2

Rejecting the amount of increase in compensation for public officials as recommended by the Citizen's Commission on Compensation for Elected Officials.

WHEREAS, in November 1994, the people of Missouri established in the Missouri Constitution an independent citizen's commission that was given primary responsibility to establish a schedule of compensation for public officials based upon a review and study of the duties of elected state officials, judges and members of the General Assembly; and

WHEREAS, the Commission has faithfully undertaken its responsibility and submitted a compensation schedule that provides for a maximum increase in compensation for the affected public officials up to the amount of 5.5%; and

WHEREAS, the percentage increase recommended by the Citizen's Commission on Compensation for Elected Officials was based upon recommendations made by the Personnel Advisory Board and the Ad Hoc Task Force on Total Compensation for all state employees for fiscal years 2001-2002 and 2002-2003; and

WHEREAS, the Citizen's Commission report makes clear that the Commission intended public officials should be treated the same as all other state employees; and

WHEREAS, the increases ultimately adopted for all state employees may well not be those recommended by the Commission when its schedule was approved and filed; and

WHEREAS, the General Assembly believes that public officials should not receive any cost-of-living increase in compensation, if at all, in excess of the average salary adjustment provided to other state employees; and

WHEREAS, the Missouri Constitution clearly provides that the recommendations of the Commission are subject to appropriations, and therefor may be reduced or rejected by the General Assembly and no increase shall take effect unless and until appropriated:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri Senate of the First Regular Session of the Ninety-first General Assembly, the House of Representatives concurring therein, that no increase in compensation for public officials shall be approved or appropriated for fiscal year 2002, if at all, in excess of the average provided to state employees as authorized by Section 105.005, RSMo; and

BE IT FURTHER RESOLVED that the General Assembly hereby rejects the increase in compensation recommended by the Citizen's Commission on Compensation for Elected Officials for fiscal year 2002 to the extent that it exceeds the average amount of increase in compensation as may be provided to state employees for fiscal year 2002; and

BE IT FURTHER RESOLVED that nothing in this resolution shall be interpreted to require that any cost-of-living increase shall be provided to public officials, the recommendation of the Citizen's Commission on Compensation for Elected Officials notwithstanding.

In which the concurrence of the House is respectfully requested.

ESCORT COMMITTEES

The Speaker appointed the following committee to escort Lieutenant Governor Joe Maxwell and members of the Senate to the House Chamber for Joint Session at 10:30 a.m., Tuesday, January 30, 2001: Representatives Boucher, Sanders Brooks, Kennedy, Davis, Monaco, Gambaro, Nordwald, Robirds, Ballard and Boatright.

The Speaker appointed the following committee to escort Governor Bob Holden to the dais in Joint Session at 10:30 a.m., Tuesday, January 30, 2001: Representatives Skaggs, Crump, Shelton, Ford, Treadway, Troupe, Griesheimer, Hartzler, Ostmann and Enz.

COMMITTEE ASSIGNMENTS

HOUSE TRAVEL COMMITTEE

Rep. William (Bill) Gratz - Chairman

Marsha Campbell

O. L. Shelton

John Griesheimer

Ed Hartzler

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Farnen is no longer a member of the Agriculture Committee.

Representative Crowell is no longer a member of the Appropriations-Corrections and Public Safety Committee.

Representative Bearden is no longer a member of the Appropriations-Education Committee.

Representative Bartle is no longer a member of the Appropriations-Social Services Committee.

Representative Kelly (27) is no longer a member of the Banks and Financial Institutions Committee.

Representative Hampton is no longer a member of the Children, Families and Health Committee.

Representative Gambaro is no longer vice-chair or a member of the Commerce and Economic Development Committee.

Representative Copenhaver is no longer a member of the Correctional and State Institutions Committee.

Representative Barry is no longer a member of the Critical Issues, Consumer Protection and Housing Committee.

Representative Bowman is no longer vice-chair of the Education-Higher Committee, but will remain a member.

Representative Walton is no longer a member of the Environment and Energy Committee.

Representative Hollingsworth is no longer a member of the Judiciary Committee.

Representative Willoughby is no longer a member of the Urban Affairs Committee.

Representative Copenhaver has been appointed a member of the Agriculture Committee.

Representative Bearden has been appointed a member of the Appropriations-Corrections and Public Safety Committee.

Representative Crowell has been appointed a member of the Appropriations-Education Committee.

Representative Holand has been appointed a member of the Appropriations-Social Services Committee.

Representative Luetkenhaus has been appointed a member of the Banks and Financial Institutions Committee.

Representative Farnen has been appointed a member of the Budget Committee.

Representative Kelley (47) has been appointed a member of the Budget Committee.

Representative Copenhaver has been appointed a member of the Children, Families and Health Committee.

Representative Bowman has been appointed vice-chair of the Commerce and Economic Development Committee.

Representative Thompson has been appointed a member of the Correctional and State Institutions Committee.

Representative Kelly (27) has been appointed a member of the Critical Issues, Consumer Protection and Housing Committee.

Representative Haywood has been appointed vice-chair of the Education-Higher Committee.

Representative Luetkenhaus has been appointed a member of the Environment and Energy Committee.

Representative Johnson (90) has been appointed a member of the Judiciary Committee.

Representative Abel has been appointed a member of the Miscellaneous Bills & Resolutions Committee.

Representative Foley has been appointed a member of the Miscellaneous Bills & Resolutions Committee.

Representative Gambaro has been appointed a member of the Miscellaneous Bills & Resolutions Committee.

Representative Liese has been appointed a member of the Miscellaneous Bills & Resolutions Committee.

Representative Green (15) has been appointed a member of the Motor Vehicle and Traffic Regulations Committee.

Representative Farnen has been appointed a member of the Motor Vehicle and Traffic Regulations Committee.

Representative Bowman has been appointed a member of the Motor Vehicle and Traffic Regulations Committee.

Representative Walton has been appointed a member of the Municipal Corporations Committee.

Representative Hampton has been appointed a member of the Professional Registration and Licensing Committee.

Representative Sanders Brooks has been appointed a member of the Social Services, Medicaid and the Elderly Committee.

Representative Sanders Brooks has been appointed a member of the Tourism, Recreation and Cultural Affairs Committee.

Representative Hollingsworth has been appointed a member of the Transportation Committee.

Representative Johnson (61) has been appointed a member of the Transportation Committee.

Representative Jolly has been appointed a member of the Urban Affairs Committee.

Representative Kelly (27) has been appointed a member of the Utilities Regulation Committee.

Representative Lowe has been appointed a member of the Workers Compensation and Employment Security Committee.

Representative McKenna has been appointed a member of the Workers Compensation and Employment Security Committee.

Representative Monaco has been appointed a member of the Workers Compensation and Employment Security Committee.

Representative Wagner has been appointed a member of the Workers Compensation and Employment Security Committee.

WITHDRAWAL OF HOUSE BILL

January 29, 2001

Ted Wedel
Chief Clerk
Missouri House of Representatives
Jefferson City, Missouri 65101

Dear Mr. Wedel:

I hereby respectfully request that **House Bill 298** be withdrawn. Your attention to this matter is appreciated.

Sincerely,

/s/ Timothy P. Green
State Representative
District 73

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Tuesday, January 30, 2001.

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, January 31, 2001, 3:00 pm. Hearing Room 7.
To be considered - HB 130, HB 219

APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY

Tuesday, January 30, 2001, 8:00 am. Hearing Room 1.
Brief committee orientation.
Public testimony Department of Public Safety.

APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY

Wednesday, January 31, 2001, 8:00 am. Hearing Room 1.

Public testimony Department of Corrections.

APPROPRIATIONS - EDUCATION

Tuesday, January 30, 2001. Hearing Room 1 upon adjournment.

University of MO, Lincoln University, Linn State, Coordinating Board-Operating Budget.

APPROPRIATIONS - EDUCATION

Wednesday, January 31, 2001. Hearing Room 1 upon adjournment.

Community Colleges. Public testimony for Higher Education.

APPROPRIATIONS - EDUCATION

Thursday, February 1, 2001. Hearing Room 1 upon adjournment.

Public testimony for Department of Elementary and Secondary Education.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, January 30, 2001. Hearing Room 7 upon adjournment.

Public testimony.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 31, 2001. Hearing Room 7 upon adjournment.

Elected Officials.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, January 30, 2001. Hearing Room 6 upon adjournment.

Public testimony regarding the Departments of Health and Mental Health.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, January 31, 2001. Hearing Room 6 upon adjournment.

Public testimony regarding the Departments of Health and Mental Health.

APPROPRIATIONS - SOCIAL SERVICES

Tuesday, January 30, 2001, 8:00 am. Hearing Room 3.

Committee also meeting upon adjournment.

Department of Social Services.

APPROPRIATIONS - SOCIAL SERVICES

Wednesday, January 31, 2001, 8:00 am. Hearing Room 3.

Committee also meeting upon adjournment.

Public testimony Department of Social Services.

APPROPRIATIONS - TRANSPORTATION

Tuesday, January 30, 2001, 8:30 am. Hearing Room 7.

Organizational meeting.

BUDGET

Wednesday, January 31, 2001, 7:00 pm. Hearing Room 3.
Budget overview presentation.

CHILDREN, FAMILIES, AND HEALTH

Tuesday, January 30, 2001, 3:00 pm. Hearing Room 4.
To be considered - HB 111, HB 142, HB 157

CIVIL AND ADMINISTRATIVE LAW

Wednesday, January 31, 2001, 3:00 pm. Hearing Room 1.
To be considered - HB 143, HB 161, HB 193

COMMERCE AND ECONOMIC DEVELOPMENT

Tuesday, January 30, 2001, 5:00 pm. Hearing Room 6. CORRECTED NOTICE.
To be considered - HB 189

CONSERVATION, STATE PARKS AND MINING

Wednesday, January 31, 2001, 3:00 pm. Hearing Room 2.
Organizational meeting.
To be considered - HB 184

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, January 30, 2001, 3:00 pm. Hearing Room 3.
To be considered - HB 199, HB 200, HJR 5

EDUCATION - HIGHER

Wednesday, January 31, 2001, 3:00 pm. Hearing Room 5.
To be considered - HB 26, HB 166, HB 192, HB 194

ELECTIONS

Tuesday, January 30, 2001, 7:30 pm. Hearing Room 7.
To be considered - HB 99, HB 100, HB 109

JUDICIARY

Tuesday, January 30, 2001, 3:00 pm. Hearing Room 5. AMENDED NOTICE.
To be considered - HB 141, HB 183

LABOR

Tuesday, January 30, 2001, 8:00 pm. Hearing Room 3.
To be considered - HB 113

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, January 30, 2001, 3:00 pm. Hearing Room 7.
Executive Session may follow.
To be considered - HB 52, HB 69, HB 84, HB 140

MUNICIPAL CORPORATIONS

Wednesday, January 31, 2001, 3:00 pm. Hearing Room 4.

To be considered - HB 82, HB 133

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Tuesday, January 30, 2001, 8:00 am. Hearing Room 6.

Executive Session may follow. AMENDED NOTICE.

To be considered - HB 54, HB 80, HB 94, HB 177, HB 441

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Tuesday, January 30, 2001, 5:00 pm. Hearing Room 3.

Joint meeting with House and Senate Veterans Committee members.

Guest speaker Lt. Gov. Joe Maxwell.

TRANSPORTATION

Wednesday, January 31, 2001, 3:00 pm. Hearing Room 6.

To be considered - HB 71, HB 196, HJR 7

WAYS AND MEANS

Tuesday, January 30, 2001, 3:00 pm. Hearing Room 2.

Presentations by State Tax Commission, Department of Revenue.

To be considered - HB 79, HB 114, HB 116, HB 129, HB 170, HB 175

HOUSE CALENDAR

SEVENTEENTH DAY, TUESDAY, JANUARY 30, 2001

HOUSE BILLS FOR SECOND READING

HB 565 through HB 577

SENATE CONCURRENT RESOLUTION FOR SECOND READING

SS SCR 2

HOUSE RESOLUTION

HR 182, HCA 1, (1-29-01) - Clayton

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

SEVENTEENTH DAY, TUESDAY, JANUARY 30, 2001

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

You, God, are the Law, the Justice, the Execution of that which is right.

This day will see this House welcome our Senate, our Supreme Court, and our Governor. Help this space to be one of holiness. May this confluence of power bode well for our state's future. When we listen today, help it to be with the inner ears of the Spirit. When we act on what we hear, may it be from the highest motives of justice, peace, democracy.

May this day bring us all a measure closer to Your dream for us, one sovereign state, one nation, under Your devoted guidance and stirred by Your fortitude, with justice and freedom for poor and weak, rich and strong, and old. Let it be so. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Sammy Braden, Karis Sims, C. J. Paine, Libby Hunter, Thomas Crank, Chris Summers, Bart Steponovich, Josh Lory, Jordan Cooley, Alison Jamison-Lucy, Maggie Kauffman, Michael Schoelz, Melissa Bushmann, Ryan Bocklage, Kayla Broemmer, Gentry Coffman, Emalee VanAcker, Emily Tedrow and Caleb Scherer.

The Journal of the sixteenth day was approved as corrected by the following vote:

AYES: 150

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Dougherty
Enz	Fares	Farnen	Foley	Ford

Franklin	Fraser	Froelker	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelly 144	Kelly 27	Kennedy
King	Klindt	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Secrest	Seigfreid	Selby	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 001

Purgason

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Gambaro	Hoppe	Kelley 47	Kelly 36
Long	Patek	Reynolds	Scott	Shelton
Williams				

VACANCIES: 001

RESOLUTION

Representative Kreider offered House Resolution No. 186.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 187 - Representative Liese
House Resolution No. 188 - Representative Scott
House Resolution No. 189 - Representative Hagan-Harrell
House Resolution No. 190 - Representative Cooper
House Resolution No. 191 - Representative Riback Wilson (25)
House Resolution No. 192 - Representative Ridgeway

SECOND READING OF HOUSE BILLS

HB 565 through **HB 577** were read the second time.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SS SCR 2 was read the second time.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 38 - Criminal Law
HB 302 - Criminal Law
HB 322 - Education-Elementary and Secondary
HB 328 - Critical Issues, Consumer Protection and Housing

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SS SCR 2 - Rules, Joint Rules, and Bills Perfected and Printed

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the following Senators have been appointed to act with a like committee from the House pursuant to **HCR 3**. Senators: Mathewson, Bland, Carter, Wiggins, Goode, Kinder, Kenney, Steelman, Sims and Yeckel.

Representative Crump moved that Rule 114 be suspended.

Which motion was adopted by the following vote:

AYES: 143

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Dougherty	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hohulin	Holand
Hollingsworth	Holt	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelly 144	Kelly 27
Kennedy	King	Koller	Lawson	Liese
Linton	Lograsso	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Roark	Ross	Scheve
Schwab	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Baker	Copenhaver	Froelker	Gambaro	Harlan
Hilgemann	Hoppe	Kelley 47	Kelly 36	Klindt
Legan	Levin	Long	Murphy	Patek
Portwood	Reynolds	Robirds	Scott	

VACANCIES: 001

JOINT SESSION

The hour of the Joint Session having arrived, the Senate in a body was admitted, and Lieutenant Governor Maxwell presiding, called the Joint Assembly to order.

The Secretary of the Senate called the roll, which showed a majority of the Senators present:

AYES: 031

Bentley	Bland	Carter	Caskey	Childers
DePasco	Foster	Gibbons	Goode	Gross
House	Jacob	Johnson	Kenney	Kinder
Klarich	Loudon	Mathewson	Quick	Rohrbach
Russell	Schneider	Scott	Sims	Singleton
Staples	Steelman	Stoll	Westfall	Wiggins
Yeckel				

NOES: 000

ABSENT: 000

ABSENT WITH LEAVE: 000

VACANCIES: 003

The Chief Clerk of the House called the roll, which showed a majority of the Representatives present:

AYES: 146

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Copenhaver	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Dougherty	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hohulin	Holand	Hollingsworth	Holt	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelly 144	Kelly 27	Kennedy	King	Klindt
Koller	Lawson	Legan	Levin	Liese
Linton	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Myers
Naeger	Nordwald	O'Connor	O'Toole	Overschmidt
Phillips	Portwood	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Cooper	Crawford	Gambaro	Hilgemann	Hoppe
Kelley 47	Kelly 36	Lograsso	Long	Murphy
Ostmann	Patek	Purgason	Reynolds	Scott
Treadway				

VACANCIES: 001

The Doorkeeper announced the approach of the Honorable Bob Holden, Governor of the State of Missouri. The Governor was duly escorted to the House Chamber and the Speaker's dais.

Governor Holden recognized the following special guests:

Lori Hauser Holden, Robert Lee Holden III, John D. Holden, Lee Holden, Wanda Holden, Matt Parker, Andrew Scott, Cherlyn Feldkamp, Cami Logsdon, Lisa Logsdon, Lindsay Gaither, Leslie Hardin, Bill Hendrickson, Julie Hendrickson, Sunita Bajpai, Dr. Michael R. DeBaun, Julie Gibson and Rose Brooks.

The following message was delivered by Governor Holden to the assembly in Joint Session.

**STATE OF THE STATE ADDRESS
BY
GOVERNOR BOB HOLDEN**

January 30, 2001

Mr. President, Mr. Speaker, Mr. President Pro Tem, Distinguished State Officials, Mr. Chief Justice, Members of the State Supreme Court, Members of the 91st General Assembly, and Citizens of the State of Missouri:

One of our greatest blessings is sharing the important moments in our life with those we love most.

I am truly blessed today.

Before I begin, I want to introduce my parents, Lee and Wanda Holden.

Mom and Dad, thanks for coming, and would you please stand.

Next I want you to meet two young men who are keeping things pretty lively in the Governor's Mansion these days—our sons, Robert and John D.

Boys, will you please stand.

Finally, saving the best for last, the First Lady in my life—the only lady from the moment I first saw her—and now the First Lady of the State of Missouri—Lori Hauser Holden.

Growing up near the small, rural town of Birch Tree, Missouri, taught me a great deal.

First of all, I learned how to make a dollar go a long way because we didn't have a lot of them.

But there were so many other riches that can't be measured in monetary terms.

A rich community spirit that demonstrated how much could be accomplished by working together toward a common goal.

A rich acceptance of people based on their self worth—not on how much they owned or how they looked.

A rich belief that solid values like honesty, loyalty, and responsibility, combined with lots of hard work, could lead to success.

And a deep understanding of the positive effect that love, support, and encouragement can have on a single life.

Along with my home, one of the first places I found that love, support, and encouragement was a little one-room schoolhouse, which housed all eight grades.

I don't remember a lot of details about my first day of school except my mother shedding a few tears as I started that mile and a half walk from our farm to the school.

But that mile and a half walk began a journey that would bring me to the door of the Governor's office.

Of course, at the time, I didn't realize how important that first walk was.

I was only six.

But on the other side of that school door...as the only boy in a class of three...I discovered a whole world of opportunities existed outside of Birch Tree.

The first teacher who inspired me to explore that world was a woman by the name of Bertha Smotherman.

I wanted Mrs. Smotherman to be with me today, but she recently suffered the loss of her husband.

I wanted her to be here so I could tell her that I've never forgotten what she wrote on my first grade report card.

I saved that grade card all these years, and today I'd like to read you what it says.

Mrs. Smotherman wrote: "I'll never forget how good Bobby has been all school year."

That compliment meant a lot to me, and I want her to know even if she is at home that I'll never forget how good she was to me all school year—how she touched my life.

Mrs. Smotherman, I'm still trying to be good—a good person, a good husband, a good father, and now a good Governor.

And you had a lot to do with those goals being important.

I want to thank you and all the rest of my teachers for the knowledge you shared and for making me believe that I had the power to take that knowledge and make a difference.

I'll never forget you.

Nor will I forget this day.

For this is a defining moment in our state's history.

Much like my first day of school, we are beginning this session with a clean slate.

A new Governor...a new legislature...a new century of opportunities.

And I believe we as public servants can explore those opportunities to benefit all Missourians if we follow the basic lessons I learned in Birch Tree so many years ago.

As those responsible for the state budget, we must provide Missourians with the assurance that their tax dollars go a long way.

We must set the example of working together—never allowing partisanship to stand in the way of the best interests of those we serve.

Our actions must champion the acceptance of people based on their self worth—regardless of status, appearance, or belief.

And our achievements must be guided by the recognition that some of our citizens have never experienced the advantages you and I received.

They have not experienced success, even though they hold solid values and work hard.

They have not known the love, support, and encouragement of family and community.

Yet a successful Missouri for all will only spring from opportunity for all.

BUDGET

Sometimes, opportunities come in the form of challenges.

This year presents one of those challenges in keeping Missouri's financial house in order.

Fortunately, we begin that task from a position of strength.

The leadership of the past eight years has created an environment conducive to economic growth.

Missouri remains a low tax, efficiently run state, according to all prominent national rankings.

According to recently published data from the United States Census Bureau, Missouri ranks 40th in the nation in per capita tax burden and 47th in state government expenditures per capita.

We are a fiscally conservative state and will remain so during my administration.

We're only one of a few states that have maintained our Triple-A bond rating from the major rating agencies.

And the national publication, *Governing Magazine*, considers Missouri one of the best managed states in the nation.

More Missourians are working than ever before.

Personal income is up.

And Missourians are enjoying unprecedented tax relief.

Thanks to bipartisan tax cuts, our citizens are paying \$753 million less in taxes than in 1992.

Since Fiscal Year 1999, our state's general revenue spending has grown slower than personal income, and since Fiscal Year 1995, we have refunded \$973 million to Missouri taxpayers.

However, even though our economic foundation is strong, we're now experiencing the same sluggishness that is being seen at the national level.

Our state revenue collections have slowed down, due to a decrease in capital gains from the stock market and slowing sales tax growth.

Last year's revenues came in \$116 million lower than projected.

At the same time, our costs to the state have risen higher than anyone anticipated.

The costs of federal mandates are more than estimated.

Health care costs for seniors and those with disabilities continue to rise.

And tax credits, which received widespread bipartisan support, are taking a much bigger bite out of our budget than anyone believed they would.

In Fiscal Year 1996, these tax credits cost the state almost \$50 million.

By Fiscal Year 2002, their price tag will reach over \$200 million.

In total, the combination of tax cuts, tax credits, and tax refunds have returned almost \$2 billion to Missouri taxpayers during the past six years.

It is only proper that Missouri taxpayers should share in our recent economic prosperity.

However, the combination of a slowing economy, deep tax cuts, and unexpected mandatory expenses have put stress on our state budget.

Therefore, the first priority of this legislative session must be to tighten our belts and deliver a balanced budget.

However, I will not allow this difficult situation to weaken our investment in the top priority of my administration—education.

Granted, this is not the budget situation any of us wanted.

It's certainly not the financial circumstances I wanted as I begin my administration.

Nor is it the financial situation many of you on both sides of the aisle foresaw when you were voting for tax cuts and tax credits during those years when revenue was growing more than expected.

But it is the economic reality we've been given.

Factors beyond our control have changed the economic climate dramatically.

Now our challenge is making that climate work for us in building a better Missouri.

I look forward to working with Senator Russell and Representative Green and their budget committee members in meeting this challenge.

I am committed to protecting the key priorities of most Missourians—education and prescription drug services.

But we must take the fiscally responsible actions necessary to keep our state's economy strong during the tough times, so we can continue to prosper in the good times.

EDUCATION

The best way we can invest in Missouri's future is by opening new educational opportunities for our children.

Education must be our number one priority.

The cornerstones of my plan to improve education include: adequate resources, quality teachers, parental involvement, accountability, technology, and a safe environment where students are ready to learn.

That task begins by ensuring that Missouri teachers and students have the resources they need to improve performance.

That's why my top priority this year will be to fully fund the school foundation formula.

Effective classroom resources are not enough by themselves.

We must have teachers like my first grade teacher Mrs. Smotherman, who can provide the best quality of instruction because they are the chief determining factor in improving student performance.

We must encourage our teachers to strengthen their skills.

We can accomplish that goal through the National Board Certification program.

To receive this certification, teachers go through a rigorous one-year evaluation and examination period.

During this time, they must demonstrate a mastery of advanced national standards in their subject area.

Typically, this process involves more than 200 hours of after school work from teachers, detailing and reflecting upon their teaching approach and strategies.

We are honored to have one of those teachers here with us today from West Boulevard Elementary in Columbia—Sunita Bajpai.

And if you doubt how difficult it is to achieve this status, just talk to Sunita.

Less than one out of two teachers successfully complete the program the first time.

It's a great pleasure to introduce you to one of our excellent Missouri National Board Certified teachers.

We only have 44 teachers like her in the entire state.

Sunita, would you please stand.

I want to see one thousand teachers like Sunita in our state over the next four years of my administration.

Following the lead of the 15 states that have been at the forefront in training National Board Certified teachers, I am recommending a \$5,000 annual salary supplement for any Missouri teacher who completes this program.

And those who agree to help mentor other Missouri teachers for certification would receive a ten percent salary supplement.

I want to thank Senator Bentley and Senator Stoll for agreeing to sponsor this legislation.

I was just with Senator Bentley and other legislators last week at Pleasant View Middle School in Springfield on this very issue.

Both Senator Bentley and Senator Stoll have a longtime commitment to education, and I am confident they will be excellent spokespeople for the merits of this program.

In addition to adequate resources and good teachers, another key component in effective learning is parental involvement.

Unfortunately, many parents don't have a full and accurate picture of how well their child is doing at school as compared to children at other public schools.

I want to give Missouri parents that picture by establishing school accountability report cards.

This action will go one step beyond our present requirement for school district report cards, so parents will know exactly what is happening at their child's individual school.

Parents will receive information on classroom conditions, the professional qualifications of their child's teachers, class size, graduation and dropout rates, school safety, and a report on how their tax dollars are being spent.

They will be able to find even more extensive information at the school and on the Internet.

By holding schools accountable in this way, parents, taxpayers, and school patrons can compare the evaluation of their school with other schools in the area.

School report cards will also be useful to other schools--pointing out successful school strategies and practices that other schools can adopt to improve their institution.

We also are finding that technology is the tool that has the capacity to reform the classroom.

It changes the way teachers teach and students learn.

Students are more motivated and their achievement scores are higher.

Over the past few years, we've seen a greatly strengthened commitment to technology in our schools.

Today the ratio of students per computer in our schools is less than five to one.

The rate of students per Internet-connected computer is less than ten to one.

Our administration wants to continue to integrate these new technological tools into our children's learning so they will have the job skills to succeed in this new century economy.

So we are recommending an increased investment in technology grants from the primary grades to the postsecondary level.

The last critical element to student achievement is setting a classroom environment where students are respectful and involved in their work.

Many other states across the nation have found that establishing some form of character education in the school curriculum helps in establishing that environment.

In many respects, character education initiatives formally recognize and support what good parents and good teachers have always tried to instill in students—responsibility, respect, trustworthiness, fairness, caring, and citizenship.

Our state is well positioned to expand character education across Missouri.

This year, I want to provide funding so more schools can establish character education programs.

And over the next four years, I'd like to see that every Missouri school that wishes to integrate character education into the school environment has access to the teacher training and resource materials they need.

HEALTHY FAMILIES

In spite of this being a tight budget year, we have a rare opportunity to take steps to ensure a healthy future for Missouri families in the 21st century.

I want to see that our state's portion of the national tobacco settlement is used for vital health care needs contained in the Healthy Families Initiative that I will outline today.

A major portion of this initiative is focused on helping our senior citizens cope with skyrocketing prescription costs.

As you know, Medicare doesn't cover prescription drugs, and many of our seniors certainly cannot afford to buy separate insurance.

Many of these elderly people have multiple prescriptions for expensive medicines—medicines that cost them thousands of dollars a month—costs that sometimes exceed their income.

So what do they do about the situation?

For far too many, the answer is they go without their medicines—an act that often leads to even more serious illness and heavy medical bills.

Like so many of you, I have heard heartbreaking stories from Missouri seniors living on limited incomes who are forced to choose between the medicines they need and their ability to buy food or pay their rent or utility bills.

What a terrible dilemma.

And all I can say is: shame on us...shame on us for allowing that to go on in this state and this country.

Prescription drug relief for seniors is one of my highest priorities this year.

And I want...in fact...I need for it to be one of yours, too.

Under my plan, no eligible senior will pay more than \$1,500 a person or \$3,000 a family for their prescription drugs in any one year.

In addition, those seniors and those disabled Missourians on Medicare or Supplemental Security Income who do not already have insurance coverage for prescriptions will be able to buy their medicines at reduced rates—up to 20 percent less than they are currently paying.

Because of these actions, we will be able to phase out our present prescription drug tax credit, which has failed to help those seniors who most need our assistance because of catastrophic health care costs.

The second piece of my Healthy Families Initiative tackles our problem of providing health care access to all Missourians.

Over 90 percent of our counties are designated as shortage areas for health care professionals.

At the same time, many of our medical facilities that treat uninsured Missourians are facing budget cuts that may force them to reduce medical services to the poor.

I want to see us maintain a health care system that provides continued health care access for low-income adults, guarantees hospital care for the uninsured, increases medical education payments to teaching hospitals so they can afford the cost of training doctors and nurses, and establishes grants for rural and hospital-based clinics so they can continue to help the uninsured.

I believe we need recruitment incentives so primary care doctors and dentists will take their practices into the underserved areas of our state.

We will also establish a telehealth center at the University of Missouri-Columbia School of Medicine so patients and providers can interact with health care professionals miles away and medical training is available to doctors in isolated areas of the state.

Another part of our tobacco settlement money must be spent on programs that prevent smoking.

While we already provide resources to prevent tobacco use, our state still ranks fifth in the nation in the percentage of adults who do smoke.

Almost a third of our high school students smoke.

With those statistics, it probably doesn't surprise you that our state ranks well above average in diseases related to smoking—heart disease, cancer, and other diseases.

Obviously, our efforts are not working.

While we are investing a great deal of money in anti-smoking activities, those activities are scattered.

We must bring coordination to this process and focus our existing resources as well as bolster what we are currently doing with a substantial new investment in preventing our citizens from taking up this addictive and harmful habit.

I want to invest in a comprehensive tobacco prevention plan that has proven effective in other states to help communities develop their own anti-smoking education programs and to fund a statewide media campaign against smoking.

One area that holds exciting promise for both the future health of Missouri citizens and our economy is the life sciences.

Missouri has the opportunity to be a leader in this field.

We must seize this opportunity by investing in research at our public institutions.

From what I have already seen across our state, I am convinced the life sciences will lead us to tremendous advancements in the prevention and treatment of diseases such as cancer, arthritis, diabetes, and AIDS.

A perfect example of what I am talking about is one of our guests today, Dr. Michael DeBaun, who serves as Assistant Professor of Pediatrics at Washington University and a clinical director at St. Louis Children's Hospital.

Dr. DeBaun has been conducting clinical research on sickle cell disease and the children who suffer strokes that go undetected as a result of this disease.

He's studying how to best identify children who have suffered one of these strokes and what kind of educational rehabilitation can be done to help them catch up at school.

The research Dr. DeBaun is doing will make a difference in the lives of countless children in the future.

Dr. DeBaun, would you please stand so we can recognize you for the fine work you are doing.

Another way we are improving the quality of life for our citizens through the life sciences is by targeting environmental pollution and improving the way we treat our drinking water and our industrial and hazardous waste.

I also want Missouri's life science corridor to extend throughout the fields and pastures of our state.

Agriculture has always been the foundation of our state's economy, and it can strengthen our future as well.

If we take the opportunity, our corn and beans can provide us with immunity from disease, and fuel our vehicles, and nourish our families.

Milk from our dairy industry can do more than just build strong bones.

It can become a new source for insulin and other new medical treatments.

I want to link the scientist with the farmer through our life science advancements and our Department of Agriculture.

Life science possibilities can provide new opportunities for our next generation of family farmers.

Our potential for new foods and new uses for food products are endless through life science research.

At the same time, the life sciences will strengthen our economy through the high wage jobs and industry growth they create.

Studies have demonstrated that the return on our investment in life science health research is more than 15 to 1.

I believe investing a part of the tobacco settlement in the life sciences is critical to ensuring Missouri's ability to compete in a new century and guarantee continued economic growth for all Missourians.

The last portion of our tobacco settlement money should be spent on giving more Missouri children a healthy start in life.

Lori and I know the value of our state's nationally recognized early childhood program, Parents As Teachers, because we've been participants with our two boys, Robert and John D.

Through Parents As Teachers and other community-based initiatives, families learn the value of good preventive health care choices for their children and can guide them toward healthy lifestyle choices and success in school.

Unfortunately, at the present time, much of our early childhood efforts are not reaching those who need it most—our at-risk children in low-income families.

They deserve a healthy start in life.

I want to commit part of our tobacco settlement money to reach out to these at-risk families so they can have the same opportunities for success as so many other Missouri families.

Next week I will issue an executive order establishing the Healthy Families Trust Fund.

All tobacco settlement money will be placed in this fund so we can keep track of how much is being used for each part of our initiative—prescription drug costs, health care access, anti-smoking programs, life sciences, and early childhood care.

In this way, we will have the accountability in place to assure the taxpayers that all the tobacco money is going to the areas I have identified.

HEALTHY WOMEN

Another segment of our population that deserves the opportunity for better health care is Missouri women.

While most of our state HMO health care plans allow complete access to family doctors and pediatricians, women have problems getting direct access to their OB/GYNs.

Our current law only requires health care plans to cover one annual visit without a referral.

I want to see us change the law so women can have access to their OB/GYNs whenever it is medically appropriate for important procedures.

I also believe it's critical that Missouri women are notified annually about covered services such as Pap tests and mammograms and that they have access to the best available cancer screenings such as the ThinPrep Pap test, which reduces the need for repeat testing.

According to the American Cancer Society, 3,700 Missouri women will be diagnosed with breast cancer this year, and 800 of them will die.

Three hundred women will test positive for cervical cancer.

Eighty percent of the women who die from cervical cancer had not had a pap test in at least five years.

Too many of us know too many women...wives, daughters, sisters, mothers, and grandmothers...who have suffered, or even worse, lost their lives because of these deadly diseases.

Early detection is the best way to ensure survival.

By requiring annual notification of cancer screenings that are covered by health care plans and calling for expanded access, we can greatly improve the quality of life and health of women in the state of Missouri.

One more reminder or one extra doctor's visit can make a difference. Let's make that difference.

TRANSPORTATION

When we talk about missed opportunities in Missouri, the prime example is transportation.

Transportation is an issue that touches every citizen in our state—young or old, urban or rural, Democrat or Republican.

And it holds such rich potential for Missouri.

We have a prime geographic location, the two largest inland waterways, two international airports, the second largest rail center in the nation, and we hold a key position in the I-35 corridor that links us to important trade partners.

We have the potential to be a significant international hub in the 21st century.

Yet sadly, transportation has been neglected for too long—to the detriment of the personal safety of our citizens and our economy.

One-third of our bridges need improvement or replacement.

Five thousand miles of our roads and 5,700 intersections need safety improvements.

Our transit system is in jeopardy.

And we are unable to furnish the assistance we need for rail, air, or ports.

All of these deficiencies are impeding our ability to compete in this 21st century economy.

In the case of our highway system, what is even more staggering is the human cost.

One person is injured every 6.7 minutes on our roadways and bridges.

Three Missourians are killed every day.

And each of them is much more than a number.

They are a neighbor...a family member...a friend.

We will miss them and always wonder why they were taken from us so senselessly.

One of those Missourians was a 17-year-old girl—Kristin Nicole Hendrickson.

Just three months before graduation, through no fault of her own, she never got to walk up the aisle to get her diploma.

Her prom dress hung in the closet unworn.

She never read her college acceptance letter.

Because Kristin died on a two-lane stretch of Highway 61 between Canton and LaGrange when a pickup truck tried to pass another car and hit her head-on.

So many people have lost their lives on that stretch of road that it has become known as “Death Alley.”

But because of Kristin’s classmates at Canton High School, something tragic also became something inspiring.

These young people started a grassroots movement called SMART—Students of Missouri Assisting Rural Transportation.

They wrote letters, gathered petition signatures, lobbied legislators, and even testified at a Missouri Highway and Transportation Commission meeting to make a safer four-lane highway on this stretch of road a priority.

Because of their efforts, a project to widen this section of Highway 61 is now a high priority of our Transportation Department.

But the young people of SMART have not stopped there.

They are trying to organize SMART chapters all over Missouri, working to improve our state transportation system for all Missourians.

I just visited with these wonderful young people last week in my office, and they told me about their friend Kristin.

Please join me in welcoming these unbelievably committed young people and Kristin's parents, Bill and Julie Hendrickson, who are showing all of us how to get things done.

So the real question is: if this group of young people can get done what needs to get done, why can't we?

We have put off fixing our transportation system for too long because the cure was expensive...because we couldn't agree on what to do...and because no one was willing to take the lead on a solution.

I am prepared to take that lead.

It is time for us to stop looking backward and placing blame for prior mistakes and inaction.

The longer we wait, the worse our situation becomes.

It's time we come together as one Missouri.

Let us come together this session to develop a transportation system that will keep our citizens safe and spur economic growth in the 21st century.

And we must insist on accountability.

We have to give the public the confidence that every dollar they're spending on transportation is spent wisely and efficiently, and we're getting the full benefit of those dollars.

Don't let anyone tell us we can't get this done.

This is our time.

This is our responsibility.

We must act.

.08 BLOOD ALCOHOL CONTENT

Poor road conditions are not the only reason we lose lives on our highways in Missouri.

Drunk drivers are another major cause.

Almost two out of every five Americans will be involved in an alcohol-related crash at some point in their lives.

Right now, in Missouri, the blood alcohol content for being arrested as a drunk driver is .10, even though all the evidence shows that a driver is substantially impaired at the .08 level.

An analysis of the first five states that lowered the blood alcohol limit to .08 revealed significant decreases in fatal crashes related to alcohol in four out of the five.

The tremendous toll in human life and suffering our higher blood alcohol content law is causing should be more than sufficient reason to lower the legal limit.

And federal authorities are also sending us a signal of how important they feel this issue is.

We are losing federal incentive money for our highways by not adopting .08.

We would be receiving an additional three million dollars every year now.

If we don't pass a .08 law by October 1, 2003, we will be paying a sanction in the neighborhood of \$8 million—a penalty that increases to \$32 million in 2007 if we still haven't passed the bill.

Let's make it happen this year.

DOMESTIC VIOLENCE

Another safety issue that demands our attention this legislative session is the silent sickness of our society known as domestic violence.

For too long, much of this abuse has been kept hushed up behind locked doors because women are afraid to report it.

Some feel some misguided sense of shame as if they have asked to be battered.

Or they simply don't know where to turn.

Only one in seven battered women call the police for help.

And the effect of this abuse is even more devastating on the children in these families.

They often suffer extreme mental stress and grow up to become abusers themselves.

Even though the late Mel Carnahan was the first governor to propose significant funding to fight domestic violence, we still have much left to do.

Only 46 of our state's 114 counties have domestic violence centers and support for battered women and their children.

What is truly shocking about the situation is the number of women and children turned away.

In 1999, nearly 5,000 Missouri women and children who sought shelter from abuse were told there was just no room.

That is why, even in this difficult budget period, I strongly recommend an additional \$3 million for local domestic violence shelters next fiscal year.

In many places where shelter assistance is available, the support is excellent.

One good example is Rose Brooks Center in Kansas City.

The current shelter only houses 50 people.

But when the new Center opens in August, 75 women and children will have a safe haven from abuse.

Rose Brooks clearly illustrates what can be accomplished when we work together.

Public funding at the state and federal level combined with private funding sources made this new facility possible.

Please help me recognize the Executive Director of Rose Brooks, Susan Miller.

I will be appointing a special task force on domestic violence in the next few weeks to conduct the first ever inventory of our state's funding and resources to deal with domestic violence.

This task force will also develop a strategic action plan for how we can coordinate and integrate our approach to domestic violence, based on needs and priorities.

Because of her extensive experience in this field, I have asked Susan if she would agree to serve as the first member of this task force when it is appointed, and she has accepted.

MORE EFFICIENT GOVERNMENT

If we are to fully realize the opportunities that this new century will bring, we must continue to make our state government more efficient and effective.

Business continually finds new and better ways to serve their customers, and I want Missouri government to do the same.

We must improve the services we provide to our citizens.

To do this, we need to set the priorities we want to achieve, measure our success in meeting those priorities, and use this information to drive decisions that will bring us greater success.

We've already seen some great examples of how this can work.

In our Department of Revenue, state employees worked on evaluating the cost of red tape in their agency and then made it a priority to cut costs.

Because of those efforts, they created simpler tax forms, promoted the electronic filing of tax returns, and now thanks to legislative approval, offer two-year automobile registration, saving our taxpayers millions of hours of time and a great deal of money.

I want to use this model to look at the total cost of state government.

With our tight budget, I want to make certain every tax dollar is working for the taxpayers.

I want to find ways we can take the hassle out of dealing with state agencies.

I want to see us combine overlapping programs, employ cutting edge technology, and do more with less.

CONCLUSION

Before I joined you this morning, I was with some young students from around the state, including my hometown of Birch Tree.

We weren't physically in the same place, but the wonders of modern technology brought us together for an electronic dialogue.

Because of such amazing advancements, our students in rural areas no longer have to hope the world's knowledge and experiences will come to them.

They can go out and find that knowledge and experience on-line.

So much has changed for the better since I took that first mile and a half walk to a one-room schoolhouse.

But all that progress has been possible because of one constant that will never change—the imagination and hard work of Missouri's people.

Their dreams and labors have brought us far in the last century.

And they can take us even farther in this new century if we work together, as a Governor and a legislature, to do what is right for them with our actions...if we give them the opportunity to fulfill their potential.

Over the last few years, the wise decisions made by many of you here today have provided those opportunities.

Now, in this time of challenge, we must make tough choices to ensure Missouri continues to head in the right direction.

Those choices carry no partisan label.

They must only pass one simple test.

Are these actions right for Missouri?

What is right for Missouri this year means improving our schools...helping our seniors deal with the soaring cost of prescription drugs...making certain our fiscal house is in order.

We must work together to meet those commitments.

I realize that's not as easy as it sounds.

After all, I've sat where you're sitting—right there in seat 76 for six years.

But I will tell you one thing that helped me during those hours of spirited debate.

Whenever the discussion would become heated...the issue would be extremely complicated...or I would feel discouraged, there would always be a moment when I would look straight ahead at this dais.

And there, emblazoned in gold letters, I would see what you see today...what countless people that have been given this sacred trust have seen from their first day in this hallowed chamber—"Let the welfare of the people be the supreme law."

Those ten words are our guide.

They are our responsibility.

They are our vision.

They are why we are here.

In the spirit of bipartisanship and our mutual love for Missouri, let us honor them with our actions in the weeks...the months...the years to come.

Thank you.

The Joint Session was dissolved by Lieutenant Governor Maxwell.

Speaker Kreider resumed the Chair.

MOTION

Representative Crump moved that the Chief Clerk deliver the following message to the Senate today, January 30, 2001.

Mr. President: I am instructed by the House to inform the Senate that the House may take up Senate Substitute for Senate Concurrent Resolution No. 2 relating to recommendations of the Citizens' Commission on Compensation for Elected Officials in its morning session on Wednesday, January 31, 2001, and requests the Senate, in view of the deadline imposed by Article XIII, Section 3 of the Missouri Constitution, to take into account the possibility of House action on the resolution and the possibility of the need for further Senate action on the resolution in scheduling the Senate's business for Wednesday, January 31, 2001.

Which motion was adopted.

COMMITTEE REPORT

Committee on Rules, Joint Rules, and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules, and Bills Perfected and Printed, to which was referred **SS SCR 2**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

House Committee Substitute
for
Senate Substitute
for
Senate Concurrent Resolution No. 2

Rejecting the recommendation of the Citizen's Commission on Compensation
for Elected Officials.

WHEREAS, the voters of Missouri approved a constitutional amendment in 1994 which created a commission charged with setting the amount of compensation paid to statewide elected officials, legislators and judges; and

WHEREAS, the General Assembly may disapprove the recommendation by a concurrent resolution approved by both the Senate and the House before February 1, 2001:

NOW, THEREFORE, BE IT RESOLVED by the members of the Senate of the Ninety-first General Assembly, First Regular Session, the House of Representatives concurring therein, that the recommendations of the Missouri Citizen's Commission on Compensation for Elected Officials be disapproved; and

BE IT FURTHER RESOLVED that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 12, introduced by Representative Haywood, et al, requesting the United States Congress to consider establishing a strong remedial federal energy policy that delegates emergency powers to individual states.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 578, introduced by Representative Luetkenhaus, relating to ambulance districts.

HB 579, introduced by Representatives Luetkemeyer and Secrest, et al, relating to S corporations.

HB 580, introduced by Representatives Hohulin and Kreider, et al, relating to open burning on agricultural land.

HB 581, introduced by Representatives Kreider, Ridgeway, Myers, Carnahan, Lograsso, Black, Crump and Legan, et al, relating to the farmland protection act.

HB 582, introduced by Representatives Bartle and Hosmer, relating to the crime of stalking.

HB 583, introduced by Representatives Bartle and Kelley (47), relating to terms and conditions of probation.

HB 584, introduced by Representatives Bartle and Kelley (47), relating to the establishment of the Missouri tobacco settlement trust fund.

HB 585, introduced by Representative Holt, et al, relating to the timely payment of certain funds associated with tax increment financing.

HB 586, introduced by Representative Wagner, relating to department of labor and industrial relations.

HB 587, introduced by Representatives Wagner, Hosmer and Bartelsmeyer, relating to restrictions on child labor.

HB 588, introduced by Representatives Rizzo and Harlan, et al, relating to chiropractors.

WITHDRAWAL OF HOUSE CONCURRENT RESOLUTION

January 30, 2001

The Honorable Jim Kreider
Speaker, House of Representatives
State Capitol, Room 308
Jefferson City, MO 65101

Dear Speaker Kreider:

I respectfully request that **House Concurrent Resolution 11** be withdrawn. Thank you for your attention to this matter.

Sincerely,

/s/ Esther Hill Haywood

The following members' presence was noted: Reynolds, Gambaro, Kelley (47) and Scott.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, January 31, 2001.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Sixteenth Day, Monday, January 29, 2001, pages 217 and 218, roll call, by showing Representative Richardson voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, January 31, 2001, 3:00 pm. Hearing Room 7.

To be considered - HB 130, HB 219

APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY

Wednesday, January 31, 2001, 8:30 am. Hearing Room 1.

Public testimony Department of Corrections. AMENDED NOTICE.

APPROPRIATIONS - EDUCATION

Wednesday, January 31, 2001. Hearing Room 1 upon adjournment.

Community Colleges. Public testimony for Higher Education.

APPROPRIATIONS - EDUCATION

Thursday, February 1, 2001. Hearing Room 1 upon adjournment.

Public testimony for Department of Elementary and Secondary Education.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 31, 2001. Hearing Room 7 upon adjournment.

Elected Officials.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, January 31, 2001. Hearing Room 6 upon adjournment.

Public testimony regarding the Departments of Health and Mental Health.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Monday, February 5, 2001, 12:00 pm. Hearing Room 5.

Department of Agriculture, Department of Conservation.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, February 6, 2001. Hearing Room 5 upon morning adjournment.

Department of Economic Development.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, February 7, 2001. Hearing Room 5 upon morning adjournment.

Department of Natural Resources.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Thursday, February 8, 2001. Hearing Room 5 upon morning adjournment.

Department of Insurance, Department of Labor and Industrial Relations.

APPROPRIATIONS - SOCIAL SERVICES

Wednesday, January 31, 2001, 8:00 am. Hearing Room 3.
Committee also meeting upon adjournment.
Public testimony Department of Social Services.

APPROPRIATIONS - TRANSPORTATION

Thursday, February 1, 2001.
Upon adjournment site visits to MoDOT facilities.
Headquarters, 105 W. Capitol Ave.
Training facility, 601 W. Main St.

BUDGET

Wednesday, January 31, 2001, 7:00 pm. Hearing Room 3.
Budget overview presentation.

CIVIL AND ADMINISTRATIVE LAW

Wednesday, January 31, 2001, 3:00 pm. Hearing Room 1. AMENDED NOTICE.
To be considered - HB 143, HB 161, HB 193, HB 220, HB 222

CONSERVATION, STATE PARKS AND MINING

Wednesday, January 31, 2001, 3:00 pm. Hearing Room 2.
Organizational meeting.
To be considered - HB 184

CRIMINAL LAW

Wednesday, January 31, 2001, 8:00 pm. Hearing Room 7
To be considered - HB 46, HB 89, HB 144, HB 149, HB 209

EDUCATION - HIGHER

Wednesday, January 31, 2001, 3:00 pm. Hearing Room 5.
To be considered - HB 26, HB 166, HB 192, HB 194

INTERIM COMMITTEE ON WATER-RELATED ISSUES

Wednesday, January 31, 2001, 1:00 pm. Room 303-A
Informal informational meeting to discuss final composition of the Committee Report.

MUNICIPAL CORPORATIONS

Wednesday, January 31, 2001, 3:00 pm. Hearing Room 4.
To be considered - HB 82, HB 133

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, January 31, 2001, 5:00 pm. Hearing Room 5. REVISED.
To be considered - HB 66, HB 78, HB 105, HB 243, HB 245, HB 267

TRANSPORTATION

Wednesday, January 31, 2001, 3:00 pm. Hearing Room 6.

To be considered - HB 71, HB 196, HJR 7

URBAN AFFAIRS

Tuesday, February 6, 2001, 7:00 pm. Hearing Room 1.

To be considered - HB 60

UTILITIES REGULATION

Thursday, February 1, 2001, 8:30 am. Hearing Room 6.

State of the Public Service Commission.

Speaker Chair Shelia Lumpe.

HOUSE CALENDAR

EIGHTEENTH DAY, WEDNESDAY, JANUARY 31, 2001

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 12

HOUSE BILLS FOR SECOND READING

HB 578 through HB 588

SENATE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING

HCS SS SCR 2, (1-30-01) - Crump

HOUSE RESOLUTION

HR 182, HCA 1, (1-29-01) - Clayton

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

EIGHTEENTH DAY, WEDNESDAY, JANUARY 31, 2001

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

Almighty God, You are the creator. Recreate us afresh this morning. Help this day be for us one of renewal, one of fulfillment of promises, one of rededication to You and all our brothers and sisters across this beautiful state.

If our work is for each other, then it is also in You. If our day is in You, then it will work for each other. In Your creative genius rebuild us, time and time again, in our failures, which You make right, and in our successes, in which You glory. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the seventeenth day was approved as corrected.

RESOLUTION

Representative Murphy offered House Resolution No. 200.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 193 - Representative Wilson (42), et al

House Resolution No. 194 - Representative Scheve

House Resolution No. 195 - Representative Cooper

House Resolution No. 196

and

House Resolution No. 197 - Representative Miller

House Resolution No. 198 - Representative Clayton

House Resolution No. 199 - Representative Enz

House Resolution No. 201 - Representative Barnitz

House Resolution No. 202

and

House Resolution No. 203 - Representative Kreider

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 12 was read the second time.

SECOND READING OF HOUSE BILLS

HB 578 through **HB 588** were read the second time.

ADOPTION AND THIRD READING OF SENATE CONCURRENT RESOLUTION

HCS SS SCR 2, relating to the Citizen's Commission on Compensation for Elected Officials, was taken up by Representative Crump.

On motion of Representative Crump, **HCS SS SCR 2** was adopted by the following vote:

AYES: 147

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Davis	Dempsey	Dolan	Dougherty	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Klindt	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Secrest	Seigfreid	Selby	Shields	Shoemyer
Smith	St. Onge	Surface	Thompson	Townley
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wright	Mr. Speaker			

NOES: 008

Curls	Ford	Hagan-Harrell	Shelton	Skaggs
Treadway	Troupe	Wilson 42		

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 006

Kelley 47	Long	Nordwald	Patek	Reynolds
Scott				

VACANCIES: 001

On motion of Representative Crump, **HCS SS SCR 2** was read the third time and passed by the following vote:

AYES: 144

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dougherty
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hilgemann	Hohulin
Holand	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Klindt
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Secrest	Seigfreid	Selby
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Mr. Speaker	

NOES: 005

Ford	Hagan-Harrell	Shelton	Treadway	Troupe
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PRESENT: 000

ABSENT WITH LEAVE: 013

Dolan	Gambaro	Hickey	Hollingsworth	Kelley 47
Long	Nordwald	Patek	Reid	Reynolds
Scott	Wilson 42	Wright		

VACANCIES: 001

Speaker Kreider declared the bill passed.

On motion of Representative Boucher, title to the bill was agreed to.

Representative Boykins moved that the vote by which the bill passed be reconsidered.

Representative Bray moved that motion lay on the table.

The latter motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to instruct the House of Representatives that the Senate may take up any House action on **Senate Substitute** for **Senate Concurrent Resolution No. 2** relating to recommendations of the Citizen's Commission on Compensation for Elected Officials in its afternoon session on Wednesday, January 31, 2001, and requests the House, in view of the deadline imposed by Article XIII, Section 3 of the Missouri Constitution, to take into account the possibility of Senate action in response to House action on the resolution and the possibility of the need for further House action on the resolution in scheduling the House's business for Wednesday, January 31, 2001.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were read the first time and copies ordered printed:

HCR 13, introduced by Representative Shoemyer, et al, relating to the Southern Dairy Compact.

HCR 14, introduced by Representative Koller, relating to the Railroad Retirement and Survivors Improvement Act.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 12, introduced by Representatives Seigfreid, Davis, Relford and Selby, relating to the Citizen's Commission on Compensation.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 589, introduced by Representatives Monaco and Bonner, relating to joint bank accounts.

HB 590, introduced by Representative Graham, relating to tax relief for small employers.

HB 591, introduced by Representative Ladd Baker, relating to older adults publication.

HB 592, introduced by Representatives Williams, Crawford, Levin and Shelton, relating to a multicultural program and committee within the office of the lieutenant governor.

HB 593, introduced by Representative Riback Wilson (25), et al, relating to insurance coverage for mental health or chemical dependency services.

HB 594, introduced by Representatives Kennedy and Hegeman, relating to sales tax on telecommunications services.

HB 595, introduced by Representatives Kennedy and Gambaro, relating to site assessments for certain real property.

HB 596, introduced by Representatives Kennedy and Gambaro, relating to certain governmental authorities in cities not within a county.

HB 597, introduced by Representatives Lawson, Wiggins, Berkowitz, Black, Merideth, Myers, King and Hegeman, et al, relating to weights and measures.

HB 598, introduced by Representatives Shelton and Hilgemann, relating to incentives for special education teachers.

HB 599, introduced by Representatives Green (73), Hanaway, Haywood, Fraser, Reid, Hollingsworth, McKenna and George, et al, relating to tax increment financing.

HB 600, introduced by Representatives Hosmer and Marsh, to authorize the conveyance of certain property between the board of governors of Southwest Missouri State University and the Southwest Missouri Ecumenical Center.

HB 601, introduced by Representatives Reid and Shoemyer, relating to disease control for elk.

HB 602, introduced by Representatives Kelly (27) and Lawson, relating to firefighter retirement plans.

HB 603, introduced by Representatives Hilgemann, Berkowitz, Kelly (27), Lawson, Hosmer, Coleman and Johnson (61), et al, relating to the division of aging.

HB 604, introduced by Representatives Hilgemann, Shelton, Davis, Campbell, Kelly (27), Franklin, Abel, Ostmann and Fraser, et al, relating to the character education grant program and fund.

HB 605, introduced by Representatives McKenna, Wagner, Abel, O'Toole and Myers, et al, relating to driver's licenses.

HB 606, introduced by Representatives Kennedy, Smith, Crawford, Reynolds and Hoppe, relating to county recorders of deeds.

HB 607, introduced by Representatives Treadway, Johnson (90), Holand and Richardson, relating to dental services.

HB 608, introduced by Representative Gambaro, relating to the qualification and conditions of service of members of the St. Louis police department.

HB 609, introduced by Representatives Gratz and Richardson, relating to rulemaking authority of the department of natural resources and commissions housed therein.

HB 610, introduced by Representatives Bray and Fraser, et al, relating to certain health care benefits.

HB 611, introduced by Representatives Wiggins, Shoemyer, Berkstresser and Ransdall, et al, relating to assessment of real property.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Hosmer is no longer a member of the Appropriations-Transportation Committee.

Representative Burton is no longer a member of the Banks and Financial Institutions Committee.

Representative Ross is no longer a member of the Children, Families and Health Committee.

Representative Klindt is no longer a member of the Education-Higher Committee.

Representative Murphy is no longer a member of the Local Government and Related Matters Committee.

Representative Surface is no longer a member of the Public Safety, Law Enforcement and Veteran Affairs Committee.

Representative Johnson (61) is no longer a member of the Social Services, Medicaid and the Elderly Committee.

Representative Luetkemeyer is no longer a member of the Budget Committee.

Representative Townley has been appointed a member of the Agriculture Committee.

Representative Clayton has been appointed a member of the Appropriations-Transportation Committee.

Representative Surface has been appointed a member of the Banks and Financial Institutions Committee.

Representative Burton has been appointed a member of the Budget Committee.

Representative Linton has been appointed a member of the Budget Committee.

Representative Reid has been appointed a member of the Children, Families and Health Committee.

Representative Bearden has been appointed a member of the Education-Higher Committee.

Representative Behnen has been appointed a member of the Education-Higher Committee.

Representative Clayton has been appointed a member of the Judiciary Committee.

Representative Hohulin has been appointed a member of the Local Government and Related Matters Committee.

Representative Gaskill has been appointed a member of the Miscellaneous Bills & Resolutions Committee.

Representative Nordwald has been appointed a member of the Miscellaneous Bills & Resolutions Committee.

Representative Ostmann has been appointed a member of the Miscellaneous Bills & Resolutions Committee.

Representative Barnett has been appointed a member of the Motor Vehicle and Traffic Regulations Committee.

Representative Kelly (144) has been appointed a member of the Motor Vehicle and Traffic Regulations Committee.

Representative Ostmann has been appointed a member of the Motor Vehicle and Traffic Regulations Committee.

Representative Dempsey has been appointed a member of the Municipal Corporations Committee.

Representative Reinhart has been appointed a member of the Public Safety, Law Enforcement and Veteran Affairs Committee.

Representative Lawson has been appointed a member of the Tourism, Recreation and Cultural Affairs Committee.

Representative Hunter has been appointed a member of the Transportation Committee.

Representative Byrd has been appointed a member of the Utilities Regulation Committee.

Representative Bartelsmeyer has been appointed a member of the Workers Compensation and Employment Security Committee.

Representative Cunningham has been appointed a member of the Workers Compensation and Employment Security Committee.

Representative Portwood has been appointed a member of the Workers Compensation and Employment Security Committee.

Representative Linton has been appointed a member of the Missouri Job Training Joint Legislative Oversight Committee.

Representative George has been appointed Chairman of the Missouri Job Training Joint Legislative Oversight Committee.

Representative Hickey has been appointed a member of the Missouri Job Training Joint Legislative Oversight Committee.

LETTERS OF RESIGNATION

January 31, 2001

The Honorable Jim Kreider
Speaker of the House of Representatives
Room 308, State Capitol Building
Jefferson City, MO 65101

Dear Mr. Speaker:

I am resigning my position as Representative for the 67th St. Louis District effective upon swearing-in today as Senator of the 4th St. Louis District. It has been my honor to serve in the House of Representatives for going on 23 years. Thank you!

Sincerely,

/s/ Pat Dougherty

January 31, 2001

The Honorable James Kreider
Speaker of the House of Representatives
Room 308
State Capitol
Jefferson City, Missouri 65101

Dear Honorable Speaker Kreider:

I hereby on this 31st day of January 2001, announce my resignation from the Missouri House of Representatives, District 3 effective at 2:00 p.m. I will proudly take the oath to serve the people of Missouri's 12th District in the Missouri Senate.

Sincerely,

/s/ David Klindt
State Representative
District 3

WITHDRAWAL OF HOUSE BILLS

January 31, 2001

The Honorable Jim Kreider
Speaker of the House
Room 308, State Capitol
Jefferson City, MO 65101

Dear Speaker Kreider:

I respectfully request that **House Bill 310** be withdrawn. Thank you for your attention to this matter.

Sincerely,

/s/ Cindy Ostmann

January 31, 2001

Ted Wedel, Chief Clerk
Missouri House of Representatives
State Capitol Building
Jefferson City, MO 65101

Dear Mr. Wedel:

I respectfully request that **House Bill No. 47** be withdrawn. Your attention to this matter is greatly appreciated.

Sincerely,

/s/ Randall Relford
Sixth District

The following member's presence was noted: Reynolds.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, February 1, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Seventeenth Day, Tuesday, January 30, 2001, pages 238 and 239, roll call, by showing Representative Williams voting "aye" rather than "absent with leave".

Pages 241 and 242, roll call, by showing Representatives Copenhaver, Levin and Portwood voting "aye" rather than "absent with leave".

Pages 243 and 244, roll call, by showing Representatives Crawford and Ostmann voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION

Thursday, February 1, 2001. Hearing Room 1 upon adjournment.
Public testimony for Department Of Elementary and Secondary Education.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, February 5, 2001, 1:00 pm. Hearing Room 7.
Department of Revenue.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 6, 2001. Hearing Room 7 upon adjournment.
Public Debt and Office of Administration.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 7, 2001. Hearing Room 7 upon adjournment.
Public Defender, Judiciary and Attorney General.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Thursday, February 1, 2001. Hearing Room 6 upon adjournment.
Brief work session.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Monday, February 5, 2001, 12:00 pm. Hearing Room 5.
Department of Agriculture, Department of Conservation.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, February 6, 2001. Hearing Room 5 upon morning adjournment.
Department of Economic Development.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, February 7, 2001. Hearing Room 5 upon morning adjournment.
Department of Natural Resources.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Thursday, February 8, 2001. Hearing Room 5 upon morning adjournment.
Department of Insurance, Department of Labor and Industrial Relations.

APPROPRIATIONS - TRANSPORTATION

Thursday, February 1, 2001. Upon adjournment site visits to MoDOT facilities.
Headquarters, 105 W. Capitol Ave.
Training facility, 601 W. Main St.

BUDGET

Tuesday, February 6, 2001, 3:00 pm. Hearing Room 3.
Supplemental appropriations.

BUDGET

Wednesday, February 7, 2001, 3:00 pm. Hearing Room 3.
Supplemental appropriations.
Possible Executive Session to follow.

CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING

Monday, February 5, 2001, 7:30 pm. Hearing Room 3.
To be considered - HB 88, HB 294, HB 328

JUDICIARY

Tuesday, February 6, 2001, 3:00 pm. Hearing Room 5.
To be considered - HB 53, HB 76, HB 141, HB 183

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Tuesday, February 6, 2001, 8:00 am. Hearing Room 6.
Executive Session may follow.
To be considered - HB 163, HB 203, HB 207, HB 244, HB 253

SUBCOMMITTEE ON SOCIAL SERVICES, MEDICAID, AND THE ELDERLY

Monday, February 5, 2001. Hearing Room 4 upon adjournment.
TANF time limits.

URBAN AFFAIRS

Tuesday, February 6, 2001, 7:00 pm. Hearing Room 1.

To be considered - HB 60

UTILITIES REGULATION

Thursday, February 1, 2001, 8:30 am. Hearing Room 6.

State of the Public Service Commission.

Speaker Chair Shelia Lumpe.

HOUSE CALENDAR

NINETEENTH DAY, THURSDAY, FEBRUARY 1, 2001

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 13 and HCR 14

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 12

HOUSE BILLS FOR SECOND READING

HB 589 through HB 611

HOUSE RESOLUTION

HR 182, HCA 1, (1-29-01, pgs. 223-228) - Clayton

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

NINETEENTH DAY, THURSDAY, FEBRUARY 1, 2001

Speaker Pro Tem Abel in the Chair.

Prayer by Father David Buescher.

Gracious God, we begin a new month today. It may be the shortest month of the year, but it is one which will make many demands on these representatives. Give them the gift of deep leadership this day and this month. Offer them the power of that profound sense of responsibility, which leads by justice, indeed, but also by compassion.

May they have the stick-to-it-iveness that will handle not only the ideas, but also the details. And, perhaps most importantly, give them joy and delight in their work, the deep happiness which erupts from the inner knowledge that we do Your work and build Your world. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the eighteenth day was approved as corrected by the following vote:

AYES:152

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	O'Connor	O'Toole	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge

Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 001

Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 007

Kelley 47	Long	Nordwald	Ostmann	Patek
Scott	Surface			

VACANCIES: 003

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 204 - Representative Townley
House Resolution No. 205 - Representative Relford
House Resolution No. 206 - Representative Mayer
House Resolution No. 207 - Representative Miller
House Resolution No. 208
and
House Resolution No. 209 - Representative Harding
House Resolution No. 210 - Representative Barry
House Resolution No. 211
through
House Resolution No. 216 - Representative Crowell
House Resolution No. 217 - Representative Riback Wilson (25), et al
House Resolution No. 218 - Representative Berkowitz
House Resolution No. 219 - Representative Marsh, et al

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 13 and **HCR 14** were read the second time.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 12 was read the second time.

SECOND READING OF HOUSE BILLS

HB 589 through **HB 611** were read the second time.

HOUSE RESOLUTION

HR 182, with House Committee Amendment No. 1, relating to the Committee on Ethics Rules of Procedure, was taken up by Representative Clayton.

On motion of Representative Clayton, **House Committee Amendment No. 1** was adopted.

On motion of Representative Clayton, **HR 182, as amended**, was adopted by the following vote:

AYES: 151

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Secrest	Seigfreid	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 002

Murphy Selby

PRESENT: 000

ABSENT WITH LEAVE: 007

Kelley 47	Long	Nordwald	Patek	Ransdall
Scott	Surface			

VACANCIES: 003

REFERRAL OF HOUSE RESOLUTIONS

The following House Resolutions were referred to the Committee indicated:

- HR 102** - Miscellaneous Bills & Resolutions
- HR 109** - Rules, Joint Rules, and Bills Perfected and Printed
- HR 152** - Miscellaneous Bills & Resolutions
- HR 186** - Miscellaneous Bills & Resolutions
- HR 200** - Miscellaneous Bills & Resolutions

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

- HCR 4** - Critical Issues, Consumer Protection and Housing
- HCR 5** - Utilities Regulation
- HCR 6** - Conservation, State Parks and Mining
- HCR 10** - Education-Elementary and Secondary
- HCR 12** - Utilities Regulation
- HCR 13** - Agriculture
- HCR 14** - Retirement

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

- HJR 10** - Fiscal Review and Government Reform
- HJR 11** - Miscellaneous Bills & Resolutions

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 68** - Criminal Law
- HB 86** - Miscellaneous Bills & Resolutions
- HB 190** - Miscellaneous Bills & Resolutions
- HB 265** - Criminal Law
- HB 301** - Elections
- HB 303** - Local Government and Related Matters
- HB 304** - Local Government and Related Matters
- HB 305** - Education-Elementary and Secondary
- HB 306** - Agriculture
- HB 307** - Agriculture
- HB 308** - Agriculture
- HB 309** - Fiscal Review and Government Reform

- HB 312** - Transportation
- HB 313** - Miscellaneous Bills & Resolutions
- HB 314** - Professional Registration and Licensing
- HB 315** - Fiscal Review and Government Reform
- HB 316** - Local Government and Related Matters
- HB 317** - Children, Families and Health
- HB 318** - Retirement
- HB 319** - Ways and Means
- HB 320** - Public Safety, Law Enforcement and Veteran Affairs
- HB 321** - Urban Affairs
- HB 323** - Conservation, State Parks and Mining
- HB 324** - Criminal Law
- HB 325** - Education-Elementary and Secondary
- HB 326** - Education-Elementary and Secondary
- HB 327** - Commerce and Economic Development
- HB 329** - Social Services, Medicaid and the Elderly
- HB 331** - Judiciary
- HB 332** - Commerce and Economic Development
- HB 333** - Motor Vehicle and Traffic Regulations
- HB 334** - Education-Elementary and Secondary
- HB 336** - Judiciary
- HB 337** - Criminal Law
- HB 338** - Municipal Corporations
- HB 339** - Children, Families and Health
- HB 340** - Local Government and Related Matters
- HB 341** - Insurance
- HB 342** - Judiciary
- HB 343** - Critical Issues, Consumer Protection and Housing
- HB 344** - Ways and Means
- HB 345** - Social Services, Medicaid and the Elderly
- HB 346** - Correctional and State Institutions
- HB 347** - Correctional and State Institutions
- HB 348** - Banks and Financial Institutions
- HB 349** - Criminal Law
- HB 350** - Commerce and Economic Development
- HB 351** - Education-Higher
- HB 352** - Education-Elementary and Secondary
- HB 353** - Civil and Administrative Law
- HB 354** - Criminal Law
- HB 355** - Children, Families and Health
- HB 356** - Utilities Regulation
- HB 357** - Critical Issues, Consumer Protection and Housing
- HB 359** - Ways and Means
- HB 360** - Banks and Financial Institutions
- HB 361** - Correctional and State Institutions

HB 363 - Fiscal Review and Government Reform
HB 364 - Ways and Means
HB 365 - Children, Families and Health
HB 366 - Ways and Means
HB 368 - Public Safety, Law Enforcement and Veteran Affairs
HB 369 - Criminal Law
HB 372 - Criminal Law
HB 373 - Criminal Law
HB 374 - Conservation, State Parks and Mining
HB 375 - Ways and Means
HB 376 - Local Government and Related Matters
HB 377 - Retirement
HB 378 - Criminal Law
HB 380 - Local Government and Related Matters
HB 381 - Local Government and Related Matters
HB 382 - Local Government and Related Matters
HB 383 - Judiciary
HB 384 - Children, Families and Health
HB 385 - Retirement
HB 386 - Retirement
HB 387 - Commerce and Economic Development
HB 388 - Ways and Means
HB 389 - Ways and Means
HB 390 - Ways and Means
HB 391 - Fiscal Review and Government Reform
HB 392 - Social Services, Medicaid and the Elderly
HB 393 - Professional Registration and Licensing
HB 394 - Municipal Corporations
HB 395 - Retirement
HB 396 - Professional Registration and Licensing
HB 397 - Commerce and Economic Development
HB 398 - Local Government and Related Matters
HB 399 - Civil and Administrative Law
HB 400 - Professional Registration and Licensing
HB 421 - Local Government and Related Matters
HB 512 - Social Services, Medicaid and the Elderly

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 215 - Commerce and Economic Development

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 15, introduced by Representative Ostmann, et al, creating a Joint Interim Committee to study suicide prevention.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 612, introduced by Representatives Ladd Baker and Graham, relating to the community first act.

HB 613, introduced by Representative Luetkenhaus, relating to weed control.

HB 614, introduced by Representative Rizzo, relating to vehicular commerce.

HB 615, introduced by Representative Koller, relating to the law enforcement local sales tax.

HB 616, introduced by Representatives Relford, Merideth and Ballard, relating to restrictions on the use of land owned, leased or managed by the conservation commission.

HB 617, introduced by Representatives Gambaro, Foley, Hilgemann and Kennedy, et al, relating to tax credits for community improvement.

HB 618, introduced by Representative Froelker, relating to boundary changes by ambulance districts.

HB 619, introduced by Representative Froelker, relating to gaming activities.

HB 620, introduced by Representative Froelker, relating to reducing medical errors.

HB 621, introduced by Representatives Gratz and Vogel, relating to creating the Missouri state penitentiary redevelopment commission.

HB 622, introduced by Representative Villa, relating to vacation, holidays and off-duty time for members of the police force.

HB 623, introduced by Representative Kreider, relating to transportation bonding.

HB 624, introduced by Representative Villa, relating to taxation for band funds in certain municipalities.

HB 625, introduced by Representatives Treadway and Froelker, relating to national teacher certification incentives.

HB 626, introduced by Representative Hosmer, relating to marriage licenses.

HB 627, introduced by Representative Hendrickson, relating to presidential electors.

HB 628, introduced by Representatives Hendrickson and Murphy, et al, relating to sales tax exemptions.

HB 629, introduced by Representative Boucher, relating to motor vehicle registration tabs.

HB 630, introduced by Representative Riback Wilson (25), relating to the division of mental retardation and developmental disabilities.

HB 631, introduced by Representative Johnson (90), relating to licensure of dietitians.

HB 632, introduced by Representative Ostmann, relating to the invasion of privacy.

HB 633, introduced by Representative Boucher, relating to durable power of attorney.

HB 634, introduced by Representative Scheve, relating to noncompetition clauses for broadcasting industry employees.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SCR 2**, and requests the House recede from its position and failing to do so, grant the Senate a conference thereon.

COMMITTEE ASSIGNMENTS

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Campbell, Marsha - Chair

Britt, Phillip

Byrd, Richard

Ridgeway, Luann

Williams, Deleta

JOINT COMMITTEE ON CAPITOL IMPROVEMENTS

Ford, Louis - Chair

Hegeman, Daniel

Hosmer, Craig

Luetkemeyer, Blaine

JOINT COMMITTEE ON CORRECTIONAL INSTITUTIONS

Hampton, Mark - Chair

Black, Lanie
Burcham, Tom
Kelly, Glenda
Moore, Danie
Relford, Randall

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Clayton, Robert - Chair

Crowell, Jason
Green, Timothy
Hanaway, Catherine
Legan, Ken
Relford, Randall
Shelton, O.L.
Skaggs, Bill
Townley, Merrill

JOINT COMMITTEE ON TRANSPORTATION

Koller, Don - Chair

Bartle, Matt
Bray, Joan
Crawford, Larry
Hollingsworth, Katherine
Ostmann, Cindy
Wiggins, Gary

JOINT COMMITTEE ON ECONOMIC DEVELOPMENT

Gambaro, Derio - Chair

Behnen, Robert
Bowman, John
Champion, Norma
Ransdall, Bill

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Davis, D. J. - Chair

Dempsey, Tom
Hagan-Harrell, Mary
Murphy, Jim
O'Toole, James
Reid, Mike

JOINT COMMITTEE ON WETLANDS

Meredith, Denny - Chair

Barnitz, Frank
Mayer, Robert
Richardson, Mark
Wiggins, Gary

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Scheve is no longer a member of the Appropriations-Social Services Committee.

Representative Van Zandt is no longer a member of the Appropriations-Social Services Committee.

Representative Campbell has been appointed a member of the Appropriations-Social Services Committee.

Representative Foley has been appointed a member of the Appropriations-Social Services Committee.

Representative Van Zandt has been appointed a member of the Appropriations-Health and Mental Health Committee.

Representative Gambaro has been appointed vice-chair of the Miscellaneous Bills & Resolutions Committee.

WITHDRAWAL OF HOUSE BILLS

January 31, 2001

Mr. Ted Wedel
Chief Clerk
House Post Office
Jefferson City, MO 65101

Dear Ted:

Information that has come to me during the last few days has brought me to the decision to withdraw from consideration **HB 367** which I filed recently. Thank you for your assistance in this matter.

Sincerely,

/s/ Norma Champion

February 1, 2001

Mr. Ted Wedel, Chief Clerk
Missouri House Of Representatives
Capitol Building
Jefferson City, MO 65101

Dear Ted:

I respectfully request that **House Bill 586**, relating to the department of labor and industrial relations, be withdrawn.

Thank you for your assistance.

Sincerely,

/s/ Wes Wagner

ADJOURNMENT

On motion of Representative Foley, the House adjourned until 4:00 pm., Monday, February 5, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Eighteenth Day, Wednesday, January 31, 2001, page 267, roll call, by showing Representatives Hickey, Hollingsworth and Wright voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION

Monday, February 5, 2001, 1:00 pm. Hearing Room 1.
House Bill 2.

APPROPRIATIONS - EDUCATION

Tuesday, February 6, 2001. Hearing Room 1 upon adjournment.
House Bills 2 and 3.
Coordinating Board of Higher Education.

APPROPRIATIONS - EDUCATION

Wednesday, February 7, 2001. Hearing Room 1 upon adjournment.
House Bills 2 and 3.

APPROPRIATIONS - EDUCATION

Thursday, February 8, 2001. Hearing Room 1 upon adjournment.
House Bills 2 and 3.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, February 5, 2001, 1:00 pm. Hearing Room 7.
Department of Revenue.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 6, 2001. Hearing Room 7 upon adjournment.
Public Debt and Office of Administration.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 7, 2001. Hearing Room 7 upon adjournment.
Public Defender, Judiciary and Attorney General.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Monday, February 5, 2001, 12:00 pm. Hearing Room 5.
Department of Agriculture, Department of Conservation.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, February 6, 2001. Hearing Room 5 upon morning adjournment.
Department of Economic Development.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, February 7, 2001. Hearing Room 5 upon morning adjournment.
Department of Natural Resources.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Thursday, February 8, 2001. Hearing Room 5 upon morning adjournment.
Department of Insurance, Department of Labor and Industrial Relations.

APPROPRIATIONS - SOCIAL SERVICES

Tuesday, February 6, 2001, 8:00 am. Hearing Room 3.
Department of Social Services.
Hearing will continue upon adjournment.

APPROPRIATIONS - SOCIAL SERVICES

Wednesday, February 7, 2001, 8:00 am. Hearing Room 3.
Department of Social Services.
Hearing will continue upon adjournment.

APPROPRIATIONS - SOCIAL SERVICES

Thursday, February 8, 2001, 8:00 am. Hearing Room 3.
Department of Social Services.
Hearing will continue upon adjournment.

APPROPRIATIONS - TRANSPORTATION

Monday, February 5, 2001, 1:00 pm.
Leave from guard station to MoDOT Materials Laboratory and MoDOT Multi-Modal Unit.

APPROPRIATIONS - TRANSPORTATION

Tuesday, February 6, 2001, 8:00 am. Hearing Room 7.
Presentation by Department of Transportation.

BUDGET

Tuesday, February 6, 2001, 3:00 pm. Hearing Room 3.
Supplemental appropriations.

BUDGET

Wednesday, February 7, 2001, 3:00 pm. Hearing Room 3.
Supplemental appropriations.
Possible Executive Session to follow.

CHILDREN, FAMILIES, AND HEALTH

Tuesday, February 6, 2001, 3:00 pm. Hearing Room 4.
Public testimony from Citizens for Missouri's Children.
To be considered - HB 73, HB 87, HB 279

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 7, 2001, 3:00 pm. Hearing Room 1.
To be considered - HB 167, HB 236, HB 237, HB 241, HB 246, HB 262, HB 270

CORRECTIONAL AND STATE INSTITUTIONS

Tuesday, February 6, 2001, 8:00 pm. Hearing Room 7.

To be considered - HB 224, HB 254, HB 287

CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING

Monday, February 5, 2001, 7:30 pm. Hearing Room 3.

To be considered - HB 88, HB 294, HB 328

EDUCATION - HIGHER

Wednesday, February 7, 2001, 3:00 pm. Hearing Room 5.

Possible Executive Session.

To be considered - HB 166, HB 218

ELECTIONS

Tuesday, February 6, 2001, 8:00 pm. Hearing Room 5.

To be considered - HB 247, HB 281, HB 282, HB 297

JUDICIARY

Tuesday, February 6, 2001, 3:00 pm. Hearing Room 5.

To be considered - HB 53, HB 76, HB 141, HB 183

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, February 6, 2001, 3:00 pm. Hearing Room 7.

Executive Session may follow.

To be considered - HB 52, HB 69, HB 84, HB 140, HB 195, HB 280

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Tuesday, February 6, 2001, 8:00 am. Hearing Room 6.

Executive Session may Follow.

To be considered - HB 163, HB 203, HB 207, HB 244, HB 253

SUBCOMMITTEE ON SOCIAL SERVICES, MEDICAID, AND THE ELDERLY

Monday, February 5, 2001. Hearing Room 4 upon adjournment.

TANF time limits.

TRANSPORTATION

Wednesday, February 7, 2001, 3:00 pm. Hearing Room 6.

To be considered - HB 70, HB 202, HB 204

URBAN AFFAIRS

Tuesday, February 6, 2001, 7:00 pm. Hearing Room 1.

To be considered - HB 60

HOUSE CALENDAR

TWENTIETH DAY, MONDAY, FEBRUARY 5, 2001

HOUSE CONCURRENT RESOLUTION FOR SECOND READING
HCR 15

HOUSE BILLS FOR SECOND READING
HB 612 through HB 634

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

TWENTIETH DAY, MONDAY, FEBRUARY 5, 2001

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

Lord, I ask these representatives to think for a moment of their constituents back in their home districts. Those men and women, in their villages, towns, cities and counties, chose these good people as their best hope here in the legislature.

Lord, give these chosen men and women knowledge of how to preserve those traditions worth saving, and how to change those things that threaten life or liberty or the pursuit of happiness.

And please, Lord, give these representatives a great portion of inner peace, wisdom, mental and emotional strength to do, in the best way they can, what they have been elected to do. So may it be. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the nineteenth day was approved as corrected by the following vote:

AYES: 150

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reinhart	Relford	Richardson	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott

Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Carnahan	Franklin	Hoppe	Lograsso	Patek
Reid	Reynolds	Ridgeway	Secrest	Surface

VACANCIES: 003

RESOLUTION

Representatives Williams and Berkstresser offered House Resolution No. 223.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 220 - Representatives Hendrickson, Enz and Murphy
House Resolution No. 221 - Representative Fraser

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 15 was read the second time.

SECOND READING OF HOUSE BILLS

HB 612 through **HB 634** were read the second time.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 362 - Ways and Means
HB 425 - Miscellaneous Bills & Resolutions
HB 473 - Agriculture
HB 549 - Conservation, State Parks and Mining
HB 575 - Motor Vehicle and Traffic Regulations
HB 567 - Professional Registration and Licensing
HB 568 - Professional Registration and Licensing
HB 621 - Correctional and State Institutions

INTRODUCTION OF HOUSE BILL - APPROPRIATIONS

The following House Bill was read the first time and copies ordered printed:

HB 15, introduced by Representative Green (73), to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2001.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 635, introduced by Representatives Barry, Kennedy, Green (15) and Liese, relating to a blood-borne pathogen standard.

HB 636, introduced by Representative Hosmer, relating to military scholarships.

HB 637, introduced by Representative Bray, relating to qualifications for school board members.

HB 638, introduced by Representative Farnen, relating to applications for absentee ballots.

HB 639, introduced by Representative Farnen, relating to unclaimed property.

HB 640, introduced by Representatives Johnson (90) and Kreider, relating to private investigators.

HB 641, introduced by Representatives Jolly, Britt, Johnson (90), Hampton, Hosmer, Merideth and Boucher, relating to confinement of persons without process.

HB 642, introduced by Representative Relford, authorizing a sales tax for regional jail districts and associated court facilities.

HB 643, introduced by Representative Bray, relating to tax relief for assistance and care for the disabled.

HB 644, introduced by Representative Burton, relating to nonprobate transfers.

HB 645, introduced by Representative Burton, relating to medical expenses of prisoners.

HB 646, introduced by Representative Luetkenhaus, relating to health insurance.

HB 647, introduced by Representatives Hickey and O'Connor, relating to the acquisition of property for airports.

WITHDRAWAL OF HOUSE BILLS

January 31, 2001

The Honorable Jim Kreider
Speaker, House of Representatives
State Capitol, Room 308
Jefferson City, MO 65101

Dear Speaker Kreider:

I respectfully request that **House Bill 228** be withdrawn because it has been renamed as House Joint Resolution 8. Joint Resolution 8 has been assigned to the Miscellaneous Bills & Resolutions Committee.

Thank you for your attention to this matter.

Sincerely,

/s/ Juanita Head Walton

February 5, 2001

Mr. Ted Wedel
Chief Clerk
House Post Office
Jefferson City, Missouri 65101

Dear Ted:

I respectfully request that **House Bill 559**, relating to the use of unclaimed property funds for education, be withdrawn.

Thank you for your assistance.

Sincerely,

/s/ Tim Van Zandt

The following member's presence was noted: Lograsso.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Tuesday, February 6, 2001.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Nineteenth Day, Thursday, February 1, 2001, page 279, roll call, by showing Representative Ransdall voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, February 7, 2001, 3:00 pm. Hearing Room 7.

Presentation by Director of the Missouri Department of Agriculture.

To be considered - HB 307, HCR 13, Executive Session - HB 219, Executive Session - HCR 13

APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY

Tuesday, February 6, 2001, 8:00 am. Hearing Room 1.

House Bill 8 and House Bill 9 department presentations.

APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY

Wednesday, February 7, 2001, 8:00 am. Hearing Room 1.

House Bill 8 and House Bill 9 department presentations.

APPROPRIATIONS - EDUCATION

Tuesday, February 6, 2001. Hearing Room 1 upon adjournment.

House Bills 2 and 3.

Coordinating Board of Higher Education.

APPROPRIATIONS - EDUCATION

Wednesday, February 7, 2001. Hearing Room 1 upon adjournment.

House Bills 2 and 3.

APPROPRIATIONS - EDUCATION

Thursday, February 8, 2001. Hearing Room 1 upon adjournment.

House Bills 2 and 3.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 6, 2001. Hearing Room 7 upon adjournment.

Public Debt and Office of Administration.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 7, 2001, 12:00 pm. Hearing Room 7.

Public Defender, Judiciary and Attorney General.

CORRECTED NOTICE.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, February 6, 2001. Hearing Room 6 upon adjournment.

Remaining budget presentation by the Department of Mental Health.

Begin Department of Health.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, February 7, 2001. Hearing Room 6 upon adjournment.

Remaining Department of Health budget presentation.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, February 6, 2001. Hearing Room 5 upon morning adjournment.
Department of Economic Development.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, February 7, 2001. Hearing Room 5 upon morning adjournment.
Department of Natural Resources.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Thursday, February 8, 2001. Hearing Room 5 upon morning adjournment.
Department of Insurance, Department of Labor and Industrial Relations.

APPROPRIATIONS - SOCIAL SERVICES

Tuesday, February 6, 2001, 8:00 am. Hearing Room 3.
Department of Social Services. Hearing will continue upon adjournment.

APPROPRIATIONS - SOCIAL SERVICES

Wednesday, February 7, 2001, 8:00 am. Hearing Room 3.
Department of Social Services. Hearing will continue upon adjournment.

APPROPRIATIONS - SOCIAL SERVICES

Thursday, February 8, 2001, 8:00 am. Hearing Room 3.
Department of Social Services. Hearing will continue upon adjournment.

APPROPRIATIONS - TRANSPORTATION

Tuesday, February 6, 2001, 8:00 am. Hearing Room 7.
Presentation by Department of Transportation.

APPROPRIATIONS - TRANSPORTATION

Wednesday, February 7, 2001, 8:00 am. Hearing Room 7.
Department of Transportation presentation on budget.

APPROPRIATIONS - TRANSPORTATION

Thursday, February 8, 2001, 8:00 am. Hearing Room 7.
If needed, Department of Transportation presentation on budget.

BUDGET

Tuesday, February 6, 2001, 3:00 pm. Hearing Room 3.
FY 2001 supplemental appropriations.
CORRECTED NOTICE.

BUDGET

Wednesday, February 7, 2001, 3:00 pm. Hearing Room 3.
FY 2001 supplemental appropriations.
Possible Executive Session to follow. CORRECTED NOTICE.

CHILDREN, FAMILIES, AND HEALTH

Tuesday, February 6, 2001, 3:00 pm. Hearing Room 4.
Public testimony from Citizens for Missouri's Children.
To be considered - HB 73, HB 87, HB 279

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 7, 2001, 3:00 pm. Hearing Room 1.
To be considered - HB 167, HB 236, HB 237, HB 241, HB 246, HB 262, HB 270

CORRECTIONAL AND STATE INSTITUTIONS

Tuesday, February 6, 2001, 8:00 pm. Hearing Room 7.
To be considered - HB 224, HB 254, HB 287

CRIMINAL LAW

Wednesday, February 7, 2001, 8:00 pm. Hearing Room 7.
To be considered - HB 38, HB 90, HB 302, HB 324, HB 337

EDUCATION - ELEMENTARY AND SECONDARY

Wednesday, February 7, 2001, 12:00 pm. Hearing Room 4.
Possible Executive Session.
To be considered - HB 50, HB 334

EDUCATION - HIGHER

Wednesday, February 7, 2001, 3:00 pm. Hearing Room 5.
Possible Executive Session. AMENDED NOTICE.
To be considered - HB 166, HB 218, HB 351

ELECTIONS

Tuesday, February 6, 2001, 8:00 pm. Hearing Room 5.
AMENDED NOTICE.
To be considered - HB 247, HB 297

JUDICIARY

Tuesday, February 6, 2001, 3:00 pm. Hearing Room 5.
To be considered - HB 53, HB 76, HB 141, HB 183

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, February 6, 2001, 3:00 pm. Hearing Room 7.
Executive Session may follow.
To be considered - HB 52, HB 69, HB 84, HB 140, HB 195, HB 280

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, February 7, 2001, 8:30 am. Hearing Room 6.
To be considered - HJR 1, HJR 8, HR 102, HR 186, HR 200

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, February 6, 2001, 3:00 pm. Hearing Room 1.

To be considered - HB 120, HB 125, HB 156, HB 158, HB 238, HB 275

MUNICIPAL CORPORATIONS

Wednesday, February 7, 2001, 3:00 pm. Hearing Room 4.

To be considered - HB 260, HB 394

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Tuesday, February 6, 2001, 8:00 am. Hearing Room 6.

Executive Session may Follow.

To be considered - HB 163, HB 203, HB 207, HB 244, HB 253

RETIREMENT

Wednesday, February 7, 2001, 8:00 pm. Hearing Room 1.

To be considered - HB 174, HB 214, HB 257, HB 318, HB 377, HB 385, HB 386,
HB 395, HCR 14

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, February 6, 2001, 8:00 pm. Hearing Room 6.

To be considered - HB 329, HB 512

TRANSPORTATION

Wednesday, February 7, 2001, 3:00 pm. Hearing Room 6.

To be considered - HB 70, HB 202, HB 204

URBAN AFFAIRS

Tuesday, February 6, 2001, 7:00 pm. Hearing Room 1.

To be considered - HB 60

WAYS AND MEANS

Tuesday, February 6, 2001, 3:00 pm. Hearing Room 2. AMENDED NOTICE.

To be considered - HB 56, HB 75, HB 127

HOUSE CALENDAR

TWENTY-FIRST DAY, TUESDAY, FEBRUARY 6, 2001

HOUSE BILLS FOR SECOND READING

HB 635 through HB 647

HOUSE BILL FOR SECOND READING - APPROPRIATIONS

HB 15

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

TWENTY-FIRST DAY, TUESDAY, FEBRUARY 6, 2001

Speaker Pro Tem Abel in the Chair.

Prayer by Father David Buescher.

This winter day, God, is sunny and warmer than usual. May this House be similar. Let Your light guide the course of this place, filling up the shadows, pointing the way to community, progress, peace. May Your heat fire our passions for the right and the good.

In committees, listening and speaking, through agreement and disagreement in the halls and offices, in strategy to turn thought and ideal into reality, consecrate us. You are our foundation and the goal of all worth building. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Nathaniel Markman, Janet Rader and Victoria Kelley.

The Journal of the twentieth day was approved as corrected by the following vote:

AYES: 154

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Richardson

Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Carnahan	Crump	Franklin	Patek	Reynolds
Ridgeway				

VACANCIES: 003

RESOLUTION

Representative Crawford offered House Resolution No. 229.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 224	-	Representative Vogel
House Resolution No. 225	-	Representatives Seigfreid and Koller
House Resolution No. 226	-	Representative Kreider
House Resolution No. 227	-	Representative Lawson
House Resolution No. 228	-	Representative Hartzler
House Resolution No. 230	-	Representatives Koller and Hampton

SECOND READING OF HOUSE BILLS

HB 635 through **HB 647** were read the second time.

SECOND READING OF HOUSE BILL - APPROPRIATIONS

HB 15 was read the second time.

REFERRAL OF HOUSE BILL - APPROPRIATIONS

The following House Bill was referred to the Committee indicated:

HB 15 - Budget

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 488** - Tourism, Recreation and Cultural Affairs
- HB 555** - Miscellaneous Bills & Resolutions
- HB 576** - Utilities Regulation

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 16, introduced by Representatives Green (15), Holt, Luetkenhaus and O'Toole, et al, relating to the Environmental Protection Agency.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 13, introduced by Representative Shields, relating to highways and transportation.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 648, introduced by Representative Ostmann, et al, relating to temporary driver's permits.

HB 649, introduced by Representative Shields, relating to school district funding.

HB 650, introduced by Representative Shields, relating to sheltered workshops.

HB 651, introduced by Representatives Robirds and Schwab, et al, relating to parental liability for minor children.

HB 652, introduced by Representative Robirds, et al, relating to qualifications of public officers of whom a bond is required.

HB 653, introduced by Representative Robirds, et al, relating to eligibility for employment security benefits.

HB 654, introduced by Representative Reid, relating to the driver's license point system.

HB 655, introduced by Representatives Marble, Bartelsmeyer, Hunter and Moore, relating to tax collection in certain counties.

HB 656, introduced by Representatives Campbell and Ladd Baker, relating to the office of state ombudsman.

HB 657, introduced by Representative Reid, relating to liquidated damages for certain personal injuries.

HB 658, introduced by Representative Hagan-Harrell, relating to the school calendar.

HB 659, introduced by Representative Hagan-Harrell, relating to Missouri state employees' retirement system.

HB 660, introduced by Representative Hagan-Harrell, relating to the public school retirement system.

HB 661, introduced by Representative Wagner, relating to the department of labor and industrial relations.

HB 662, introduced by Representatives Green (73) and St. Onge, relating to retainage in private building contracts.

HB 663, introduced by Representatives Kennedy, Luetkenhaus, Barry, O'Connor, Levin, Villa, Burton, Cunningham, Reinhart and Reid, et al, relating to tax credits for contributions to unplanned pregnancy resource centers.

HB 664, introduced by Representative Skaggs, relating to charitable gift annuities.

HB 665, introduced by Representatives Shields, Naeger, Portwood, Cunningham, Bearden, Crowell and Henderson, et al, relating to tort immunity for teachers reporting violent acts.

HB 666, introduced by Representatives Shields, Naeger, Portwood, Henderson, Dempsey, Bearden and Cunningham, et al, relating to the Kansas City education renewal commission.

HB 667, introduced by Representatives Shields, Naeger, Portwood, Bearden, Crowell, Henderson and Cunningham, et al, relating to donations of teachers to schools.

HB 668, introduced by Representatives Shields, Naeger, Moore and Froelker, et al, relating to minimum teacher's salary supplements.

HB 669, introduced by Representatives Shields, Naeger, Portwood, Cunningham, Bearden, Crowell and Henderson, et al, relating to the creation of waiver school districts.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Luetkenhaus is no longer a member of the Conservation, State Parks and Mining Committee.

Representative Haywood is no longer vice-chair, but will remain a member of the Conservation, State Parks and Mining Committee.

Representative Hosmer has been appointed a member of the Judiciary Committee.

LETTER OF RESIGNATION

February 6, 2001

The Honorable James Kreider
Speaker of the House of Representatives
State Capitol, Room 308
Jefferson City, MO 65101

Dear Speaker Kreider:

I hereby resign my office of State Representative in the Missouri House of Representatives, District 7, effective at 2:00 p.m. this day, February 6, 2001.

Sincerely,

/s/ Jewell D. H. Patek
State Representative
District 7

The following members' presence was noted: Crump and Franklin

ADJOURNMENT

On motion of Representative Holt, the House adjourned until 10:00 a.m., Wednesday, February 7, 2001.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Twentieth Day, Monday, February 5, 2001, page 293, line 17, by inserting after said line the following:

House Resolution No. 222 - Representative Kelly (36)

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Wednesday, February 7, 2001, 11:45 am. Room 414.

AGRICULTURE

Wednesday, February 7, 2001, 3:00 pm. Hearing Room 7.

Presentation by Director of the Missouri Department of Agriculture.

To be considered - HB 307, HCR 13, Executive Session - HB 219, Executive Session - HCR 13

APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY

Wednesday, February 7, 2001, 8:00 am. Hearing Room 1.

House Bill 8 and House Bill 9 department presentations.

APPROPRIATIONS - EDUCATION

Wednesday, February 7, 2001. Hearing Room 1 upon adjournment.

House Bills 2 and 3.

APPROPRIATIONS - EDUCATION

Thursday, February 8, 2001. Hearing Room 1 upon adjournment.

House Bills 2 and 3.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 7, 2001, 12:00 pm. Hearing Room 7.

Public Defender, Judiciary and Attorney General. CORRECTED NOTICE.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, February 7, 2001. Hearing Room 6 upon adjournment.

Remaining Department of Health budget presentation.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, February 7, 2001. Hearing Room 5 upon morning adjournment.

Department of Natural Resources.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Thursday, February 8, 2001. Hearing Room 5 upon morning adjournment.

Department of Insurance, Department of Labor and Industrial Relations.

APPROPRIATIONS - SOCIAL SERVICES

Wednesday, February 7, 2001, 8:00 am. Hearing Room 3.

Department of Social Services. Hearing will continue upon adjournment.

APPROPRIATIONS - SOCIAL SERVICES

Thursday, February 8, 2001, 8:00 am. Hearing Room 3.

Department of Social Services. Hearing will continue upon adjournment.

APPROPRIATIONS - TRANSPORTATION

Wednesday, February 7, 2001, 8:00 am. Hearing Room 7.

Department of Transportation presentation on budget.

APPROPRIATIONS - TRANSPORTATION

Thursday, February 8, 2001, 8:00 am. Hearing Room 7.

If needed Department of Transportation presentation on budget.

BUDGET

Wednesday, February 7, 2001, 3:00 pm. Hearing Room 3.

FY 2001 supplemental appropriations. Possible Executive Session to follow.

CORRECTED NOTICE.

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 7, 2001, 3:00 pm. Hearing Room 1.

To be considered - HB 167, HB 236, HB 237, HB 241, HB 246, HB 262, HB 270

CONSERVATION, STATE PARKS AND MINING

Wednesday, February 7, 2001, 3:00 pm. Hearing Room 2.

To be considered - HB 205, HB 323, HB 549

CRIMINAL LAW

Wednesday, February 7, 2001, 8:00 pm. Hearing Room 7.

To be considered - HB 38, HB 90, HB 302, HB 324, HB 337

CRIMINAL LAW

Thursday, February 8, 2001. House Chamber upon adjournment.

Executive Session.

CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING

Wednesday, February 7, 2001, 9:00 am. Hearing Room 5.

To be considered - Executive Session - HB 88, Executive Session - HB 328

EDUCATION - ELEMENTARY AND SECONDARY

Wednesday, February 7, 2001, 12:00 pm. Hearing Room 4.

Possible Executive Session.

To be considered - HB 50, HB 334

EDUCATION - HIGHER

Wednesday, February 7, 2001, 3:00 pm. Hearing Room 5.

Possible Executive Session. AMENDED NOTICE.

To be considered - HB 166, HB 218, HB 351

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, February 7, 2001, 8:30 am. Hearing Room 6.

To be considered - HJR 1, HJR 8, HR 102, HR 186, HR 200

MUNICIPAL CORPORATIONS

Wednesday, February 7, 2001, 3:00 pm. Hearing Room 4.

To be considered - HB 260, HB 394

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 7, 2001, 5:00 pm. Hearing Room 5.

To be considered - HB 48, HB 266, HB 288, HB 393, HB 567, HB 568

RETIREMENT

Wednesday, February 7, 2001, 8:00 pm. Hearing Room 1.

To be considered - HB 174, HB 214, HB 257, HB 318, HB 377, HB 385, HB 386,
HB 395, HCR 14

TRANSPORTATION

Wednesday, February 7, 2001, 3:00 pm. Hearing Room 6.

To be considered - HB 70, HB 202, HB 204

HOUSE CALENDAR

TWENTY-SECOND DAY, WEDNESDAY, FEBRUARY 7, 2001

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 16

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 13

HOUSE BILLS FOR SECOND READING

HB 648 through HB 669

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

TWENTY-SECOND DAY, WEDNESDAY, FEBRUARY 7, 2001

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Gracious, God, we know that the hidden things in our hearts are not hidden from You. If our intentions are good, help us to make them live in good deeds. If what we intend or desire makes us uncomfortable in Your presence, take it from us, and give us the spirit that we ought to have that we may do what we ought to do. Bless the men and women of this House this day; to You be glory and honor. Amen

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Lauren Beard and Rachel Starks.

The Journal of the twenty-first day was approved as printed by the following vote:

AYES: 152

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Foley	Ford	Franklin
Fraser	Froelker	Gaskill	George	Graham
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Rizzo
Roark	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields

Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Bonner	Farnen	Gambaro	Gratz	Hanaway
Reynolds	Ridgeway	Robirds		

VACANCIES: 004

RESOLUTION

House Resolution No. 226 was taken up by Representative Crump and read.

House Resolution No. 226

WHEREAS, the members of the Missouri House of Representatives are always pleased to welcome distinguished citizens as they visit the Show-Me State for official business at this magnificent capitol; and

WHEREAS, on Wednesday, February 7, 2001, Anna Eleanor Roosevelt will speak on the first floor of the Capitol Rotunda as part of the activities being held in conjunction with Maternal and Child Health Advocacy Day; and

WHEREAS, Anna Eleanor Roosevelt is coming to Jefferson City in her important capacity as a National Board of Trustees member for the March of Dimes, the volunteer health agency which was founded in 1938 by her grandfather, President Franklin Delano Roosevelt, to search for a cure for polio; and

WHEREAS, originally called the National Foundation for Infantile Paralysis, the organization assumed the name March of Dimes when famed radio announcer and vaudeville comedian Eddie Cantor urged his listeners to send their spare dimes to the White House and to President Roosevelt, who was a polio victim himself; and

WHEREAS, following the death of FDR in 1945, the nation honored its fallen leader by placing his portrait on the dime as a special tribute of gratitude for his steadfast commitment to the March of Dimes Foundation; and

WHEREAS, during the past sixty-three years, the March of Dimes has grown to become this nation's third largest volunteer health agency with more than three million volunteers who dedicate themselves to the organization's historic mission and who continually set exciting goals for consistent innovations in maternal and infant health; and

WHEREAS, the March of Dimes has the distinction of being the only national volunteer health agency that has succeeded in defeating the disease which it had been established to conquer:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, join unanimously in extending a most cordial welcome to Anna Eleanor Roosevelt during her visit to the statehouse in Jefferson City and to applaud her for all the achievements she has realized over the years as a supporter of the March of Dimes and other important organizations and as a manuscript librarian, artist, teacher, administrator, and lobbyist; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for Anna Eleanor Roosevelt, as a mark of our esteem for her.

On motion of Representative Crump, Rule 63 was suspended and **House Resolution No. 226** was adopted by the following vote:

AYES: 141

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Foley	Franklin	Fraser	Froelker
Gaskill	George	Graham	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Harding	Harlan
Hartzler	Haywood	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Lawson	Levin	Liese
Linton	Lograsso	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Richardson	Rizzo	Roark	Ross	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Bray 84	Farnen	Ford	Gambaro	Gratz
Hanaway	Hegeman	Holand	Koller	Legan
Long	Monaco	Reynolds	Ridgeway	Robirds
Scheve	Van Zandt	Willoughby		

VACANCIES: 004

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 231 - Representative Relford
 House Resolution No. 232
 and
 House Resolution No. 233 - Representative Cooper
 House Resolution No. 234 - Representative Ford

House Resolution No. 235

and

House Resolution No. 236 - Representative Crowell
House Resolution No. 237 - Representative Boucher, et al
House Resolution No. 238 - Representative Cunningham
House Resolution No. 239 - Representative Troupe
House Resolution No. 240 - Representative Levin
House Resolution No. 241 - Representative Seigfreid

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 16 was read the second time.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 13 was read the second time.

SECOND READING OF HOUSE BILLS

HB 648 through **HB 669** were read the second time.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 16 - Environment and Energy

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 463 - Tourism, Recreation and Cultural Affairs

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 239 - Conservation, State Parks and Mining

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 17, introduced by Representative Purgason, et al, urging the park service to withdraw its current proposal and reissue a revised proposal with sufficient details so interested stakeholders can provide meaningful responses.

INTRODUCTION OF HOUSE BILL - APPROPRIATIONS

The following House Bill was read the first time and copies ordered printed:

HB 1, introduced by Representative Green (73), to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, Third State Building Bonds and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Third State Building Bond Interest and Sinking Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund and Stormwater Control Fund, and to transfer money among certain funds for the period beginning July 1, 2001 and ending June 30, 2002.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 670, introduced by Representatives Campbell and Holand, relating to the regulation of certain telecommunications technology by drivers of motor vehicles.

HB 671, introduced by Representative Hagan-Harrell, relating to public retirement systems.

HB 672, introduced by Representative Hagan-Harrell, relating to public retirement systems.

HB 673, introduced by Representative Liese, relating to life settlements.

HB 674, introduced by Representative Hagan-Harrell, relating to the Missouri state employees' retirement system.

HB 675, introduced by Representative Richardson, relating to deferred presentment services.

HB 676, introduced by Representative Mays (50), relating to utilities.

HB 677, introduced by Representatives Monaco, Lograsso, Mayer, Burcham, Crowell, Hosmer and Johnson (90), relating to the uniform commercial code.

HB 678, introduced by Representative Seigfreid, relating to ethics.

HB 679, introduced by Representative Boykins, relating to state employee leave of absence for organ donation.

HB 680, introduced by Representative Skaggs, relating to certificate of need.

HB 681, introduced by Representative Skaggs, relating to a Hearing Impaired Kids Endowment Fund license plate.

HB 682, introduced by Representatives Wiggins, Reid, Bowman, Naeger, Shoemyer and Kelly (36), et al, relating to income tax.

HB 683, introduced by Representatives Boykins, Barry, Johnson (61), Curls, Coleman and Cunningham, et al, relating to consumer and credit protections for postsecondary students.

HB 684, introduced by Representatives Kennedy and Bonner, relating to amateur radio license plates.

HB 685, introduced by Representatives Bray, Johnson (61), Hilgemann, Campbell, Van Zandt, Harlan, Kennedy, Hollingsworth, Troupe, Kreider, Lowe and Villa, relating to transportation.

HB 686, introduced by Representatives Fraser, Berkowitz, Williams, Levin, Thompson, Froelker, Richardson, Ross and Kelley (47), et al, relating to the prohibition of interference with the free exercise of religion absent a compelling state interest.

HB 687, introduced by Representatives Hilgemann, Villa, Rizzo, Koller, Van Zandt, Kennedy, O'Connor, Bowman and Boykins, et al, relating to motor vehicle registration tabs.

HB 688, introduced by Representatives Harlan and Shields, relating to health insurance.

HB 689, introduced by Representatives Hoppe, Lograsso and Foley, relating to fire protection districts.

HB 690, introduced by Representatives Harding, Kelly (27) and Boucher, et al, relating to animals.

HB 691, introduced by Representatives Barnett, Kelly (36), Britt, Richardson and Ross, relating to notification of motor vehicle reregistration.

HB 692, introduced by Representative O'Connor, relating to a fraternal order of police license plate.

HB 693, introduced by Representatives Smith and Carnahan, relating to the administrative hearing commission.

HB 694, introduced by Representative Berkstresser, relating to local sales taxes for the promotion of economic development.

HB 695, introduced by Representatives Shoemyer and Phillips, et al, relating to the practice of dentistry and dental hygiene.

HB 696, introduced by Representatives Monaco, Lograsso, Bartle, Cierpiot, Ross, Kelley (47) and Boucher, et al, relating to county political party committee representation.

HB 697, introduced by Representative Treadway, relating to notification of ethics complaints.

WITHDRAWAL OF HOUSE BILLS

February 6, 2001

Ted Wedel
Chief Clerk
Missouri House of Representatives

Dear Mr. Clerk:

I am requesting that **HB 105** be withdrawn. Thank you in advance for your consideration of this request.

Sincerely,

/s/ Representative Connie Johnson
61st District

February 7, 2001

Honorable Jim Kreider, Speaker
Missouri House of Representatives
State Capitol, Room 308
Jefferson City, MO 65101

Dear Mr. Speaker,

I respectfully request that **HB 217** be withdrawn. Your attention to this matter is appreciated.

Sincerely,

/s/ Chuck Surface
District 129

February 7, 2001

The Honorable Jim Kreider, Speaker
Missouri House of Representatives
Capitol Building, Room 233A
Jefferson City, MO 65101

Dear Mr. Speaker:

I respectfully request the withdrawal of **House Bill 613**.

Thank you for your consideration of this matter.

Sincerely,

/s/ State Representative Bill Luetkenhaus
District 12

The following members' presence was noted: Gratz, Gambaro, Reynolds and Robirds.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, February 8, 2001.

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION

Thursday, February 8, 2001. Hearing Room 1 upon adjournment.
House Bills 2 and 3. Possible mark-up. AMENDED NOTICE.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Thursday, February 8, 2001. Hearing Room 5 upon morning adjournment.
Department of Insurance, Department of Labor and Industrial Relations.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Monday, February 12, 2001, 12:00 pm. Hearing Room 5.
Mark-up Departments of Agriculture, Conservation, Insurance and Labor & Industrial Relations.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, February 13, 2001. Hearing Room 5 upon adjournment.
Mark up Department of Economic Development.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, February 14, 2001. Hearing Room 5 upon adjournment.
Mark-up Department of Natural Resources.

APPROPRIATIONS - SOCIAL SERVICES

Thursday, February 8, 2001, 8:00 am. Hearing Room 3.

Department of Social Services. Hearing will continue upon adjournment. CANCELLED.

APPROPRIATIONS - TRANSPORTATION

Thursday, February 8, 2001, 8:00 am. Hearing Room 7.

If needed Department of Transportation presentation on budget.

CHILDREN, FAMILIES, AND HEALTH

Thursday, February 8, 2001. North side gallery upon adjournment.

To be considered - Executive Session - HB 73, Executive Session - HB 87,

Executive Session - HB 111, Executive Session - HB 157, Executive Session - HB 279

CONSERVATION, STATE PARKS AND MINING

Thursday, February 8, 2001. Hearing Room 6 upon adjournment.

To be considered - Executive Session - HB 184, Executive Session - HB 205,

Executive Session - HB 259, Executive Session - HB 323, Executive Session - HB 549

CRIMINAL LAW

Thursday, February 8, 2001. House Chamber upon adjournment.

Executive Session.

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, February 13, 2001, 7:00 pm. Hearing Room 3.

To be considered - HB 322

JUDICIARY

Tuesday, February 13, 2001, 3:00 pm. Hearing Room 5.

To be considered - HB 107, HB 331

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Tuesday, February 13, 2001, 8:00 am. Hearing Room 6.

Executive Session may follow.

To be considered - HB 49, HB 320, HB 368

TOURISM, RECREATION AND CULTURAL AFFAIRS

Monday, February 12, 2001, 8:00 pm. Hearing Room 7.

Executive Session may follow.

To be considered - HB 242, HB 463, HB 488

UTILITIES REGULATION

Thursday, February 8, 2001, 8:30 am. Hearing Room 6.

To be considered - HB 289, HB 576, HCR 5

HOUSE CALENDAR

TWENTY-THIRD DAY, THURSDAY, FEBRUARY 8, 2001

HOUSE CONCURRENT RESOLUTION FOR SECOND READING
HCR 17

HOUSE BILLS FOR SECOND READING
HB 670 through HB 697

HOUSE BILL FOR SECOND READING - APPROPRIATIONS
HB 1

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

TWENTY-THIRD DAY, THURSDAY, FEBRUARY 8, 2001

Speaker Pro Tem Abel in the Chair.

Prayer by Reverend Rudy Beard.

God of Truth, You are our teacher.

Teach us to honor our heritage of freedom. Teach us to know ourselves and our weaknesses, so we may gain wisdom. Teach us to know our neighbors; to forgive their shortcomings with charity, to appreciate their contributions with honesty.

Bless the men and women of the House this day, and to You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Rachel Germann, Rebekah Germann, Robert Germann, Ransom Germann, Candice Bell, Je'Taime Silas, Kevin Pearre, Laura Bond, Damon Ferlazzo, Sarah Brown, Jon Mark Thompson and Emily Cole.

The Journal of the twenty-second day was approved as printed by the following vote:

AYES: 154

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Harding	Harlan	Hartzler
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller

Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Clayton	Hanaway	Haywood	Luetkenhaus	Ridgeway
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VACANCIES: 004

Speaker Kreider assumed the Chair.

Speaker Pro Tem Abel resumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 242	-	Representative Crawford
House Resolution No. 243	-	Representative Cooper
House Resolution No. 244	-	Representative Kelly (27)
House Resolution No. 245	-	Representative Reynolds, et al
House Resolution No. 246	-	Representative King
House Resolution No. 247	-	Representative Bartelsmeyer
House Resolution No. 248		
through		
House Resolution No. 255	-	Representative Portwood
House Resolution No. 256	-	Representative Wagner
House Resolution No. 257	-	Representative Shields
House Resolution No. 258	-	Representative Villa
House Resolution No. 259	-	Representatives Secrest and Hanaway, et al
House Resolution No. 260	-	Representative Barnitz
House Resolution No. 261		
through		
House Resolution No. 278	-	Representative Crowell

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 17 was read the second time.

SECOND READING OF HOUSE BILLS

HB 670 through **HB 697** were read the second time.

SECOND READING OF HOUSE BILL - APPROPRIATIONS

HB 1 was read the second time.

COMMITTEE ASSIGNMENT

SPORTSMANSHIP, SAFETY AND FIREARMS

Crump, Wayne - Chair

Barnitz, Frank - Vice-Chair

Hampton, Mark

Hickey, John

Fraser, Barbara

Ridgeway, LuAnn

Lograsso, Don

Fares, Kathlyn

Ross, Carson

REFERRAL OF HOUSE BILL - APPROPRIATIONS

The following House Bill was referred to the Committee indicated:

HB 1 - Budget

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 27 - Sportsmanship, Safety and Firearms

HB 28 - Sportsmanship, Safety and Firearms

HB 33 - Sportsmanship, Safety and Firearms

HB 57 - Sportsmanship, Safety and Firearms

HB 59 - Ways and Means

HB 258 - Sportsmanship, Safety and Firearms

HB 401 - Professional Registration and Licensing

HB 402 - Correctional and State Institutions

HB 403 - Civil and Administrative Law

HB 404 - Miscellaneous Bills & Resolutions

HB 405 - Ways and Means

HB 406 - Correctional and State Institutions

HB 407 - Civil and Administrative Law

- HB 408** - Local Government and Related Matters
- HB 409** - Correctional and State Institutions
- HB 410** - Local Government and Related Matters
- HB 411** - Agriculture
- HB 412** - Agriculture
- HB 413** - Workers Compensation and Employment Security
- HB 414** - Social Services, Medicaid and the Elderly
- HB 415** - Education-Elementary and Secondary
- HB 416** - Professional Registration and Licensing
- HB 419** - Local Government and Related Matters
- HB 420** - Public Safety, Law Enforcement and Veteran Affairs
- HB 422** - Children, Families and Health
- HB 424** - Education-Higher
- HB 426** - Retirement
- HB 427** - Education-Elementary and Secondary
- HB 428** - Public Safety, Law Enforcement and Veteran Affairs
- HB 429** - Education-Elementary and Secondary
- HB 430** - Public Safety, Law Enforcement and Veteran Affairs
- HB 431** - Professional Registration and Licensing
- HB 432** - Banks and Financial Institutions
- HB 434** - Commerce and Economic Development
- HB 435** - Education-Higher
- HB 436** - Local Government and Related Matters
- HB 437** - Environment and Energy
- HB 438** - Environment and Energy
- HB 439** - Correctional and State Institutions
- HB 440** - Criminal Law
- HB 442** - Civil and Administrative Law
- HB 444** - Miscellaneous Bills & Resolutions
- HB 445** - Workers Compensation and Employment Security
- HB 446** - Workers Compensation and Employment Security
- HB 447** - Commerce and Economic Development
- HB 448** - Ways and Means
- HB 452** - Correctional and State Institutions
- HB 453** - Environment and Energy
- HB 454** - Judiciary
- HB 455** - Miscellaneous Bills & Resolutions
- HB 456** - Judiciary
- HB 457** - Education-Elementary and Secondary
- HB 459** - Insurance
- HB 460** - Commerce and Economic Development
- HB 461** - Children, Families and Health
- HB 462** - Professional Registration and Licensing
- HB 464** - Civil and Administrative Law
- HB 465** - Professional Registration and Licensing

HB 467 - Civil and Administrative Law
HB 468 - Professional Registration and Licensing
HB 469 - Professional Registration and Licensing
HB 470 - Transportation
HB 471 - Criminal Law
HB 472 - Local Government and Related Matters
HB 474 - Judiciary
HB 475 - Education-Elementary and Secondary
HB 476 - Criminal Law
HB 477 - Motor Vehicle and Traffic Regulations
HB 478 - Children, Families and Health
HB 479 - Public Safety, Law Enforcement and Veteran Affairs
HB 480 - Ways and Means
HB 481 - Judiciary
HB 482 - Ways and Means
HB 483 - Criminal Law
HB 484 - Professional Registration and Licensing
HB 485 - Transportation
HB 486 - Children, Families and Health
HB 489 - Education-Higher
HB 491 - Municipal Corporations
HB 496 - Motor Vehicle and Traffic Regulations
HB 497 - Local Government and Related Matters
HB 498 - Local Government and Related Matters
HB 499 - Utilities Regulation
HB 500 - Professional Registration and Licensing
HB 592 - Fiscal Review and Government Reform
HB 594 - Ways and Means
HB 646 - Insurance

COMMITTEE REPORTS

Committee on Agriculture, Chairman Wiggins reporting:

Mr. Speaker: Your Committee on Agriculture, to which was referred **HCR 13**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Concurrent Resolution No. 13

WHEREAS, the current federal milk marketing order pricing system does not fully account for regional differences in the costs of producing milk and only establishes a minimum price for milk; and

WHEREAS, by design, the federal program relies on state regulation for an adjustment in fluid milk prices to account for regional differences; however, the courts have ruled that individual states do not have the authority to regulate milk prices under the Interstate Commerce Clause of the United States Constitution; and

WHEREAS, Congress may delegate its regulatory authority over interstate commerce to regional groupings of states through the mechanism of an interstate compact; and

WHEREAS, entering into dairy compacts is thus the means for states to obtain from Congress the regulatory authority over their region's interstate markets for milk; and

WHEREAS, the Southern Dairy Compact shall become effective when entered into by three of the designated states in the Compact and when the consent of Congress has been obtained; and

WHEREAS, at least three states of the required states having entered into the Southern Dairy Compact, leaving on the necessary consent of Congress to be obtained before the Compact shall become effective:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-first General Assembly, First Regular Session, the Senate concurring therein, hereby urge the United States Congress to consent to the Southern Dairy Compact to allow the states that enter into the Compact to have regulatory authority over their region's interstate markets for milk; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the President of the United States Senate, the Speaker of the United States House of Representatives and every member of the Missouri Congressional delegation.

Mr. Speaker: Your Committee on Agriculture, to which was referred **HB 219**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**.

House Committee Amendment No. 1

AMEND House Bill No. 219, Page 6, Section 272.235, Line 9, by deleting the words "**and maintenance**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Committee on Children, Families and Health, Chairman Barry reporting:

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **HB 111**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **HB 157**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Conservation, State Parks and Mining, Chairman Relford reporting:

Mr. Speaker: Your Committee on Conservation, State Parks and Mining, to which was referred **HB 205**, **HB 323** and **HB 549**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Criminal Law, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Criminal Law, to which was referred **HB 144** and **HB 46**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Criminal Law, to which was referred **HB 302** and **HB 38**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Critical Issues, Consumer Protection and Housing, Chairman Harlan reporting:

Mr. Speaker: Your Committee on Critical Issues, Consumer Protection and Housing, to which was referred **HB 328** and **HB 88**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were read the first time and copies ordered printed:

HCR 18, introduced by Representative Barry, encouraging state agencies and state-funded institutions to improve access to quality health care for women.

HCR 19, introduced by Representative Burton, et al, urging the political subdivisions of this state that are imposing a gross receipts tax on natural gas sales to suspend such tax on a month to month basis until the current natural gas price crisis is over.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 14, introduced by Representatives Kelly (27), Troupe, Smith, Coleman, Monaco, Campbell, Gambaro and Curls, et al, relating to the establishment of the children's investment fund.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 698, introduced by Representative Luetkenhaus, relating to weed control.

HB 699, introduced by Representatives Hilgemann, Villa, Shelton, Rizzo, O'Toole, Coleman, Bowman and Gambaro, et al, relating to business districts.

HB 700, introduced by Representative Kelly (36), relating to driver's licenses.

HB 701, introduced by Representatives Berkowitz, Wiggins, Ransdall, Davis, Shoemyer, Luetkemeyer and Barry, et al, relating to water pollution.

HB 702, introduced by Representatives Barry, Boykins and Curls, relating to liquor control.

HB 703, introduced by Representatives Hilgemann, Sanders Brooks, Bray, Selby, Coleman, Shelton, Boucher, Troupe and Carnahan, et al, relating to the homeless assistance program.

HB 704, introduced by Representative Gambaro, relating to liens on real property by political subdivisions for abatement of dangerous buildings.

HB 705, introduced by Representative Gambaro, relating to certain public school retirement systems.

HB 706, introduced by Representative Bonner, relating to local sales taxes on utilities.

HB 707, introduced by Representatives Barnett, Hosmer and Richardson, relating to parole eligibility for certain inmates.

HB 708, introduced by Representatives Riback Wilson (25), Barry, Hosmer and Williams, et al, relating to child restraint systems.

HB 709, introduced by Representative O'Connor, relating to the division of motor carrier and railroad safety.

HB 710, introduced by Representatives Lowe, Campbell, Cierpiot, Hickey, Mays (50), Reinhart and George, et al, relating to disclosure of information on certain political mailings.

HB 711, introduced by Representative Green (73), relating to payment of court costs and attorney fees by the department of revenue upon successful appeal of a driving while intoxicated offense.

HB 712, introduced by Representatives Hilgemann, Wilson (42), Bray, Coleman, Rizzo, Fraser, Johnson (61), Riback Wilson (25), Harlan and Van Zandt, et al, relating to human rights.

HB 713, introduced by Representative Luetkenhaus, relating to reimbursement for health care services.

HB 714, introduced by Representative Koller, relating to contracts for construction of the state highway system.

HB 715, introduced by Representative Ladd Baker, relating to entities funded in whole or in part by the department of social services.

HB 716, introduced by Representatives Treadway and Burton, relating to physical therapists and physical therapist assistants.

HB 717, introduced by Representatives Burton, Mays (50) and Reid, et al, relating to sales and use tax.

HB 718, introduced by Representatives Bartle, Myers, Secrest and Cunningham, et al, relating to the cloning of human beings.

HB 719, introduced by Representative Bray, relating to state income and sales tax assessments.

HB 720, introduced by Representative Bray, et al, relating to employment practices affecting women.

HB 721, introduced by Representatives Walton, Villa, Hilgemann and Coleman, et al, relating to biennial motor vehicle emissions inspections.

HB 722, introduced by Representatives Walton, Coleman, Wilson (42), Hunter and Johnson (61), relating to EDTA chelation therapy.

HB 723, introduced by Representatives Mays (50) and Burton, et al, relating to allowing certain electrical corporations to recover certain costs.

HB 724, introduced by Representative Britt, relating to sexual contact between prison inmates and prison employees.

HB 725, introduced by Representative Britt, relating to transfers of funds in certain school districts.

HB 726, introduced by Representatives Selby, Wagner and Ward, relating to the fire education fund.

HB 727, introduced by Representative Hoppe, relating to powers of public water supply districts.

HB 728, introduced by Representative Hoppe, relating to contracts for public water and sewer supply.

HB 729, introduced by Representatives Green (15), Green (73) and Koller, relating to motor vehicle license plate design.

HB 730, introduced by Representative Williams, relating to municipal bids for banking services.

HB 731, introduced by Representative Britt, relating to use of certain tests of blood alcohol content by law enforcement officers.

HB 732, introduced by Representative Hosmer, relating to the water patrol.

HB 733, introduced by Representative Hosmer, relating to watercraft regulations.

WITHDRAWAL OF HOUSE BILL

February 8, 2001

Ted Wedel, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, Mo. 65101

Dear Ted:

I am requesting that **HB 639**, relating to unclaimed property be withdrawn.

Thank you for your prompt attention to this matter.

Sincerely,

/s/ Rep. Ted Farnen
District 21

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 4:00 p.m., Monday, February 12, 2001.

COMMITTEE MEETINGS

APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY

Tuesday, February 13, 2001, 8:00 am. Hearing Room 1.
House Bill 9 Department of Corrections.

APPROPRIATIONS - EDUCATION

Monday, February 12, 2001, 12:00 pm. Hearing Room 1.
Mark-up House Bill 2 and House Bill 3.

APPROPRIATIONS - EDUCATION

Tuesday, February 13, 2001. Hearing Room 1 upon adjournment.
Mark-up House Bill 2 and House Bill 3. Possible Executive Session.

APPROPRIATIONS - EDUCATION

Wednesday, February 14, 2001. Hearing Room 1 upon adjournment.
Mark-up House Bill 2 and House Bill 3. Possible Executive Session.

APPROPRIATIONS - EDUCATION

Thursday, February 15, 2001. Hearing Room 1 upon adjournment.
Mark-up House Bill 2 and House Bill 3. Possible Executive Session.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, February 12, 2001, 1:00 pm. Hearing Room 7.
General Assembly and SAM II.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 13, 2001. Hearing Room 7 upon adjournment.
Secretary of State, State Librarian and Convention Centers.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 14, 2001. Hearing Room 7 upon adjournment.
Begin mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Monday, February 12, 2001, 12:00 pm. Hearing Room 6.
House Bill 10 Department of Mental Health mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, February 13, 2001. Hearing Room 6 upon adjournment.
House Bill 10 mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, February 14, 2001. Hearing Room 6 upon adjournment.
House Bill 10 mark-up.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Monday, February 12, 2001, 12:00 pm. Hearing Room 5.
Mark-up Departments of Agriculture, Conservation, Insurance and Labor & Industrial Relations.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, February 13, 2001. Hearing Room 5 upon adjournment.
Mark up Department of Economic Development.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, February 14, 2001. Hearing Room 5 upon adjournment.
Mark-up Department of Natural Resources.

APPROPRIATIONS - SOCIAL SERVICES

Tuesday, February 13, 2001, 8:00 am. Hearing Room 3.
House Bill 11 Department of Social Services.
Committee will also meet upon adjournment.

APPROPRIATIONS - SOCIAL SERVICES

Wednesday, February 14, 2001, 8:00 am. Hearing Room 3.
House Bill 11 Department of Social Services.
Committee will also meet upon adjournment.

APPROPRIATIONS - TRANSPORTATION

Tuesday, February 13, 2001, 8:00 am. Hearing Room 7.
Public testimony.

APPROPRIATIONS - TRANSPORTATION

Wednesday, February 14, 2001, 8:00 am. Hearing Room 7.
Public testimony.

APPROPRIATIONS - TRANSPORTATION

Thursday, February 15, 2001, 8:00 am. Hearing Room 7.
Public testimony.

BUDGET

Monday, February 12, 2001, 2:30 pm. Hearing Room 3.
House Bill 15 FY 2001 supplemental appropriation.
Executive Session.

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 14, 2001, 3:00 pm. Hearing Room 1.
Executive Session will follow.
To be considered - HB 193, HB 269, HB 353, HB 399

COMMERCE AND ECONOMIC DEVELOPMENT

Tuesday, February 13, 2001, 3:00 pm. Hearing Room 6.
Executive Session may follow.
To be considered - HB 215, HB 327, HB 332, HB 397

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, February 13, 2001, 8:00 pm. Hearing Room 7.
Executive Session may follow.
To be considered - HB 180, HB 248, HB 361, HB 621

CRIMINAL LAW

Wednesday, February 14, 2001, 8:00 pm. Hearing Room 7.
To be considered - HB 68, HB 265, HB 349, HB 369, HB 372, HB 373

CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING

Monday, February 12, 2001, 8:00 pm. Hearing Room 3.
Executive Session may follow.
To be considered - HCR 4

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, February 13, 2001, 7:00 pm. Hearing Room 3.
To be considered - HB 322

EDUCATION - HIGHER

Wednesday, February 14, 2001, 3:00 pm. Hearing Room 5.
Presentation by Dr. Kala Stroup, Commissioner on Higher Education.
Executive Session.

ELECTIONS

Tuesday, February 13, 2001, 7:30 pm. Hearing Room 5.
To be considered - HB 297, HB 301

ETHICS

Monday, February 12, 2001. Northeast side gallery upon adjournment.
Approval of Caucuses.

FISCAL REVIEW AND GOVERNMENT REFORM

Tuesday, February 13, 2001, 5:30 pm. Hearing Room 4.
To be considered - HB 309, HB 315, HB 363, HB 391, HJR 3, HJR 4, HJR 10

JUDICIARY

Tuesday, February 13, 2001, 3:00 pm. Hearing Room 5.
To be considered - HB 107, HB 331

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, February 13, 2001, 3:00 pm. Hearing Room 7.
Executive Session to follow. CORRECTED.
To be considered - HB 135, HB 138, HB 268, HB 303, HB 316, HB 340, HB 380,
HB 381, HB 382, HB 421

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, February 13, 2001, 3:00 pm. Hearing Room 1.
To be considered - HB 126, HB 333, HB 575

PROFESSIONAL REGISTRATION AND LICENSING

Tuesday, February 13, 2001, 9:00 am. Room 401.
Executive Session.

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Tuesday, February 13, 2001, 8:00 am. Hearing Room 6.
Executive Session may follow.
To be considered - HB 49, HB 320, HB 368

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Monday, February 12, 2001. North side gallery upon adjournment.
To be considered - Executive Session - HB 329, Executive Session - HB 512

TOURISM, RECREATION AND CULTURAL AFFAIRS

Monday, February 12, 2001, 8:00 pm. Hearing Room 7.

Executive Session may follow.

To be considered - HB 242, HB 463, HB 488

URBAN AFFAIRS

Tuesday, February 13, 2001, 5:00 pm. Hearing Room 1.

Executive Session may follow.

To be considered - HB 321

HOUSE CALENDAR

TWENTY-FOURTH DAY, MONDAY, FEBRUARY 12, 2001

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 18 and HCR 19

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 14

HOUSE BILLS FOR SECOND READING

HB 698 through HB 733

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 302 & 38 - Hosmer
- 2 HCS HB 144 & 46 - Bonner
- 3 HCS HB 328 & 88 - Harlan
- 4 HCS HB 205, 323 & 549 - Relford
- 5 HB 219, HCA 1 - Townley

HOUSE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING

HCR 13, (2-8-01) - Shoemyer

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

TWENTY-FOURTH DAY, MONDAY, FEBRUARY 12, 2001

Speaker Pro Tem Abel in the Chair.

Prayer by Ralph Robinette, Sergeant at Arms.

Stir up Your power, O Lord, and come among us with great might; and because we are sorely hindered by our sins, let Your bountiful grace and mercy speedily help and deliver us; through Jesus Christ, our Lord, who lives and reigns with You and the Holy Spirit, one God, now and forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the twenty-third day was approved as printed by the following vote:

AYES: 157

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

HJR 15, introduced by Representatives Crawford, Reinhart, Naeger and Secrest, et al, relating to highways and transportation.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 734, introduced by Representatives Ostmann, Luetkemeyer, Crawford, Crowell, Naeger and Reinhart, et al, relating to expenditures by the department of transportation.

HB 735, introduced by Representatives Shields, Hanaway, Luetkemeyer, Bearden, Reinhart, Naeger and Secrest, et al, relating to gambling moneys for schools.

HB 736, introduced by Representative Liese, relating to banking.

HB 737, introduced by Representative Liese, relating to compliance with Title V of the Gramm-Leach-Bliley Act of 1999.

HB 738, introduced by Representative Liese, relating to small loans.

HB 739, introduced by Representatives Phillips, Barry, Marble, Portwood and Cunningham, et al, relating to the Women's Information Act.

HB 740, introduced by Representatives Levin, Moore and Bearden, et al, relating to income taxation.

HB 741, introduced by Representatives Levin and Moore, et al, relating to income taxation.

HB 742, introduced by Representatives Harding, Shoemyer and Kelly (27), et al, to authorize the conveyance of property owned by the state in Platte County to Kansas City International Airport.

HB 743, introduced by Representative Townley, relating to railroad crossings of public roads.

HB 744, introduced by Representative Treadway, relating to professional counselors.

HB 745, introduced by Representative Farnen, relating to unclaimed property.

HB 746, introduced by Representative Ladd Baker, relating to in-home care for the elderly.

HB 747, introduced by Representative Crowell, relating to contributions and expenses for gubernatorial inaugurations.

HB 748, introduced by Representative Holt, et al, relating to powers of ambulance districts.

HB 749, introduced by Representative Smith, relating to the automated external defibrillator advisory committee.

HB 750, introduced by Representative Townley, relating to health plans for retired state employees.

HB 751, introduced by Representatives Kennedy and Boykins, relating to the department of secondary and elementary education.

HB 752, introduced by Representatives Johnson (61) and Wilson (42), et al, relating to cosmetologists.

HB 753, introduced by Representative O'Connor, relating to motor vehicle licensing.

HB 754, introduced by Representative Franklin, relating to salary supplements for nationally-certified classroom instructional personnel.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Davis has been appointed a member of the Joint Committee on Legislative Research.

Representative Fraser is no longer a member of the Sportsmanship, Safety and Firearms Committee.

WITHDRAWAL OF HOUSE BILLS

February 12, 2001

The Honorable Jim Kreider, Speaker
Missouri House of Representatives
State Capitol, Room 308
Jefferson City, MO 65101

Dear Mr. Speaker:

I respectfully request the withdrawal of **House Bill 694**.

Thank you for your consideration of this matter.

Sincerely,

/s/ Judy Berkstresser
District 141

February 8, 2001

Ted Wedel, Chief Clerk
Missouri House of Representatives
State Capitol Bldg, Rm. 306-C
Jefferson City, MO 65101

Dear Ted:

I am, hereby, asking you to withdraw **HB 82** relating to mechanic's lien legislation.

Thank you.

Sincerely,

/s/ Derio L. Gambaro
State Representative
District 65

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Tuesday, February 13, 2001.

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Wednesday, February 14, 2001, 11:30 am. Room 414.

AGRICULTURE

Wednesday, February 14, 2001, 3:00 pm. Hearing Room 7.

Presentation by Bill Romjue on the I-70 Life Science Corridor Project.

To be considered - HB 306, HB 473, Executive Session - HB 307

APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY

Tuesday, February 13, 2001, 8:00 am. Hearing Room 1. House Bill 9.
Department of Corrections.

APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY

Wednesday, February 14, 2001, 8:00 am. Hearing Room 1. House Bill 9.
Department of Corrections.

APPROPRIATIONS - EDUCATION

Tuesday, February 13, 2001. Hearing Room 1 upon adjournment.

Mark-up House Bill 2 and House Bill 3.

Possible Executive Session.

APPROPRIATIONS - EDUCATION

Wednesday, February 14, 2001. Hearing Room 1 upon adjournment.

Mark-up House Bill 2 and House Bill 3.

Possible Executive Session.

APPROPRIATIONS - EDUCATION

Thursday, February 15, 2001. Hearing Room 1 upon adjournment.
Mark-up House Bill 2 and House Bill 3.
Possible Executive Session.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 13, 2001. Hearing Room 7 upon adjournment.
Secretary of State, State Librarian and Convention Centers.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 14, 2001. Hearing Room 7 upon adjournment.
Begin mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, February 13, 2001. Hearing Room 6 upon adjournment.
House Bill 10 mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, February 14, 2001. Hearing Room 6 upon adjournment.
House Bill 10 mark-up.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, February 13, 2001. Hearing Room 5 upon adjournment.
Mark-up Department of Economic Development.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, February 14, 2001. Hearing Room 5 upon adjournment.
Mark-up Department of Natural Resources. AMENDED.
Open items. Possible Executive Session.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Thursday, February 15, 2001. Hearing Room 5 upon adjournment. AMENDED.
Open items. Executive Session.

APPROPRIATIONS - SOCIAL SERVICES

Tuesday, February 13, 2001, 8:00 am. Hearing Room 3.
House Bill 11 Department of Social Services.
Committee will also meet upon adjournment.

APPROPRIATIONS - SOCIAL SERVICES

Wednesday, February 14, 2001, 8:00 am. Hearing Room 3.
House Bill 11 Department of Social Services.
Committee will also meet upon adjournment.

APPROPRIATIONS - TRANSPORTATION

Tuesday, February 13, 2001, 8:00 am. Hearing Room 7. Public testimony.

APPROPRIATIONS - TRANSPORTATION

Wednesday, February 14, 2001, 8:00 am. Hearing Room 7. Public testimony.

APPROPRIATIONS - TRANSPORTATION

Thursday, February 15, 2001, 8:00 am. Hearing Room 7. Public testimony.

BUDGET

Tuesday, February 13, 2001, 3:00 pm. Hearing Room 3.

(FY 2001 Supplemental Appropriations) HB 15.

Executive Session if not completed on Monday, Feb.12,2001.

CHILDREN, FAMILIES, AND HEALTH

Tuesday, February 13, 2001, 3:00 pm. Hearing Room 4.

Public testimony from the Department of Health.

To be considered - HB 108, HB 285, HB 339, HB 365

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 14, 2001, 3:00 pm. Hearing Room 1.

Executive Session will follow.

To be considered - HB 193, HB 269, HB 353, HB 399

COMMERCE AND ECONOMIC DEVELOPMENT

Tuesday, February 13, 2001, 3:00 pm. Hearing Room 6.

Executive Session may follow.

To be considered - HB 215, HB 327, HB 332, HB 397

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, February 13, 2001, 8:00 pm. Hearing Room 7.

Executive Session may follow.

To be considered - HB 180, HB 248, HB 361, HB 621

CRIMINAL LAW

Wednesday, February 14, 2001, 8:00 pm. Hearing Room 7.

To be considered - HB 68, HB 265, HB 349, HB 369, HB 372, HB 373

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, February 13, 2001, 7:00 pm. Hearing Room 3.

To be considered - HB 322

EDUCATION - HIGHER

Wednesday, February 14, 2001, 3:00 pm. Hearing Room 5.

Presentation by Dr. Kala Stroup, Commissioner on Higher Education.

Executive Session.

ELECTIONS

Tuesday, February 13, 2001, 7:30 pm. Hearing Room 5.

To be considered - HB 297, HB 301

ENVIRONMENT AND ENERGY

Thursday, February 15, 2001, 8:30 am. Hearing Room 5. CORRECTED NOTICE.

To be considered - HB 296, HB 453

FISCAL REVIEW AND GOVERNMENT REFORM

Tuesday, February 13, 2001, 5:30 pm. Hearing Room 4.

To be considered - HB 309, HB 315, HB 363, HB 391, HJR 3, HJR 4, HJR 10

INSURANCE

Tuesday, February 13, 2001, 8:00 am. Hearing Room 5.

To be considered - HB 151, HB 153, HB 179, HB 212, HB 341, HB 646

JUDICIARY

Tuesday, February 13, 2001, 3:00 pm. Hearing Room 5.

To be considered - HB 107, HB 331

LABOR

Tuesday, February 13, 2001, 5:00 pm. Hearing Room 3.

To be considered - HB 208, Executive Session - HB 113

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, February 13, 2001, 3:00 pm. Hearing Room 7.

Executive Session to follow. CORRECTED.

To be considered - HB 135, HB 138, HB 268, HB 303, HB 316, HB 340, HB 380, HB 381, HB 382, HB 421

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, February 14, 2001, 8:30 am. Hearing Room 5.

Executive Session may follow.

To be considered - HB 185, HB 425

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, February 13, 2001, 3:00 pm. Hearing Room 1.

To be considered - HB 126, HB 333, HB 575

MUNICIPAL CORPORATIONS

Wednesday, February 14, 2001, 3:00 pm. Hearing Room 4.

Executive Session may follow.

To be considered - HB 338

PROFESSIONAL REGISTRATION AND LICENSING

Tuesday, February 13, 2001, 9:00 am. Room 401. Executive Session. CANCELLED.

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Tuesday, February 13, 2001, 8:00 am. Hearing Room 6.

Executive Session may follow.

To be considered - HB 49, HB 320, HB 368

TRANSPORTATION

Wednesday, February 14, 2001, 3:00 pm. Hearing Room 6.

Executive Session to follow.

To be considered - HB 251, HB 470, HB 485

URBAN AFFAIRS

Tuesday, February 13, 2001, 5:00 pm. Hearing Room 1.

Executive Session may follow.

To be considered - HB 321

WAYS AND MEANS

Tuesday, February 13, 2001, 3:00 pm. Hearing Room 2.

Executive Session may be held before hearing bills. AMENDED.

To be considered - HB 117, HB 213, HB 240, HB 448, HB 482, HB 594

HOUSE CALENDAR

TWENTY-FIFTH DAY, TUESDAY, FEBRUARY 13, 2001

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 20

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 15

HOUSE BILLS FOR SECOND READING

HB 734 through HB 754

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 302 & 38 - Hosmer
- 2 HCS HB 144 & 46 - Bonner
- 3 HCS HB 328 & 88 - Harlan
- 4 HCS HB 205, 323 & 549 - Relford
- 5 HB 219, HCA 1 - Townley

HOUSE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING

HCR 13, (2-8-01, pgs. 322 & 323) - Shoemyer

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

TWENTY-FIFTH DAY, TUESDAY, FEBRUARY 13, 2001

Speaker Kreider in the Chair.

Prayer by Representative Philip Willoughby.

We give You thanks, O God for the opportunity of service. As we assemble together as a body of representatives, make us mindful that You are part of this body as well. May our deliberations this day be thoughtful, and bring honor to You and to this great State. In Your holy name. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Natalie Wilson, Erica Wilson and Valerie Wilson.

The Journal of the twenty-fourth day was approved as printed.

Representative Crump suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 155

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald

O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 000

PRESENT: 002

Reynolds Wright

ABSENT WITH LEAVE: 002

Ridgeway Williams

VACANCIES: 004

Valerie Maxwell, Missouri's Teacher of the Year, addressed the House.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 296	-	Representatives Holt and Liese
House Resolution No. 297		
through		
House Resolution No. 306	-	Representatives Murphy and Enz
House Resolution No. 307		
through		
House Resolution No. 320	-	Representatives Enz and Hendrickson
House Resolution No. 321		
through		
House Resolution No. 365	-	Representative Murphy
House Resolution No. 366	-	Representative Ford
House Resolution No. 367	-	Representatives Campbell and Van Zandt
House Resolution No. 368	-	Representatives Wilson (42), Curls and Sanders Brooks
House Resolution No. 369		
through		
House Resolution No. 372	-	Representatives Murphy and Enz
House Resolution No. 373		
through		
House Resolution No. 386	-	Representatives Murphy, Enz and Hendrickson
House Resolution No. 387	-	Representative Murphy
House Resolution No. 388		
through		
House Resolution No. 393	-	Representative Richardson

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 20 was read the second time.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 15 was read the second time.

SECOND READING OF HOUSE BILLS

HB 734 through **HB 754** were read the second time.

PERFECTION OF HOUSE BILLS

HCS HBs 302 & 38, relating to blood alcohol content violations, was taken up by Representative Hosmer.

Representative Griesheimer offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 302 & 38, Page 11, Section 577.037, Line 35, by inserting after all of said line the following:

"Section B. The provisions of section A of this act shall become effective October 1, 2003."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Griesheimer moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Lograsso offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill Nos. 302 & 38, Page 2, Section 302.302, Lines 38 and 42; and

Further amend on Page 7, Section 302.505, Line 4; and

Further amend on Page 7, Section 302.510, Line 5; and

Further amend on Page 8, Section 302.520, Line 3; and

Further amend on Page 9, Section 302.541, Line 6; and

Further amend on Page 9, Section 306.112, Line 3; and

Further amend on Page 10, Section 306.117, Lines 11 and 15; and

Further amend on Page 10, Section 577.012, Lines 2 and 3; and

Further amend on Page 11, Section 577.037, Lines 10 and 27; and

Further amend by deleting the words “**eight-hundredths**” on each line referred to and replacing it with the words “**five-hundredths**”.

Representative Monaco offered **House Substitute Amendment No. 1 for House Amendment No. 2**.

House Substitute Amendment No. 1 for House Amendment No. 2 was withdrawn.

Representative Lograsso moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 055

Bartelsmeyer	Bearden	Behnen	Berkstresser	Bray 84
Brooks	Byrd	Cierpiot	Clayton	Cooper
Crawford	Crowell	Dempsey	Enz	Fraser
Gratz	Griesheimer	Hanaway	Hartzler	Henderson
Hickey	Hohulin	Hollingsworth	Hoppe	Hunter
Jolly	Kelley 47	King	Linton	Lograsso
Long	Luetkemeyer	Mayer	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	Overschmidt
Portwood	Rector	Reinhart	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Scheve	Schwab
St. Onge	Townley	Troupe	Vogel	Wright

NOES: 095

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Berkowitz	Black	Boatright
Bonner	Boucher	Bowman	Boykins	Britt
Burcham	Burton	Campbell	Carnahan	Coleman
Copenhaver	Crump	Curls	Davis	Fares
Farnen	Foley	Franklin	Froelker	Gambaro
Gaskill	George	Graham	Green 15	Green 73
Hagan-Harrell	Hampton	Harding	Harlan	Haywood
Hegeman	Hendrickson	Hilgemann	Holand	Holt
Hosmer	Jetton	Johnson 61	Johnson 90	Kelly 144
Kelly 36	Kennedy	Koller	Lawson	Legan
Levin	Liese	Lowe	Luetkenhaus	Marble
Marsh	May 149	McKenna	Merideth	Miller
Monaco	O'Toole	Ostmann	Phillips	Purgason
Ransdall	Reid	Relford	Robirds	Ross
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	Surface
Thompson	Van Zandt	Villa	Wagner	Walton
Ward	Wiggins	Willoughby	Wilson 25	Mr. Speaker

PRESENT: 003

Champion	Cunningham	Wilson 42
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ABSENT WITH LEAVE: 006

Dolan
Williams

Ford

Kelly 27

Mays 50

Treadway

VACANCIES: 004

On motion of Representative Hosmer, **HCS HBs 302 & 38** was adopted.

On motion of Representative Hosmer, **HCS HBs 302 & 38** was ordered perfected and printed.

HCS HBs 144 & 46, relating to outstanding arrest warrants upon the release of prisoners, was taken up by Representative Bonner.

On motion of Representative Bonner, **HCS HBs 144 & 46** was adopted.

On motion of Representative Bonner, **HCS HBs 144 & 46** was ordered perfected and printed.

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 12 - Fiscal Review and Government Reform

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 131 - Education-Elementary and Secondary

HB 379 - Conservation, State Parks and Mining

HB 423 - Ways and Means

HB 501 - Miscellaneous Bills & Resolutions

HB 502 - Correctional and State Institutions

HB 503 - Local Government and Related Matters

HB 504 - Social Services, Medicaid and the Elderly

HB 505 - Education-Elementary and Secondary

HB 506 - Education-Elementary and Secondary

HB 507 - Ways and Means

HB 508 - Ways and Means

HB 509 - Ways and Means

HB 510 - Criminal Law

HB 511 - Critical Issues, Consumer Protection and Housing

HB 513 - Criminal Law

HB 514 - Retirement

HB 515 - Local Government and Related Matters

HB 516 - Criminal Law

- HB 517** - Motor Vehicle and Traffic Regulations
- HB 518** - Transportation
- HB 520** - Local Government and Related Matters
- HB 521** - Utilities Regulation
- HB 522** - Agriculture
- HB 523** - Transportation
- HB 524** - Public Safety, Law Enforcement and Veteran Affairs
- HB 525** - Judiciary
- HB 526** - Children, Families and Health
- HB 527** - Labor
- HB 528** - Correctional and State Institutions
- HB 529** - Judiciary
- HB 530** - Labor
- HB 531** - Correctional and State Institutions
- HB 533** - Criminal Law
- HB 534** - Local Government and Related Matters
- HB 535** - Education-Elementary and Secondary
- HB 536** - Education-Elementary and Secondary
- HB 537** - Civil and Administrative Law
- HB 538** - Elections
- HB 539** - Ways and Means
- HB 540** - Judiciary
- HB 541** - Elections
- HB 542** - Insurance
- HB 543** - Fiscal Review and Government Reform
- HB 544** - Professional Registration and Licensing
- HB 545** - Miscellaneous Bills & Resolutions
- HB 546** - Social Services, Medicaid and the Elderly
- HB 547** - Ways and Means
- HB 548** - Retirement
- HB 550** - Ways and Means
- HB 551** - Ways and Means
- HB 552** - Retirement
- HB 553** - Local Government and Related Matters
- HB 554** - Fiscal Review and Government Reform
- HB 556** - Ways and Means
- HB 557** - Municipal Corporations
- HB 558** - Utilities Regulation
- HB 560** - Ways and Means
- HB 561** - Ways and Means
- HB 562** - Judiciary
- HB 563** - Criminal Law
- HB 564** - Critical Issues, Consumer Protection and Housing
- HB 565** - Critical Issues, Consumer Protection and Housing
- HB 566** - Public Safety, Law Enforcement and Veteran Affairs

HB 569 - Fiscal Review and Government Reform
HB 570 - Workers Compensation and Employment Security
HB 571 - Local Government and Related Matters
HB 572 - Criminal Law
HB 573 - Fiscal Review and Government Reform
HB 574 - Criminal Law
HB 577 - Elections
HB 578 - Local Government and Related Matters
HB 579 - Workers Compensation and Employment Security
HB 580 - Agriculture
HB 581 - Agriculture
HB 582 - Criminal Law
HB 583 - Judiciary
HB 585 - Commerce and Economic Development
HB 587 - Labor
HB 588 - Professional Registration and Licensing
HB 589 - Judiciary
HB 590 - Ways and Means
HB 591 - Social Services, Medicaid and the Elderly
HB 593 - Critical Issues, Consumer Protection and Housing
HB 595 - Commerce and Economic Development
HB 596 - Municipal Corporations
HB 597 - Environment and Energy
HB 598 - Education-Elementary and Secondary
HB 599 - Commerce and Economic Development
HB 600 - Correctional and State Institutions

COMMITTEE REPORTS

Committee on Ethics, Chairman Clayton reporting:

Mr. Speaker: Your Committee on Ethics, to which was referred the **REPRESENTATIVES ACROSS MISSOURI CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

TO: State Representative Robert Clayton
Chairman, Ethics Committee

FROM: State Representative Don Koller

DATE: January 23, 2001

RE: Representatives Across Missouri Caucus

In accordance with Section 105.473.3(2)(c)d RSMo2000, we are listing the following members of the General Assembly as members of the Representatives Across Missouri Caucus.

<u>REPRESENTATIVE</u>	<u>DISTRICT</u>
/s/ Abel, Mark	103
/s/ Crump, Wayne	152
/s/ Foley, James	81
/s/ Franklin, Dick	53
/s/ Gratz, Bill	113
/s/ Green, Tom	15
/s/ Green, Tim	73
/s/ Hampton, Mark	147
/s/ Hollingsworth, Katherine	101
/s/ Koller, Don	153
/s/ Kreider, Jim	142
/s/ Overschmidt, Francis	110
/s/ Scheve, May	98
/s/ Shelton, O. L.	57
/s/ Shoemyer, Wes	9
/s/ Treadway, Joseph	96
/s/ Wiggins, Gary	8
/s/ Rizzo, Henry	40
/s/ Ward, Dan	107

Mr. Speaker: Your Committee on Ethics, to which was referred the **REPUBLICAN FRESHMAN CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

TO: Chairman House Ethics Committee

FROM: Representative Bob Behnen
Republican Freshman Caucus Chairman

DATE: January 9, 2001

RE: Republican Freshman Caucus

Pursuant to Section 105.473.3(2)(c)d RSMo,2000 and the rules of the Missouri House of Representatives, a listing of the members of the 91st General Assembly's House of Representatives Republican Freshman Caucus is attached.

Please consider this letter a formal application to the committee on Ethics to approve this caucus to be recognized as a duly filed and approved caucus of the General Assembly.

The officers were elected as follows:

Bob Behnen, District 2	Chairman
Charles Portwood, District 92	Vice-Chairman
Danielle Moore, District 20	Secretary
Rod Jetton, District 156	Treasurer

I will serve as a designated member to present the request to the Committee. Please contact me at (573) 751-0224 if you have any questions concerning this caucus organization.

Sincerely,

/s/ Rep. Bob Behnen

Members of the Republican Freshman Caucus

/s/ Carl Bearden - 16	/s/ Robert J. Behnen - 2
/s/ Tom Burcham - 106	/s/ Richard G. Byrd - 94
/s/ Shannon Cooper - 120	/s/ Jason Crowell - 158
/s/ Jane Cunningham - 86	/s/ Tom Dempsey - 18
/s/ Kathlyn Fares - 91	/s/ Steve Henderson - 116
/s/ Steve Hunter - 127	/s/ Rod Jetton - 156
/s/ Van Kelly - 144	/s/ B. J. Marsh - 136
/s/ Bob May - 149	/s/ Robert N. Mayer - 159
/s/ Danielle Moore - 20	/s/ Charles R. Portwood - 92
/s/ Rex Rector - 124	/s/ Brad Roark - 139
/s/ Neal C. St. Onge - 88	

Mr. Speaker: Your Committee on Ethics, to which was referred the **MISSOURI DEMOCRATS FOR LIFE CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

To: Representative Robert Clayton, Chairman
House Ethics Committee

From: Rep. David L. Reynolds

Date: February 1, 2001

RE: Missouri Democrats for Life Caucus

In accordance with Section 105.470(6) 4 (2) and d RSMo 1991, we are listing the following members of the General Assembly as members of the "Missouri Democrats for Life Caucus".

<u>Representatives</u>	<u>District</u>
/s/ Sam Berkowitz	1
/s/ Gary Wiggins	8
/s/ Wes Shoemyer	9
/s/ Bill Luetkenhaus	12
/s/ Tom Green	15
/s/ Bruce Holt	17
/s/ Ted Farnen	21
/s/ Gary Kelly	36
/s/ Henry Rizzo	40
/s/ Tom Hoppe	46
/s/ Dennis Bonner	51
/s/ Derio Gambaro	65
/s/ Harry Kennedy	66
/s/ Tim Green	73

/s/ Tom George	74
/s/ David Reynolds	77
/s/ Pat O'Connor	79
/s/ Jim Foley	81
/s/ Chris Liese	85
/s/ Joe Treadway	96
/s/ Joan Barry	100
/s/ Ryan McKenna	102
/s/ Wes Wagner	104
/s/ Harold Selby	105
/s/ Tom Villa	108
/s/ Francis Overschmidt	110
/s/ Bill Gratz	113
/s/ Mark Hampton	147
/s/ Frank Barnitz	150
/s/ Wayne Crump	152
/s/ Don Koller	153
/s/ Denny Merideth	162
/s/ Phillip Britt	163

Mr. Speaker: Your Committee on Ethics, to which was referred the **LEGISLATORS FOR A MODERATE AGENDA CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

TO: Chairman Robert Clayton
Ethics Committee

FROM: Chairman Wes Wagner
Caucus for Legislators for a Moderate Agenda

DATE: January 25, 2001

RE: Caucus for Legislators for a Moderate Agenda

In accordance with section 105.470.4(2)(c)d RSMo 1991, we are listing the following members of the General Assembly as members for the Caucus for Legislators for a Moderate Agenda.

<u>REPRESENTATIVE</u>	<u>DISTRICT</u>
/s/ Joan Barry	100
/s/ Dennis Bonner	51
/s/ Ted Farnen	21
/s/ James Foley	81
/s/ Derio Gambaro	65
/s/ Tommy George	74
/s/ Chuck Graham	24
/s/ Timothy Green	73
/s/ Tom Green	15
/s/ John Hickey	80
/s/ Bruce Holt	17
/s/ Cathy Jolly	45
/s/ Glenda Kelly	27
/s/ Harry Kennedy	66

/s/ Jim Kreider	142
/s/ Chris Liese	85
/s/ Jenee Lowe	44
/s/ Bill Luetkenhaus	12
/s/ Ryan McKenna	102
/s/ Ralph Monaco	49
/s/ Patrick O'Connor	79
/s/ James O'Toole	68
/s/ Dave Reynolds	77
/s/ Harold Selby	105
/s/ Wes Wagner	104
/s/ Wes Shoemyer	9
/s/ John Bowman	70

Mr. Speaker: Your Committee on Ethics, to which was referred the **T.R.U.T.H. CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

January 23, 2001

Representative Robert Clayton
Chairman House Ethics Committee
Capitol Building
Jefferson City, MO 65101

Dear Chairman Clayton:

We the undersigned would like for you to approve the T.R.U.T.H. Caucus as an official House recognized caucus. The Chairman of the Caucus will be Don Lograsso.

/s/ Don Lograsso #54	/s/ David Levin #82
/s/ Tom Dempsey #18	/s/ Catherine Hanaway #87
/s/ Linda Bartelsmeyer #132	/s/ John Dolan #13
/s/ Catherine Enz #99	/s/ Tom Burcham #106
/s/ Pat Naeger #155	/s/ Dan Hegeman #5
/s/ Ed Hartzler #123	/s/ Pat Kelley #47
/s/ Delbert Scott #119	/s/ Cindy Ostmann #14
/s/ Jason Crowell #158	/s/ John Griesheimer #109
/s/ Blaine Luetkemeyer #115	/s/ Chuck Portwood #92
/s/ Carl Hendrickson #97	/s/ Bob Behnen #2
/s/ Jim Froelker #111	/s/ Larry Crawford #117
/s/ Susan Phillips #32	/s/ Rod Jetton #156
/s/ Peter Myers #160	/s/ Rex Rector #124
/s/ Annie Reinhart #34	/s/ Danie Moore #20
/s/ Luann Ridgeway #35	/s/ Lanie Black #161
/s/ Chuck Purgason #151	/s/ Beth Long #146
/s/ Mike Reid #78	/s/ Sam Gaskill #131
/s/ Jim Murphy #95	/s/ Chuck Surface #129
/s/ Ken Legan #145	/s/ Richard Byrd #94
/s/ Bubs Hohulin #126	/s/ Ronnie Miller #133
/s/ Norma Champion #134	/s/ Matt Boatright #118
/s/ Rex Barnett #4	/s/ Bill Linton #89
/s/ Connie Cierpiot #52	/s/ Shannon Cooper #120
/s/ Judy Berkstresser #141	/s/ Carson Ross #55

/s/ Mark Richardson #154

/s/ Steve Henderson #116

/s/ Roy Holand #135

Mr. Speaker: Your Committee on Ethics, to which was referred the **DEMOCRATIC MAJORITY CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

DATE: January 24, 2001

TO: Representative Robert Clayton
Chairman, House Committee on Ethics

FROM: Representative Joan Barry
Majority Caucus Secretary

I would like to request a hearing and approval for the Missouri House Democratic Caucus and, in accordance with Section 105.473.3(2)(c)d, RSMo, we are listing the following members of the General Assembly as members of the Missouri House Democratic Caucus:

<u>District</u>	<u>Name</u>
1	/s/ Sam Berkowitz
6	/s/ Randall Relford
8	/s/ Gary Wiggins
9	/s/ Wes Shoemyer
10	/s/ Robert M. Clayton
11	/s/ Phil Smith
12	/s/ Bill Luetkenhaus
15	/s/ Tom Green
17	/s/ Bruce Holt
21	/s/ Ted Farnen (Chairman)
22	/s/ Nancy Copenhaver
23	/s/ Tim Harlan
24	/s/ Chuck Graham
25	/s/ Vicky Riback Wilson
26	/s/ Jim Seigfreid
27	/s/ Glenda Kelly
29	/s/ Maurice Lawson
30	/s/ Meg Harding
31	/s/ Bill Skaggs
33	/s/ Philip Willoughby
36	/s/ Gary Kelly
37	/s/ Sharon Sanders Brooks
38	/s/ Tim Van Zandt
39	/s/ Marsha Campbell
40	/s/ Henry Rizzo
41	/s/ Melba Curls
42	/s/ Yvonne Wilson
44	/s/ Jenee Lowe
45	/s/ Cathy Jolly
46	/s/ Tom Hoppe
48	/s/ Bill Boucher
49	/s/ Ralph Monaco
50	/s/ Carol Jean Mays

51	/s/ Dennis Bonner
53	/s/ Dick Franklin
57	/s/ O.L. Shelton
58	/s/ Louis Ford
59	/s/ Russ Carnahan
60	/s/ Amber Boykins
61	/s/ Connie Johnson
62	/s/ Charles Q. Troupe
63	/s/ Maida Coleman
64	/s/ Robert Hilgemann
65	/s/ Derio Gambaro
66	/s/ Harry Kennedy
68	/s/ James O'Toole
69	/s/ Juanita Walton
70	/s/ John Bowman
71	/s/ Esther Haywood
72	/s/ Betty L. Thompson
73	/s/ Timothy P. Green
74	/s/ Tom George
75	/s/ Mary Hagan-Harrell
76	/s/ Lana Ladd Baker
77	/s/ David Reynolds
79	/s/ Pat O'Connor
80	/s/ John J. Hickey
81	/s/ James M. Foley
83	/s/ Barbara Wall Fraser
84	/s/ Joan Bray
85	/s/ Chris Liese
90	/s/ Rick Johnson
96	/s/ Joe Treadway
98	/s/ May Scheve
100	/s/ Joan Barry
101	/s/ Kate Hollingsworth
102	/s/ Ryan G. McKenna
103	/s/ Mark C. Abel
104	/s/ Wes Wagner
105	/s/ Harold Selby
107	/s/ Dan Ward
108	/s/ Thomas Villa
110	/s/ Francis Overschmidt
113	/s/ W.W. Gratz
121	/s/ Deleta Williams
122	/s/ D.J. Davis
138	/s/ Craig Hosmer
142	/s/ Jim Kreider
147	/s/ Mark Hampton
148	/s/ Bill Ransdall
150	/s/ Frank Barnitz
152	/s/ Wayne Crump
153	/s/ Don Koller
162	/s/ Denny J. Merideth
163	/s/ Phillip Britt

Mr. Speaker: Your Committee on Ethics, to which was referred the **GREATER DEMOCRATIC KANSAS CITY CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

TO: Representative Robert Clayton, Chairman
Ethics Committee

FROM: Representative Bill Skaggs

DATE: February 6, 2001

RE: Greater Democratic Kansas City Caucus

In accordance with Section 105.473.3(2)(c)d RSMo 2000, we are asking the following members of the General Assembly be made members of the Greater Democratic Kansas City Caucus.

Your approval would be greatly appreciated.

Pursuant to Section 105.470. Listed below are the members of the Greater Democratic Kansas City Caucus:

In the House:

District 29	/s/ Rep. Mauric Lawson Room 130-DA	751-9460
District 31	/s/ Rep. Bill Skaggs Room 414	751-2199
District 33	/s/ Rep. Philip Willoughby Room 415A	751-6600
District 36	/s/ Rep. Gary Kelly Room 406-B	751-9757
District 37	/s/ Rep. Sharon Sanders Brooks Room 235BB	751-1309
District 38	/s/ Tim Van Zandt Room 412-B	751-5282
District 39	/s/ Rep. Marsha Campbell Room 405-B	751-4485
District 40	/s/ Rep. Henry Rizzo Room 302-A	751-3310
District 41	/s/ Rep. Melba Curls Room 235BA	751-3158
District 42	/s/ Rep. Yvonne Wilson Room 409-B	751-9758
District 44	/s/ Rep. Jenee Lowe Room 200-BC	751-2437

District 45	/s/ Rep. Cathy Jolly Room 415-B	751-6607
District 46	/s/ Rep. Tom Hoppe Room 403-A	751-9469
District 48	/s/ Rep. Bill Boucher Room 313-3	751-7335
District 49	/s/ Rep. Ralph Monaco Room 112	751-9851
District 50	/s/ Rep. Carol Jean Mays Room 206-A	751-7639
District 51	/s/ Rep. Dennis Bonner Room 315	751-5701
District 53	/s/ Rep. Dick Franklin Room 311	751-6535
District 6	/s/ Rep. Randall Relford Room 234	751-9818
District 122	/s/ Rep. D. J. Davis Room 405-A	751-1500
In the Senate:		
District 9	/s/ Senator Mary Bland Room 334	751-2770
District 10	/s/ Senator Harry Wiggins Room 423	751-2788
District 11	/s/ Senator Ronnie DePasco Room 321	751-3074
District 17	/s/ Senator Ed Quick Room 326	751-4524
District 21	/s/ Senator Jim Mathewson Room 323	751-4771
District 31	/s/ Senator Harold Caskey Room 320	751-4116
District 34	/s/ Senator Sidney Johnson Room 321	

Mr. Speaker: Your Committee on Ethics, to which was referred the **MISSOURI LEGISLATIVE BLACK CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

TO: Rep. Robert Clayton, Chairman
 Ethics Committee

FROM: Rep. Amber H. Boykins, Chair
 Missouri Legislative Black Caucus

DATE: February 5, 2001

RE: Missouri Legislative Black Caucus

In accordance with Section 196.407 and the rules of the Missouri House of Representatives, a listing of the members of the 91st General Assembly's House of Representatives' Missouri Legislative Black Caucus is attached. Please note the changes to the member list, also attached.

Consider this letter a formal application to the Committee on Ethics to renew this caucus, the commonality of interest, the advantages of forming this caucus, and the regularity of our meetings.

Please contact me at (573) 751-4415, if you have any questions concerning this caucus organization. I shall serve as the designated member to present this caucus to the committee.

Missouri Legislative Black Caucus Members

Officers

Rep. Amber Boykins
Chair
District 60 - D

Rep. Melba Curls
Vice Chair
District 41 - D

Rep. Yvonne Wilson
Treasurer
District 42 - D

Rep. Connie Johnson
Secretary
District 61 - D

Members

Sen. Mary Groves Bland
District 9 - D

Sen. Paula Carter
District 5 - D

Rep. John Bowman
District 70 - D

Rep. Sharon Sanders Brooks
District 37 - D

Rep. Maida Coleman
District 63 - D

Rep. O. L. Shelton
District 57 - D

Rep. Esther Haywood
District 71 - D

Rep. Betty Thompson
District 72 - D

Rep. Juanita Walton
District 69 - D

Members Deleted

Rep. Russell Gunn
Rep. Rita Days
Rep. Carson Ross
Rep. Terry Riley
Sen. William Clay, Jr.
Rep. Louis Ford
Rep. Charles Quincy Troupe

Members Added

Rep. Connie Johnson
Rep. Maida Coleman
Rep. John Bowman
Rep. Sharon Sanders Brooks
Rep. Juanita Walton
Rep. Esther Haywood

SIGNATURE PAGE

/s/ Rep. Amber Boykins
Chair

/s/ Rep. Yvonne Wilson
Treasurer

/s/ Sen. Mary Groves Bland

/s/ Rep. John Bowman

/s/ Rep. Maida Coleman

/s/ Rep. Esther Haywood

/s/ Rep. Juanita Walton

/s/ Rep. Melba Curls
Vice-Chair

/s/ Rep. Connie Johnson
Secretary

/s/ Sen. Paula Carter

/s/ Rep. Sharon Sanders Brooks

/s/ Rep. O. L. Shelton

/s/ Rep. Betty Thompson

Mr. Speaker: Your Committee on Ethics, to which was referred the **GREATER KANSAS CITY CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

TO: Representative Robert Clayton, Chairman
Ethics Committee

FROM: Representative Bill Skaggs

DATE: February 6, 2001

RE: Greater Kansas City Caucus

In accordance with Section 105.473.3(2)(c)d RSMo 2000, we are asking the following members of the General Assembly be made members of the Greater Kansas City Caucus.

Your approval would be greatly appreciated.

Pursuant to Section 105.470. listed below are the members of the Greater Kansas City Caucus:

District 29	/s/ Rep. Maurice Lawson Room 207B	751-9460
District 30	/s/ Rep. Meg Harding Room 130DB	751-6593
District 31	/s/ Rep. Bill Skaggs Room 414	751-2199
District 32	/s/ Rep. Susan Phillips Room 103BC	751-2071
District 33	/s/ Rep. Philip Willoughby Room 415A	751-6600
District 34	/s/ Rep. Annie Reinhart Room 116-A1	751-1218
District 35	/s/ Rep. Luann Ridgeway Room 105-F	751-2238
District 36	/s/ Rep. Gary Kelly Room 406B	751-9757
District 37	/s/ Rep. Sharon Sanders Brooks Room 235BB	751-1309
District 38	/s/ Rep. Tim Van Zandt Room 412-B	751-5282
District 39	/s/ Rep. Marsha Campbell Room 405-B	751-4485
District 40	/s/ Rep. Henry Rizzo Room 302-A	751-3310
District 41	/s/ Rep. Melba Curls Room 235BA	751-3158
District 42	/s/ Rep. Yvonne Wilson Room 409B	751-9758
District 44	/s/ Rep. Jenee Lowe Room 200BC	751-2437
District 45	/s/ Rep. Cathy Jolly Room 415B	751-6607
District 46	/s/ Rep. Tom Hoppe Room 403-A	751-9469
District 47	/s/ Rep. Pat Kelley Room 109-A	751-1456

District 48	/s/ Rep. Bill Boucher Room 313-3	751-7335
District 49	/s/ Rep. Ralph Monaco Room 112	751-9851
District 50	/s/ Rep. Carol Jean Mays Room 206-A	751-7639
District 51	/s/ Rep. Dennis Bonner Room 315	751-5701
District 52	/s/ Rep. Connie Cierpiot Room 135-AA	751-9759
District 53	/s/ Rep. Dick Franklin Room 311	751-6535
District 54	/s/ Rep. Don Lograsso Room 105-G	751-1487
District 55	/s/ Rep. Carson Ross Room 105-C	751-8636
District 56	/s/ Rep. Matt Bartle Room 105-J	751-1464
District 6	/s/ Rep. Randall Relford Room 234	751-9818
District 123	/s/ Rep. Ed Hartzler Room 115-D	751-2175
District 124	/s/ Rep. Rex Rector Room 115-I	751-9780
District 126	/s/ Rep. Jerry King Room 105-E	751-5388
District 122	/s/ Rep. D. J. Davis Room 405-A	751-1500
District 27	/s/ Rep. Glenda Kelly Room 312	751-9755
District 28	/s/ Rep. Charlie Shields Room 101-E	751-9476

In the Senate:

District 9	/s/ Senator Mary Bland Room 334	751-2770
District 10	/s/ Senator Harry Wiggins Room 423	751-2788
District 11	/s/ Senator Ronnie DePasco Room 321	751-3074
District 17	/s/ Senator Ed Quick Room 326	751-4524
District 21	/s/ Senator Jim Mathewson Room 319	751-4771
District 31	/s/ Senator Harold Caskey Room 320	751-4116
District 34	/s/ Senator Sidney Johnson Room 332	

Mr. Speaker: Your Committee on Ethics, to which was referred **ST. LOUIS REGIONAL CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

TO: Rep. Robert Clayton
Chairman, House Ethics Committee

FROM: Rep. David Levin

DATE: January 18, 2001

SUBJECT: St. Louis Regional Caucus

In accordance with Section 105.473.3(2)(c)d and the rules of the Missouri House of Representatives, a listing of the members of the 91st General Assembly's House of Representatives' and 91st General Assembly's State Senate Joint St. Louis Regional Caucus is attached.

Consider this letter a formal application to the Committee on Judiciary and Ethics to approve this caucus, the commonality of interest and the advantages of forming this caucus.

Please contact me at (573) 751-9762, if you have any questions concerning this caucus organization. I shall serve as the designated member to present this caucus to the committee.

/s/ Rep. Bill Luetkenhaus, District 12
/s/ Rep. Cindy Ostmann, District 14
/s/ Rep. Carl Bearden, District 16
/s/ Rep. Tom Dempsey, District 18
/s/ Rep. Louis Ford, District 58
/s/ Rep. Amber Boykins, District 60
/s/ Rep. Charles Q. Troupe, District 62

/s/ Rep. Jon Dolan, District 13
/s/ Rep. Tom Green, District 15
/s/ Rep. Bruce Holt, District 17
/s/ Rep. O.L. Shelton, District 57
/s/ Rep. Russ Carnahan, District 59
/s/ Rep. Connie Johnson, District 61
/s/ Rep. Maida Coleman, District 63

/s/ Rep. Robert Hilgemann, District 64
/s/ Rep. Harry Kennedy, District 66
/s/ Rep. James O'Toole, District 68
/s/ Rep. James Bowman, District 70
/s/ Rep. Betty Thompson, District 72
/s/ Rep. Tom George, District 74
/s/ Rep. Lana Ladd Baker, District 76
/s/ Rep. Mike Reid, District 78
/s/ Rep. John Hickey, District 80
/s/ Rep. David Levin, District 82
/s/ Rep. Joan Bray, District 84
/s/ Rep. Jane Cunningham, District 86
/s/ Rep. Neal St. Onge, District 88
/s/ Rep. Richard K. Johnson, District 90
/s/ Rep. Charles Portwood, District 92
/s/ Rep. Richard Byrd, District 94
/s/ Rep. Joseph Treadway, District 96
/s/ Rep. May Scheve, District 98
/s/ Rep. Joan Barry, District 100
/s/ Rep. Ryan McKenna, District 102
/s/ Rep. Wes Wagner, District 104
/s/ Rep. Thomas Villa, District 108
/s/ Rep. Francis Overschmidt, District 110

/s/ Sen. Anita Yeckel, District 1
/s/ Sen. John Scott, District 3
/s/ Sen. John Loudon, District 7
/s/ Sen. John Schneider, District 14
/s/ Sen. Steve Stoll, District 22
/s/ Sen. Betty Sims, District 24

/s/ Rep. Derio Gambaro, District 65
/s/ Rep. Patrick Dougherty, District 67
/s/ Rep. Juanita Walton, District 69
/s/ Rep. Esther Haywood, District 71
/s/ Rep. Timothy Green, District 73
/s/ Rep. Mary Hagan-Harrell, District 75
/s/ Rep. David Reynolds, District 77
/s/ Rep. Patrick O'Connor, District 79
/s/ Rep. James Foley, District 81
/s/ Rep. Barbara Fraser, District 83
/s/ Rep. Chris Liese, District 85
/s/ Rep. Catherine Hanaway, District 87
/s/ Rep. William Linton, District 89
/s/ Rep. Kathlyn Fares, District 91
/s/ Rep. Patricia Secrest, District 93
/s/ Rep. James Murphy, District 95
/s/ Rep. Carl Hendrickson, District 97
/s/ Rep. Catherine Enz, District 99
/s/ Rep. Katherine Hollingsworth, District 101
/s/ Rep. Mark Abel, District 103
/s/ Rep. Harold Selby, District 105
/s/ Rep. John Griesheimer, District 109
/s/ Rep. James Froelker, District 111

/s/ Sen. Ted House, District 2
/s/ Sen. Paula Carter, District 5
/s/ Sen. Wayne Goode, District 13
/s/ Sen. Mike Gibbons, District 15
/s/ Sen. Chuck Gross, District 23
/s/ Sen. David Klarich, District 26

Mr. Speaker: Your Committee on Ethics, to which was referred the **HOUSE REPUBLICAN CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

To: Representative Robert Clayton, Chairman
House Ethics Committee

From: Representative Blaine Luetkemeyer
Republican Caucus Chairman

Date: January 25, 2001

Re: House Republican Caucus

Pursuant to Section 105.473.3(2)(c)d RSMo, 1998 and the rules of the Missouri House of Representatives, a listing of the members of the 91st General Assembly's House of Representatives' Republican Caucus is attached.

Please consider this letter a formal application to the Committee on Ethics to approve this caucus to be recognized as a duly filed and approved caucus of the General Assembly.

I will serve as the designated member to present this request to the Committee. Please contact me at (573) 751-2077 if you have any questions concerning this caucus organization.

/s/ Charlie Ballard - 140
 /s/ Linda Bartelsmeyer - 132
 /s/ Carl Bearden - 16
 /s/ Judy Berkstresser - 141
 /s/ Matt Boatright - 118
 /s/ Gary Burton - 128
 /s/ Norma Champion - 134
 /s/ Shannon Cooper - 120
 /s/ Jason Crowell - 158
 /s/ Tom Dempsey - 18
 /s/ CatherineENZ - 99
 /s/ Jim Froelker - 111
 /s/ John Griesheimer - 109
 /s/ Ed Hartzler - 123
 /s/ Steve Henderson - 116
 /s/ Martin (Bubs) Hohulin - 126
 /s/ Steve Hunter - 127
 /s/ Pat Kelley - 47
 /s/ Jerry King - 125
 /s/ David Levin - 82
 /s/ Don Lograsso - 54
 /s/ Blaine Luetkemeyer - 115
 /s/ B. J. Marsh - 136
 /s/ Robert Mayer - 159
 /s/ Danielle “Danie” Moore - 20
 /s/ Peter Myers - 160
 /s/ Charles Nordwald - 19
 /s/ Susan Phillips - 32
 /s/ Chuck Purgason - 151
 /s/ Michael Reid - 78
 /s/ Mark L. Richardson - 154
 /s/ Brad Roark - 139
 /s/ Carson Ross - 55
 /s/ Delbert Scott - 119
 /s/ Charlie Shields - 28
 /s/ Chuck Surface - 129
 /s/ Carl Vogel - 114

/s/ Rex Barnett - 4
 /s/ Matt Bartle - 56
 /s/ Robert Behnen - 2
 /s/ Lanie Black - 161
 /s/ Tom Burcham - 106
 /s/ Richard Byrd - 94
 /s/ Connie Cierpiot - 52
 /s/ Larry Crawford - 117
 /s/ Jane Cunningham - 86
 /s/ Jon Dolan - 13
 /s/ Kathlyn Fares - 91
 /s/ Sam Gaskill - 131
 /s/ Catherine Hanaway - 87
 /s/ Daniel Hegeman - 5
 /s/ Carl Hendrickson - 97
 /s/ Roy Holand - 135
 /s/ Rod Jetton - 156
 /s/ Van Kelley - 144
 /s/ Ken Legan - 145
 /s/ William Linton - 89
 /s/ Beth Long - 146
 /s/ Gary Marble - 130
 /s/ Bob May - 149
 /s/ Ronnie Miller - 133
 /s/ Jim Murphy - 95
 /s/ Patrick Naeger - 155
 /s/ Cindy Ostmann - 14
 /s/ Charles Portwood - 92
 /s/ Rex Rector - 124
 /s/ Annie Reinhart - 34
 /s/ Luann Ridgeway - 35
 /s/ Estel Robirds - 143
 /s/ David Schwab - 157
 /s/ Patricia Secrest - 93
 /s/ Neal St. Onge - 88
 /s/ Merrill (Doc) Townley - 112
 /s/ Mark Wright - 137

Committee on Public Safety, Law Enforcement and Veteran Affairs, Chairman Boucher reporting:

Mr. Speaker: Your Committee on Public Safety, Law Enforcement and Veteran Affairs, to which was referred **HB 163**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Public Safety, Law Enforcement and Veteran Affairs, to which was referred **HB 207**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Public Safety, Law Enforcement and Veteran Affairs, to which was referred **HB 441**, **HB 94** and **HB 244**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

INTRODUCTION OF HOUSE BILLS - APPROPRIATIONS

The following House Bills were read the first time and copies ordered printed:

HB 9, introduced by Representative Green (73), to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2001 and ending June 30, 2002.

HB 11, introduced by Representative Green (73), to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2001 and ending June 30, 2002.

HB 12, introduced by Representative Green (73), to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and Contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Missouri Commission on Interstate Cooperation, the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2001 and ending June 30, 2002.

HB 13, introduced by Representative Green (73), to appropriate money for real property leases, related services, utilities, and systems furniture; and structural modifications for new FTE for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2001 and ending June 30, 2003.

HB 14, introduced by Representative Green (73), to appropriate money for the expenses, grants, and distributions of the Department of Health, Department of Social Services, Department of Mental Health, Department of Higher Education and institutions of higher education included therein, Department of Elementary and Secondary Education, and the Office of Administration, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2001 and ending June 30, 2002.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 755, introduced by Representative Boucher, relating to parking spaces for the physically disabled.

HB 756, introduced by Representative Seigfreid, et al, relating to transportation.

HB 757, introduced by Representative Shoemyer, relating to practice of pharmacy.

HB 758, introduced by Representative Green (73), relating to the petroleum storage tank insurance fund.

HB 759, introduced by Representatives Kelly (27), Campbell, Smith, Riback Wilson (25), Ostmann, Ross and Bray, et al, relating to relocation of a child.

HB 760, introduced by Representative Campbell, relating to elevator codes.

HB 761, introduced by Representative Boucher, relating to the regulation of property transfers by gas, water, electric or sewer corporations.

HB 762, introduced by Representatives Kreider, Barry, Riback Wilson (25), Foley, Crump, Abel, Williams, Johnson (61), Kelly (27), Campbell, Boykins, Wilson (42), Ladd Baker and Fraser, et al, relating to women's health services.

HB 763, introduced by Representative Shields, relating to waiver of compliance with certain education expenditure provisions.

HB 764, introduced by Representative Luetkenhaus, relating to claims of insolvent insurers.

HB 765, introduced by Representative Mays (50), relating to surveillance of public roads and highways.

HB 766, introduced by Representatives Bray and Lowe, relating to renewable energy resources.

HB 767, introduced by Representative Rizzo, relating to interstate public rest areas.

HB 768, introduced by Representative Hosmer, relating to workers' compensation.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 13**, entitled:

An act to repeal section 301.144 as enacted by house committee substitute for senate substitute for senate bill no. 3, eighty-eighth general assembly, first regular session, section 301.144 as enacted by conference committee substitute for house substitute for house committee substitute for senate substitute for senate bill no. 70, eighty-eighth general assembly, first regular session and section 301.441, relating to motor vehicle license plates, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 41**, entitled:

An act to amend chapter 172, RSMo, by adding thereto five new sections relating to the University of Missouri.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 86**, entitled:

An act to repeal sections 64.170 and 64.180, RSMo 2000, relating to building codes in certain counties, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 142**, entitled:

An act to repeal section 301.464, RSMo 2000, relating to license plates, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 178**, entitled:

An act to repeal section 448.3-106, RSMo 2000, relating to ownership of property, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

COMMITTEE CHANGE

The Speaker submitted the following Committee change:

Representative Holt has been appointed a member of the Sportsmanship, Safety and Firearms Committee.

The following member's presence was noted: Williams.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, February 14, 2001.

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Wednesday, February 14, 2001, 11:30 am. Room 414.

AGRICULTURE

Wednesday, February 14, 2001, 3:00 pm. Hearing Room 7.

Presentation by Bill Romjue on the I-70 Life Science Corridor Project.

To be considered - HB 306, HB 473, Executive Session - HB 307

APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY

Wednesday, February 14, 2001, 8:00 am. Hearing Room 1.

House Bill 9 Department of Corrections. CANCELLED.

APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY

Thursday, February 15, 2001, 8:00 am. Hearing Room 1.

House Bill 8 and House Bill 9.

Department of Corrections and Public Safety mark-up.

APPROPRIATIONS - EDUCATION

Wednesday, February 14, 2001. Hearing Room 1 upon adjournment.

Mark-up House Bill 2 and House Bill 3.

Possible Executive Session.

APPROPRIATIONS - EDUCATION

Thursday, February 15, 2001. Hearing Room 1 upon adjournment.

Mark-up House Bill 2 and House Bill 3.

Possible Executive Session.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 14, 2001. Hearing Room 7 upon adjournment.
Begin mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, February 14, 2001. Hearing Room 6 upon adjournment.
House Bill 10 mark-up.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, February 14, 2001. Hearing Room 5 upon adjournment.
Markup Department of Natural Resources. AMENDED. Open items.
Possible Executive Session.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Thursday, February 15, 2001. Hearing Room 5 upon adjournment. AMENDED.
Open items. Executive Session.

APPROPRIATIONS - SOCIAL SERVICES

Wednesday, February 14, 2001, 8:00 am. Hearing Room 3.
House Bill 11 Department of Social Services.
Committee will also meet upon adjournment.

APPROPRIATIONS - TRANSPORTATION

Wednesday, February 14, 2001, 8:00 am. Hearing Room 7.
Public testimony.

APPROPRIATIONS - TRANSPORTATION

Thursday, February 15, 2001, 8:00 am. Hearing Room 7.
Public testimony.

BUDGET

Wednesday, February 14, 2001, 3:00 pm. Hearing Room 3.
(FY 2001 Supplemental Appropriations.) Executive Session.
To be considered - HB 15

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 14, 2001, 3:00 pm. Hearing Room 1.
Executive Session will follow. AMENDED NOTICE.
To be considered - HB 193, HB 269, HB 353, HB 399, Executive Session - HB 118,
Executive Session - HB 139, Executive Session - HB 161, Executive Session - HB 220,
Executive Session - HB 222, Executive Session - HB 236, Executive Session - HB 241,
Executive Session - HB 246, Executive Session - HB 262

CONSERVATION, STATE PARKS AND MINING

Wednesday, February 14, 2001, 3:00 pm. Hearing Room 2.

Executive Session may follow.

To be considered - HB 124, HB 239, HCR 6

CRIMINAL LAW

Wednesday, February 14, 2001, 8:00 pm. Hearing Room 7.

To be considered - HB 68, HB 265, HB 349, HB 369, HB 372, HB 373

EDUCATION - ELEMENTARY AND SECONDARY

Wednesday, February 14, 2001, 2:00 pm. Hearing Room 4.

To be considered - Executive Session - HB 50, Executive Session - HB 334,

Executive Session - HJR 5

EDUCATION - HIGHER

Wednesday, February 14, 2001, 3:00 pm. Hearing Room 5.

Presentation by Dr. Kala Stroup, Commissioner on Higher Education.

Executive Session.

ENVIRONMENT AND ENERGY

Thursday, February 15, 2001, 8:30 am. Hearing Room 7. AMENDED NOTICE.

Executive Session to follow.

To be considered - HB 296, HB 453, HCR 16

JUDICIARY

Thursday, February 15, 2001, Upon adjournment. Hearing Room 3

Executive Session to follow.

To be considered - HB 53, HB 76, HB 107, HB 141, HB 331

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, February 14, 2001, 8:30 am. Hearing Room 6.

Executive Session may follow. CORRECTED NOTICE.

To be considered - HB 185, HB 425

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Thursday, February 15, 2001, 9:45 am. Side gallery.

To be considered - Executive Session - HB 575

MUNICIPAL CORPORATIONS

Wednesday, February 14, 2001, 3:00 pm. Hearing Room 4.

Executive Session may follow.

To be considered - HB 338

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 14, 2001, 5:00 pm. Hearing Room 5.

To be considered - HB 249, HB 314, HB 400, HB 431, Executive Session - HB 48,
Executive Session - HB 78, Executive Session - HB 266, Executive Session - HB 288,
Executive Session - HB 567

TRANSPORTATION

Wednesday, February 14, 2001, 3:00 pm. Hearing Room 6.

Executive Session to follow.

To be considered - HB 251, HB 470, HB 485

HOUSE CALENDAR

TWENTY-SIXTH DAY, WEDNESDAY, FEBRUARY 14, 2001

HOUSE BILLS FOR SECOND READING

HB 755 through HB 768

HOUSE BILLS FOR SECOND READING - APPROPRIATIONS

- 1 HB 9
- 2 HB 11
- 3 HB 12
- 4 HB 13
- 5 HB 14

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 328 & 88 - Harlan
- 2 HCS HB 205, 323 & 549 - Relford
- 3 HB 219, HCA 1 - Townley
- 4 HCS HB 441, 94 & 244 - Holt
- 5 HCS HB 207 - Ross
- 6 HB 163 - Berkowitz

HOUSE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING

HCR 13, (2-8-01, pgs. 322 & 323) - Shoemyer

SENATE BILLS FOR SECOND READING

- 1 SCS SB 13
- 2 SCS SB 41
- 3 SB 86
- 4 SB 142
- 5 SCS SB 178

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

TWENTY-SIXTH DAY, WEDNESDAY, FEBRUARY 14, 2001

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

On this day we think of the heart and of how our lives flourish when we experience love. Gracious God, we thank You for our parents, brothers and sisters, husbands and wives, children, grandchildren and close friends who give us their love. The men and women of this House have been blessed with this gift. Help us all to be worthy of the love that is given.

We know that candy and flowers can never atone for our neglect of them. So we pray that in the days ahead our love may speak to the hearts who love us, through kindness, gentle attention, thoughtfulness and respect.

Bless those whose names we now whisper in Your presence and keep them in Your perfect peace. To you be glory and honor forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Sarah Elizabeth Busch and Jacob McAlexander.

The Journal of the twenty-fifth day was approved as printed.

RESOLUTION

Representative Hendrickson offered House Resolution No. 394.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 395	-	Representative Richardson
House Resolution No. 396	-	Representative Burcham
House Resolution No. 397	-	Representative Behnen
House Resolution No. 398	-	Representatives Rizzo and Sanders Brooks
House Resolution No. 399	-	Representative Coleman, et al
House Resolution No. 400	-	Representatives Cooper and Scott
House Resolution No. 401	-	Representative Crawford

SECOND READING OF HOUSE BILLS

HB 755 through **HB 768** were read the second time.

SECOND READING OF HOUSE BILLS - APPROPRIATIONS

HB 9, **HB 11**, **HB 12**, **HB 13** and **HB 14** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 13, **SCS SB 41**, **SB 86**, **SB 142** and **SCS SB 178** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HBs 144 & 46** and **HCS HBs 302 & 38**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

ADOPTION AND THIRD READING OF HOUSE CONCURRENT RESOLUTION

HCR 13, relating to Southern Dairy Compact, was taken up by Representative Shoemyer.

On motion of Representative Shoemyer, **HCR 13** was read the third time and passed by the following vote:

AYES: 156

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marsh

May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Cooper	Kelley 47	Marble
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VACANCIES: 004

Speaker Kreider declared the bill passed.

PERFECTION OF HOUSE BILL

HCS HBs 328 & 88, relating to managed care, was taken up by Representative Harlan.

Representative Harlan offered **HS HCS HBs 328 & 88**.

Representative Harlan offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill Nos. 328 & 88, Page 1, In The Title, Line 2, by deleting the section number “**354.603**”; and

Further amend House Substitute for House Committee Substitute for House Bill Nos. 328 & 88, Page 1, Section A, Line 11, by deleting the section number “**354.603**,”; and

Further amend House Substitute for House Committee Substitute for House Bill Nos. 328 & 88, Page 1, Section A, Line 15, by deleting the section number “**354.603**” and inserting in lieu thereof the section number “**354.604**”; and

Further amend House Substitute for House Committee Substitute for House Bill Nos. 328 & 88, Page 3, Section 354.603, Line 24, Page 4, Section 354.603, Lines 1 through 24, Page 5, Section 354.603, Lines 1 through 24, Page 6, Section 354.603, Lines 1 through 24, and Page 7, Section 354.603, Lines 1 through 23, by deleting all of Section 354.603 and inserting in lieu thereof the following:

“354.604. The provisions of section 354.603, subsection 1, subdivision (3), shall not be construed to require any provider to submit copies of such provider’s income tax returns to a health carrier. A health carrier may require a provider to obtain audited financial statements if such provider received ten percent or more of the total medical expenditures made by the health carrier.”.

On motion of Representative Harlan, **House Amendment No. 1** was adopted.

Representative Harlan offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill Nos. 328 & 88, Page 37, Section 376.1405, Line 7, by striking the word “**pharmacists**” and inserting in lieu thereof the word “**pharmacies**”.

On motion of Representative Harlan, **House Amendment No. 2** was adopted.

Representative Harlan offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill Nos. 328 & 88, Page 15, Section 376.383, Line 12, by inserting after all of said line the following:

“Notwithstanding the provisions of section 507.070 or any other law or rule of court authorizing class actions, no civil action filed pursuant to this subsection shall be in the form of a class action.”.

Representative Bartle offered **House Substitute Amendment No. 1 for House Amendment No. 3**.

*House Substitute Amendment No. 1
for
House Amendment No. 3*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 328 & 88, Page 14, Section 376.383, Line 22, by inserting after the words “**civil action**” the following: “, **in his or her individual capacity and not of behalf of a class,**”; and

Further amend said bill, Page 15, Section 376.383, Line 9, by striking the word “**shall**” and inserting in lieu thereof the word “**may**”; and

Further amend said bill, Page 15, Section 376.383, Line 9, by inserting after the words “**penalty of**” the words “**not to exceed**”.

Representative Bartle moved that **House Substitute Amendment No. 1 for House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 017

Bartelsmeyer	Bartle	Bearden	Boatright	Burcham
Crawford	Dempsey	Fares	Hendrickson	Linton
Luetkemeyer	Luetkenhaus	Myers	Purgason	Roark
St. Onge	Wagner			

NOES: 138

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Behnen	Berkowitz	Berkstresser	Black
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Copenhaver	Crowell	Crump	Cunningham	Curls
Davis	Dolan	Enz	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Levin	Liese	Lograsso	Long
Lowe	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 004

Cooper	Kelley 47	Kennedy	Murphy
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VACANCIES: 004

On motion of Representative Harlan, **House Amendment No. 3** was adopted.

Representative Harlan offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill Nos. 328 & 88, Page 10, Section 354.618, Line 13, by inserting after the word “**network**.” the following:

“**Nothing in this subsection shall be construed to conflict with section 376.805 RSMo.**”.

On motion of Representative Harlan, **House Amendment No. 4** was adopted.

Representative Ward offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bill Nos. 328 & 88, Page 36, Section 376.1405, Lines 7 to 24 of said page and Lines 1 to 15 of Page 37, by deleting all of said lines and inserting in lieu thereof the following:

"376.1405. 1. Every health insurance carrier offering policies of insurance in this state shall use the explanation of Medicare benefits Part B (EMOB) form for the explanation of benefits given to the health care provider whenever a claim is paid or denied. As used in this section, the term "health insurance carrier" shall have the meaning given to "health carrier" in section 376.1350. Nothing in this section shall apply to accident-only, specified disease, hospital indemnity, Medicare supplement, short-term major medical policy of six months or less duration, long-term care or other limited benefit health insurance policies.

2. All health carriers shall use the standard explanation of benefits form after January 1, 2004.

3. Every health carrier that uses a formulary shall, after January 1, 2004, make formulary information available to participating pharmacists through the Internet or other electronic means. The department of insurance shall develop rules to implement the requirements of this subsection and to protect the proprietary rights of the health carrier.

4. The provisions of this section shall be preempted if a federal regulating entity develops a standardized form for the explanation of benefits which is applicable to all health carriers as defined in section 376.1350.";
and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Marble offered **House Substitute Amendment No. 1 for House Amendment No. 5.**

*House Substitute Amendment No. 1
for
House Amendment No. 5*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 328 & 88, Pages 38 and 39, Section 376.1408, Lines 20 to 24 of Page 38 and Lines 1 to 18 of Page 39, by deleting all of said section and inserting in lieu thereof the following:

"376.1408. The department of insurance shall, for any forms required by sections 376.1405 and 375.1406, adopt any standardized forms adopted by the Federal Health Care Financing Administration for such purpose.";
and

Further amend the title and enacting clause accordingly.

On motion of Representative Marble, **House Substitute Amendment No. 1 for House Amendment No. 5** was adopted.

Representative Naeger offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for House Bill Nos. 328 & 88, Page 3, Section 198.530, Line 23, by inserting after all of said section, the following:

"354.535. 1. If a pharmacy, operated by or contracted with by a [health maintenance organization] health carrier, is closed or is unable to provide health care services to an enrollee in an emergency, a pharmacist may take an

assignment of such enrollee's right to reimbursement, if the policy or contract provides for such reimbursement, for those goods or services provided to an enrollee of a [health maintenance organization] **health carrier**. No [health maintenance organization] **health carrier** shall refuse to pay the pharmacist any payment due the enrollee under the terms of the policy or contract.

2. No [health maintenance organization] **health carrier**, conducting business in the state of Missouri, shall contract with a pharmacy, pharmacy distributor or wholesale drug distributor, nonresident or otherwise, unless such pharmacy or distributor has been granted a permit or license from the Missouri board of pharmacy to operate in this state.

3. Every [health maintenance organization] **health carrier** shall apply the same coinsurance, co-payment and deductible factors to all drug prescriptions filled by a pharmacy provider who participates in the [health maintenance organization's] **health carrier's** network if the provider meets the contract's explicit product cost determination. If any such contract is rejected by any pharmacy provider, the [health maintenance organization] **health carrier** may offer other contracts necessary to comply with any network adequacy provisions of this act. However, nothing in this section shall be construed to prohibit the [health maintenance organization] **health carrier** from applying different coinsurance, co-payment and deductible factors between generic and brand name drugs.

4. [Health maintenance organizations] **Health carriers** shall not set a limit on the quantity of drugs which an enrollee may obtain at any one time with a prescription, unless such limit is applied uniformly to all pharmacy providers in the [health maintenance organization's] **health carrier's** network.

5. [Health maintenance organizations] **Health carriers** shall not insist or mandate any physician or other licensed health care practitioner to change an enrollee's maintenance drug unless the provider and enrollee agree to such change. For the purposes of this provision, a maintenance drug shall mean a drug prescribed by a practitioner who is licensed to prescribe drugs, used to treat a medical condition for a period greater than thirty days. Violations of this provision shall be subject to the penalties provided in section 354.444. Notwithstanding other provisions of law to the contrary, [health maintenance organizations] **health carriers** that change an enrollee's maintenance drug without the consent of the provider and enrollee shall be liable for any damages resulting from such change. Nothing in this subsection, however, shall apply to the dispensing of generically equivalent products for prescribed brand name maintenance drugs as set forth in section 338.056, RSMo."; and

Further amend the title and enacting clause accordingly.

On motion of Representative Naeger, **House Amendment No. 6** was adopted.

Representative Hanaway offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for House Bill Nos. 328 & 88, Page 12, Section 376.383, Lines 13 to 18 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"376.383. 1. To the extent consistent with the Employee Retirement Income Security Act of 1974 (ERISA), 29 U.S.C. 1001, et sep., this section shall apply to any health [insurer] **carrier** as defined in section [376.806, any nonprofit health service plan and any health maintenance organization] **376.1350. For purposes of this section, a "clean claim" shall be defined as a claim that has no defect or impropriety, including any lack of required substantiating documentation, that prevents timely payment from being made on the claim pursuant to this section.**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Harlan offered **House Substitute Amendment No. 1 for House Amendment No. 7**.

*House Substitute Amendment No. 1
for
House Amendment No. 7*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 328 & 88, Page 16, Section 376.384.1(3), Line 3, by inserting after “**department of insurance.**” the following:

“Once such form has been completed in its entirety, then such claim shall be deemed a “clean claim.”.

On motion of Representative Harlan, **House Substitute Amendment No. 1 for House Amendment No. 7** was adopted.

Representative Champion offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for House Bill Nos. 328 & 88, Page 15, Section 376.383, Line 12, by inserting after said line the following:

“No healthcare provider shall submit directly or through a billing service any bill or payment request to a patient until such time that this claim for services has been finally adjudicated, except that this provider may bill for any applicable deductible, copayment or coinsurance, or

If the healthcare provider submits a payment request before adjudication it shall state in a prominent place on billing statement, “PAYMENT FOR THIS SERVICE HAS BEEN SENT TO YOUR HEALTHPLAN OR INSURANCE COMPANY ON THE DATE”, the date of which shall be stamped on the billing statement.”.

Representative Champion moved that **House Amendment No. 8** be adopted.

Which motion was defeated.

On motion of Representative Harlan, **HS HCS HBs 328 & 88, as amended**, was adopted.

On motion of Representative Harlan, **HS HCS HBs 328 & 88, as amended**, was ordered perfected and printed.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 21, introduced by Representative Clayton, relating to the preparation of the session laws.

INTRODUCTION OF HOUSE BILLS - APPROPRIATIONS

The following House Bills were read the first time and copies ordered printed:

HB 2, introduced by Representative Green (73), to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and of the Department of Elementary and Secondary Education and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds and for the investment in registered bonds of the State Public School Funds by the State Board of Education for the period beginning July 1, 2001 and ending June 30, 2002.

HB 3, introduced by Representative Green (73), to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education and the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2001 and ending June 30, 2002.

HB 4, introduced by Representative Green (73), to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue and the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2001 and ending June 30, 2002.

HB 5, introduced by Representative Green (73), to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, and the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2001 and ending June 30, 2002.

HB 6, introduced by Representative Green (73), to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2001 and ending June 30, 2002.

HB 7, introduced by Representative Green (73), to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, and Department of Labor and Industrial Relations, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2001 and ending June 30, 2002.

HB 10, introduced by Representative Green (73), to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Board of Public Buildings, the Department of Health, and the several divisions and programs thereof and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2001 and ending June 30, 2002.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 769, introduced by Representative Harlan, relating to the privacy of personal information of participants in the Missouri higher education savings program.

HB 770, introduced by Representative Hickey, relating to airport noise studies.

HB 771, introduced by Representatives Secrest and Cunningham, relating to unlawful employment practices.

HB 772, introduced by Representative Linton, relating to voting procedures.

HB 773, introduced by Representative Williams, relating to bonds for deputies for county collectors and treasurer ex officio collectors.

HB 774, introduced by Representative Hosmer, relating to sexually violent predators.

HB 775, introduced by Representatives Bray and Kreider, relating to school-sponsored student publications in the public schools.

HB 776, introduced by Representatives Myers, Merideth, Mayer, Naeger, Black, Britt and Schwab, et al, relating to registration fees for property-carrying local commercial motor vehicles.

HB 777, introduced by Representative Hollingsworth, relating to felony enhancement provisions.

HB 778, introduced by Representative Boucher, relating to mitigation strategy for natural gas pricing.

HB 779, introduced by Representative Barnett, to authorize the conveyance of property interest owned by Northwest Missouri State University to the Missouri National Guard and the City of Maryville.

HB 780, introduced by Representatives Scheve, Hanaway, Smith, Dolan, Liese, Carnahan and Shoemyer, et al, relating to tax credit programs.

HB 781, introduced by Representatives Gambaro and Kennedy, relating to eligible projects for brownfield remediation.

HB 782, introduced by Representative Troupe, relating to public availability of absentee ballot lists.

HB 783, introduced by Representatives Hoppe and Jolly, relating to city ordinances.

HB 784, introduced by Representatives Kelly (27), Ladd Baker, Hosmer, Griesheimer and Campbell, relating to long-term care facilities.

HB 785, introduced by Representatives Kennedy, Thompson, Richardson, Johnson (90) and Johnson (61), relating to surgical comanagement arrangements.

HB 786, introduced by Representative Marble, relating to environmental audit privileges.

HB 787, introduced by Representative Marble, relating to the taxpayers surplus trust fund.

HB 788, introduced by Representative O'Connor, relating to motorcycle franchise practices.

HB 789, introduced by Representative Wright, relating to income taxation.

HB 790, introduced by Representative Wright, relating to individual income tax rates for Missouri residents.

HB 791, introduced by Representative Wright, relating to sales tax exemptions.

HB 792, introduced by Representative Wright, relating to failing to stop on signal of the patrol.

HB 793, introduced by Representatives Portwood, Bearden, Hickey, O'Connor, George, Naeger and Rizzo, et al, relating to health insurance.

HB 794, introduced by Representatives Bartle and Kelley (47), relating to capital improvement funds for elementary and secondary schools.

HB 795, introduced by Representatives Copenhaver, Haywood and Fraser, et al, relating to the standards and practices of educational personnel of the public schools.

HB 796, introduced by Representative Hosmer, relating to the labeling of drugs.

REFERRAL OF HOUSE BILLS - APPROPRIATIONS

The following House Bills were referred to the Committee indicated:

HB 9 - Budget

HB 11 - Budget

HB 12 - Budget

HB 13 - Budget

HB 14 - Budget

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HCS HBs 144 & 46 - Fiscal Review and Government Reform (Fiscal Note)

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Hosmer is no longer a member of the Joint Committee on Capital Improvements.

Representative Luetkemeyer is no longer a member of the Joint Committee on Capital Improvements.

Representative Shields has been appointed a member of the Joint Committee on Capital Improvements.

Representative Ransdall has been appointed a member of the Joint Committee on Capital Improvements.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 25**, entitled:

An act to repeal section 172.360, RSMo 2000, relating to tuition at the University of Missouri, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 72**, entitled:

An act to repeal sections 109.120 and 109.241, RSMo 2000, relating to public and business records, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 87**, entitled:

An act to repeal sections 632.483 and 632.486, RSMo 2000, relating to civil commitment of sexually violent predators, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 125**, entitled:

An act to amend chapter 67, RSMo, by adding thereto one new section relating to political subdivisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 197**, entitled:

An act to repeal section 320.091, RSMo 2000, relating to fire protection, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 236**, entitled:

An act to repeal section 453.072, RSMo 2000, relating to adoption subsidies, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 256**, entitled:

An act to repeal sections 644.037, 644.572, 644.574 and 644.576, RSMo 2000, relating to political subdivisions, and to enact in lieu thereof five new sections, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

WITHDRAWAL OF HOUSE BILL

February 14, 2001

Ted Wedel, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, Missouri 65101

Dear Ted:

I respectfully request to withdraw **House Bill 485**, relating to road signs directing travelers to vo-tech schools.

Your time and consideration on the matter is appreciated.

Sincerely,

/s/ Jason G. Crowell

The following member's presence was noted: Cooper.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, February 15, 2001.

COMMITTEE MEETINGS

APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY

Thursday, February 15, 2001, 8:00 am. Hearing Room 1.

House Bill 8 and House Bill 9.

Department of Corrections and Public Safety mark-up.

APPROPRIATIONS - EDUCATION

Thursday, February 15, 2001. Hearing Room 1 upon adjournment.

Mark-up House Bill 2 and House Bill 3.

Possible Executive Session.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Thursday, February 15, 2001. Hearing Room 5 upon adjournment. AMENDED.

Open items. Executive Session. CANCELLED.

APPROPRIATIONS - SOCIAL SERVICES

Thursday, February 15, 2001, 8:00 am. Hearing Room 3.

Hearing will continue upon adjournment.

House Bill 11 Department of Social Services.

APPROPRIATIONS - TRANSPORTATION

Thursday, February 15, 2001, 8:00 am. Hearing Room 7. Public testimony.

ENVIRONMENT AND ENERGY

Thursday, February 15, 2001, 8:30 am. Hearing Room 7. AMENDED NOTICE.

Executive Session to follow.

To be considered - HB 296, HB 453, HCR 16

JUDICIARY

Thursday, February 15, 2001. Hearing Room 6 upon adjournment.

CORRECTED NOTICE.

To be considered - Executive Session - HB 53, Executive Session - HB 76,
Executive Session - HB 107, Executive Session - HB 141, Executive Session - HB 331

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Thursday, February 15, 2001, 9:45 am. Side gallery.

To be considered - Executive Session - HB 575

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Tuesday, February 20, 2001, 8:00 am. Hearing Room 6.

Executive Session may follow.

To be considered - HB 420, HB 428, HB 479, HB 524

UTILITIES REGULATION

Thursday, February 15, 2001, 8:30 am. Hearing Room 6.

Executive Session to follow.

To be considered - HB 356, HCR 5, HCR 12

HOUSE CALENDAR

TWENTY-SEVENTH DAY, THURSDAY, FEBRUARY 15, 2001

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 21

HOUSE BILLS FOR SECOND READING

HB 769 through HB 796

HOUSE BILLS FOR SECOND READING - APPROPRIATIONS

- 1 HB 2
- 2 HB 3
- 3 HB 4
- 4 HB 5
- 5 HB 6
- 6 HB 7
- 7 HB 10

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 205, 323 & 549 - Relford
- 2 HB 219, HCA 1 - Townley
- 3 HCS HB 441, 94 & 244 - Holt
- 4 HCS HB 207 - Ross
- 5 HB 163 - Berkowitz

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 302 & 38 - Hosmer
- 2 HCS HB 144 & 46, (Fiscal Review 2-14-01) - Bonner

SENATE BILLS FOR SECOND READING

- 1 SB 25
- 2 SB 72
- 3 SB 87
- 4 SB 125
- 5 SCS SB 197
- 6 SCS SB 236
- 7 SB 256

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

TWENTY-SEVENTH DAY, THURSDAY, FEBRUARY 15, 2001

Speaker Pro Tem Abel in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God: we are thankful that we are alive this day, that food is delicious to our taste, that the ground is firm beneath our feet, that rest can compensate for hard work, that goodness is stronger than evil.

We thank You for friends who care, for ways that open when every door seems shut, for the reality of forgiveness - human and divine, for major worries and problems that make life's minor irritations bearable.

Keep this House in Your care this day, and bless these men and women as they seek to serve the people of Missouri. To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Alicia Dungins, Anitra Lewis, Linear Lovett, Xavier Keen, Heather Cunningham, Chad Gray and Chris Schreiner.

The Journal of the twenty-sixth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 402 - Representative Kelley (47)

House Resolution No. 403 - Representative Behnen

House Resolution No. 404 - Representative Moore

House Resolution No. 405 - Representative Treadway

House Resolution No. 406 - Representative Williams

House Resolution No. 407 - Representative Ward

House Resolution No. 408

and

House Resolution No. 409 - Representative Moore

House Resolution No. 410

and

House Resolution No. 411 - Representative Townley

House Resolution No. 412 - Representative Nordwald

House Resolution No. 413 - Representatives Harlan, Riback Wilson (25) and Graham

House Resolution No. 414

and

House Resolution No. 415 - Representative Hampton
House Resolution No. 416 - Representative Lograsso
House Resolution No. 417 - Representatives Ross and Lograsso
House Resolution No. 418 - Representative Purgason
House Resolution No. 419 - Representative Naeger
House Resolution No. 420 - Representatives Thompson and Shelton

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 21 was read the second time.

SECOND READING OF HOUSE BILLS

HB 769 through **HB 796** were read the second time.

SECOND READING OF HOUSE BILLS - APPROPRIATIONS

HB 2, HB 3, HB 4, HB 5, HB 6, HB 7 and **HB 10** were read the second time.

SECOND READING OF SENATE BILLS

SB 25, SB 72, SB 87, SB 125, SCS SB 197, SCS SB 236 and **SB 256** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HBs 328 & 88**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

THIRD READING OF HOUSE BILL

HCS HBs 302 & 38, relating to blood alcohol content violations, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HCS HBs 302 & 38** was read the third time and passed by the following vote:

AYES: 136

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bearden	Behnen	Berkowitz
Berkstresser	Black	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Enz	Fares
Farnen	Foley	Franklin	Fraser	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Nordwald	O'Toole	Ostmann
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Rizzo
Roark	Robirds	Ross	Scheve	Scott
Secrest	Seigfreid	Selby	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Van Zandt	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wright
Mr. Speaker				

NOES: 019

Ford	Froelker	Green 73	Griesheimer	Hickey
Hohulin	Lograsso	Long	Naeger	O'Connor
Overschmidt	Reynolds	Ridgeway	Schwab	Shelton
Townley	Treadway	Troupe	Villa	

PRESENT: 000

ABSENT WITH LEAVE: 004

Bartle	Dolan	Mays 50	Wilson 42
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VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

PERFECTION OF HOUSE BILL

HCS HBs 205, 323 & 549, relating to Conservation Commission, was taken up by Representative Relford.

Representative Riback Wilson (25) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 205, 323 & 549, Page 2, Section 252.038, Line 16, by inserting before the word “**Moneys**” the following: “**Seventy-five percent of the**”; and

Further amend said bill and section, Line 22, by inserting after the following “**pursuant to**”, the following “**subsection 2 of**”; and

Further amend said bill and section, Line 26, by inserting after all of said line the following:

“**6. Twenty-five percent of the moneys collected pursuant to this section shall be deposited in the state treasury to the credit of the crime victims’ compensation fund established pursuant to section 595.045, RSMo.**”; and

Further amend said bill by amending the title, enacting clause and intersectional references accordingly.

Representative Relford raised a point of order that **House Amendment No. 1** is not germane to the bill.

The Chair ruled the point of order not well taken.

Representative Ballard offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Committee Substitute for House Bill Nos. 205, 323 & 549, Page 2, Section 252.038, Lines 18-22, by bracketing out lines 18-22, and placing in lieu thereof:

“**monies collected pursuant to this section shall be used for hunter education programs**”.

Representative Riback Wilson (25) raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 1** is not germane to the bill.

The Chair ruled the point of order not well taken.

House Substitute Amendment No. 1 for House Amendment No. 1 was withdrawn.

House Amendment No. 1 was withdrawn.

Representative Reid offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 205, 323 & 549, Page 4, Section 254.225, Line 11, by inserting after all of said line the following:

"267.750. 1. Prior to January 1, 2012, no person or governmental entity shall release elk into the wild in the state of Missouri.

2. Any person or entity who intentionally or through gross negligence releases elk into the wild in violation of this section is guilty of a class A misdemeanor."; and

Further amend said bill, Page 5, Section 270.400, Line 12, by inserting after all of said line the following:

"Section B. Because immediate action is necessary to prevent the spread of disease in this state the enactment of section 267.750 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 267.750 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Relford raised a point of order that **House Amendment No. 1** is not germane to the bill.

The Chair ruled the point of order not well taken.

Representative Legan offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

Representative Reid raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 1** is not a true substitute.

The Chair ruled the point of order well taken.

Representative Reid moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 022

Baker	Burcham	Cunningham	Dempsey	Enz
Green 73	Griesheimer	Henderson	Hendrickson	Hohulin
Hunter	Kelly 144	Levin	Linton	Lograsso
Luetkemeyer	Nordwald	Reid	Robirds	Shoemyer
Smith	St. Onge			

NOES: 131

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Curls	Davis	Dolan
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Hagan-Harrell	Hampton	Hanaway

Harding	Harlan	Hartzler	Haywood	Hegeman
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 27	Kelly 36	Kennedy
King	Koller	Legan	Liese	Lowe
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Myers	Naeger	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 006

Bartle	Ford	Lawson	Long	Luetkenhaus
Murphy				

VACANCIES: 004

Representative Legan offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill Nos. 205, 323 & 549, Section 252.035, by striking all the words and inserting in lieu thereof the following words:

“252.035. The Department of Conservation shall provide financial responsible for verifiable damage caused by wild elk reintroduced to the state as part of any experimental reintroduction program by the Department. Financial responsibility shall include but not be limited to:

- (1) The value of crops and pasture damaged or destroyed by wild elk;**
- (2) Indemnification of losses suffered by livestock producers as a result of disease spread from wild elk;**
- (3) The value of fencing and other private property damaged by wild elk;**
- (4) Damages incurred to motor vehicles when such vehicles are involved in a collision with a wild elk; and”**

Representative Gambaro raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Legan, **House Amendment No. 2** was adopted by the following vote:

AYES: 110

Ballard	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bearden	Behnen	Berkowitz	Berkstresser	Black
Boatright	Bonner	Bowman	Britt	Brooks
Burcham	Burton	Byrd	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Froelker	Gaskill	Graham
Gratz	Green 15	Green 73	Griesheimer	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hilgemann	Hohulin	Holt
Hoppe	Hosmer	Hunter	Jetton	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Legan	Levin	Linton	Lograsso
Luetkemeyer	Marble	Marsh	May 149	Mayer
Mays 50	Merideth	Miller	Murphy	Naeger
Nordwald	Ostmann	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Selby	Shelton	Shields	Shoemyer	Smith
St. Onge	Thompson	Townley	Troupe	Vogel
Wagner	Ward	Wiggins	Wright	Mr. Speaker

NOES: 037

Boucher	Boykins	Bray 84	Campbell	Coleman
Crump	Cunningham	Curls	Foley	Franklin
Fraser	Gambaro	George	Hagan-Harrell	Harlan
Holand	Hollingsworth	Johnson 90	Jolly	Liese
Lowe	McKenna	Monaco	Moore	Myers
O'Toole	Overschmidt	Relford	Seigfreid	Skaggs
Van Zandt	Villa	Walton	Williams	Willoughby
Wilson 25	Wilson 42			

PRESENT: 001

Johnson 61

ABSENT WITH LEAVE: 011

Abel	Baker	Bartle	Ford	Hickey
Lawson	Long	Luetkenhaus	O'Connor	Surface
Treadway				

VACANCIES: 004

On motion of Representative Relford, **HCS HBs 205, 323 & 549, as amended**, was adopted.

On motion of Representative Relford, **HCS HBs 205, 323 & 549, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE BILLS - APPROPRIATIONS

The following House Bills were referred to the Committee indicated:

HB 2 - Budget
HB 3 - Budget
HB 4 - Budget
HB 5 - Budget
HB 6 - Budget
HB 7 - Budget
HB 10 - Budget

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HS HCS HBs 328 & 88 - Fiscal Review and Government Reform (Fiscal Note)
HB 458 - Critical Issues, Consumer Protection and Housing
HB 602 - Retirement
HB 603 - Social Services, Medicaid and the Elderly
HB 604 - Education-Elementary and Secondary
HB 605 - Miscellaneous Bills & Resolutions
HB 606 - Local Government and Related Matters
HB 607 - Professional Registration and Licensing
HB 608 - Municipal Corporations
HB 610 - Critical Issues, Consumer Protection and Housing
HB 611 - Local Government and Related Matters
HB 612 - Social Services, Medicaid and the Elderly
HB 614 - Municipal Corporations
HB 615 - Local Government and Related Matters
HB 616 - Conservation, State Parks and Mining
HB 617 - Commerce and Economic Development
HB 618 - Local Government and Related Matters
HB 619 - Miscellaneous Bills & Resolutions
HB 620 - Children, Families and Health
HB 622 - Municipal Corporations
HB 623 - Transportation
HB 624 - Municipal Corporations
HB 625 - Education-Elementary and Secondary
HB 626 - Civil and Administrative Law
HB 627 - Elections
HB 628 - Ways and Means
HB 629 - Motor Vehicle and Traffic Regulations
HB 630 - Children, Families and Health
HB 631 - Professional Registration and Licensing

HB 632 - Criminal Law
HB 633 - Judiciary
HB 634 - Civil and Administrative Law
HB 635 - Children, Families and Health
HB 636 - Education-Higher
HB 637 - Education-Elementary and Secondary
HB 638 - Elections
HB 640 - Professional Registration and Licensing
HB 641 - Criminal Law
HB 642 - Correctional and State Institutions
HB 643 - Ways and Means
HB 644 - Insurance
HB 645 - Correctional and State Institutions
HB 647 - Municipal Corporations
HB 648 - Motor Vehicle and Traffic Regulations
HB 649 - Education-Elementary and Secondary
HB 650 - Local Government and Related Matters
HB 651 - Judiciary
HB 652 - Elections
HB 653 - Workers Compensation and Employment Security
HB 654 - Motor Vehicle and Traffic Regulations
HB 655 - Local Government and Related Matters
HB 656 - Fiscal Review and Government Reform
HB 657 - Judiciary
HB 658 - Miscellaneous Bills & Resolutions
HB 661 - Labor
HB 662 - Labor
HB 663 - Ways and Means
HB 664 - Insurance
HB 665 - Judiciary
HB 666 - Education-Elementary and Secondary
HB 667 - Ways and Means
HB 668 - Education-Elementary and Secondary
HB 673 - Insurance
HB 675 - Banks and Financial Institutions
HB 676 - Utilities Regulation
HB 677 - Judiciary
HB 678 - Elections
HB 679 - Labor
HB 680 - Social Services, Medicaid and the Elderly
HB 681 - Motor Vehicle and Traffic Regulations
HB 682 - Ways and Means
HB 683 - Education-Higher
HB 684 - Motor Vehicle and Traffic Regulations
HB 685 - Transportation

HB 686 - Critical Issues, Consumer Protection and Housing
HB 687 - Motor Vehicle and Traffic Regulations
HB 688 - Insurance
HB 689 - Local Government and Related Matters
HB 690 - Agriculture
HB 691 - Motor Vehicle and Traffic Regulations
HB 692 - Motor Vehicle and Traffic Regulations
HB 693 - Civil and Administrative Law
HB 695 - Professional Registration and Licensing
HB 696 - Elections
HB 697 - Elections
HB 698 - Local Government and Related Matters
HB 699 - Municipal Corporations
HB 700 - Motor Vehicle and Traffic Regulations
HB 736 - Banks and Financial Institutions
HB 738 - Banks and Financial Institutions
HB 745 - Local Government and Related Matters
HB 746 - Social Services, Medicaid and the Elderly
HB 751 - Ways and Means
HB 754 - Education-Elementary and Secondary
HB 762 - Children, Families and Health

COMMITTEE REPORTS

Committee on Civil and Administrative Law, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **HB 236**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **HB 241**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **HB 262**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Correctional and State Institutions, Chairman Gratz reporting:

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **HB 180**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **HB 287**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **HB 621**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**.

House Committee Amendment No. 1

AMEND House Bill No. 621, Page 1, Section 217.900, Lines 12 to 14, by deleting all of said lines and inserting in lieu thereof the following: "**resident of Cole County or Jefferson City to be the chair of the commission.**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Committee on Education-Elementary and Secondary, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **HJR 5**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **HB 50**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Ethics, Chairman Clayton reporting:

Mr. Speaker: Your Committee on Ethics, to which was referred the **FRESHMAN DEMOCRATIC CAUCUS**, begs leave to report it has examined the same **approves it pursuant to 105.473(2)(c)d RSMo**.

TO: Chairman, Ethics Committee

FROM: State Representative Wes Shoemyer

DATE: January 10, 2001

RE: Freshman Democratic Caucus

In accordance with Section 105.473.3(2)(c)d RSMo2000, we are listing the following members of the General Assembly as members of the Freshman Democrat Caucus.

Representative	District
/s/ Barnitz, Frank	150
/s/ Bowman, John	70
/s/ Brooks, Sharon Sanders	37
/s/ Carnahan, Russ	59
/s/ Coleman, Maida	63
/s/ Copenhaver, Nancy	22
/s/ Green, Tom	15
/s/ Harding, Meg	30
/s/ Haywood, Esther	71
/s/ Holt, Bruce	17
/s/ Johnson, Richard	90

/s/ Johnson, Connie LaJoyce	61
/s/ Jolly, Cathy	45
/s/ Kelly, Gary	36
/s/ Lowe, Jenee	44
/s/ Shoemyer, Wes	9
/s/ Villa, Thomas	108
/s/ Walton, Juanita	69
/s/ Willoughby, Philip	33

Committee on Labor, Chairman Hickey reporting:

Mr. Speaker: Your Committee on Labor, to which was referred **HB 113**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Local Government and Related Matters, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 381**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Miscellaneous Bills & Resolutions, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HR 102**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Resolution No. 102

WHEREAS, the General Assembly of the State of Missouri has a long tradition of rendering assistance to worthwhile youth activities, especially those related to governmental or citizenship projects; and

WHEREAS, the Jefferson City Downtown Rotary Club has sought to instill values of high integrity within our youth and to provide an opportunity for Missouri students to experience state government firsthand; and

WHEREAS, the General Assembly has maintained a policy of granting such organizations permission to use the House Chamber for beneficial purposes; and

WHEREAS, this year, the Downtown Rotary Club is sponsoring its annual Student Government Day, an event which will be highlighted by a meeting in the House Chambers at our State Capitol, where the students in attendance will be addressed by a representative of each of the three branches of government:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, hereby grant the Jefferson City Rotary Club permission to use the House Chamber for the purpose of conducting its Student Government Day on March 19, 2001, from 10:00 a.m. until 11:30a.m.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HR 186**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Resolution No. 186

WHEREAS, the members of the Missouri House of Representatives take great pride in rendering assistance to Missouri's Silver Haired Legislature; and

WHEREAS, the Silver Haired Legislature consists of older Missourians who are elected by their peers to participate in an annual, statewide work session in Jefferson City to determine and advocate for legislative priorities before the Missouri General Assembly; and

WHEREAS, the recommendations made by the Silver Haired Legislature have contributed to a better understanding of the merits and limitations of many popular proposals and have provided a meaningful opportunity for the elderly in Missouri to get involved in current issues of consequence:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, unanimously join in granting permission to the Silver Haired Legislature to use the House Chamber for their upcoming session to be held on October 25, 2001, from 9:00 a.m. to 4:30 p.m. and on October 26, 2001, from 9:00 a.m. to 1:00 p.m. and House Hearing Rooms 1 through 5 during the lunch hour on October 25 and October 26, 2001:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HR 200**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Resolution No. 200

WHEREAS, the members of the Missouri House of Representatives enjoy a long, proud tradition of meeting their responsibilities to the citizens of this state while upholding the virtues represented by the "Glory of Missouri": Knowledge, Liberty, Equality, Law, Justice, Fraternity, Education, Progress, Honor, Truth, Virtue, Temperance, Enterprise, and Charity; and

WHEREAS, these virtues are engraved in the House Chamber of the State Capitol with the inscription: "All the foregoing human qualities bind into one theme, the Glory of Missouri because no people attain these virtues unless they are great"; and

WHEREAS, the "Glory of Missouri" Award was created to encourage the values held by the early leaders of Missouri and to recognize those standards as exemplified in our schools and communities by this state's young people, the future of Missouri:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, unanimously join in granting permission for the House Chamber to be used for the purpose of presenting the "Glory of Missouri" Award to the young citizens of this great state on March 2, 2001, March 9, 2001, and March 16, 2001, from 12:00 p.m. to 2:00 p.m.

Committee on Motor Vehicle and Traffic Regulations, Chairman O'Connor reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 575**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**.

House Committee Amendment No. 1

AMEND House Bill No. 575, Page 4, Section 407.817, Line 52, by inserting after all of said line the following:

"8. This section shall not apply to recreational motor vehicle franchisors and franchisees."; and

Further amend said Bill, Page 15, Section 407.825, Line 263, by deleting the phrase "**subdivision (17)**" and inserting in lieu thereof the following: "**subdivisions (17) and (18)**"; and

Further amend said Bill, Page 15, Section 407.826, Line 7, by inserting after the word "**months**" the following:

". For franchisors of recreational vehicles, the period of temporary ownership of a dealership may be extended in twelve-month increments for a maximum extension of sixty months, if good cause is shown"; and

Further amend said Bill, Page 16, Section 407.826, Line 35, by deleting the word "**and**"; and

Further amend said Bill, Page 16, Section 407.826, Line 38, by deleting the period, "." and replacing it with the following "**; and**"; and

Further amend said Bill, Page 16, Section 407.826, Line 38, by inserting after all of said line the following:

"(i) The provisions of this subdivision shall not apply to recreational motor vehicle franchisors and franchisees."; and

Further amend said title, enacting clause and intersectional references accordingly.

Committee on Municipal Corporations, Chairman Shelton reporting:

Mr. Speaker: Your Committee on Municipal Corporations, to which was referred **HB 133**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Professional Registration and Licensing, Chairman Treadway reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 48**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 78**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 266**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 288**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 567**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Public Safety, Law Enforcement and Veteran Affairs, Chairman Boucher reporting:

Mr. Speaker: Your Committee on Public Safety, Law Enforcement and Veteran Affairs, to which was referred **HB 80**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Transportation, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 202**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Ways and Means, Chairman Kennedy reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 129**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:
HCR 22, introduced by Representative Barnitz, relating to bovine brucellosis.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 797, introduced by Representatives Green (15), Koller and Green (73), relating to traffic regulations.

HB 798, introduced by Representatives Ward, Abel, Luetkenhaus, Luetkemeyer, Liese, Surface and Burton, et al, relating to the licensing of insurance producers.

HB 799, introduced by Representative Byrd, et al, relating to harassment of judicial officials.

HB 800, introduced by Representatives Reid, Coleman and George, relating to motor vehicle merchandising practices.

HB 801, introduced by Representatives Liese and Wagner, relating to compliance with Title V of the Federal Gramm-Leach-Bliley Financial Modernization Act of 1999.

HB 802, introduced by Representatives Ransdall, Ostmann, Smith, Relford, Green (15), Marble and Linton, et al, relating to emissions banking and trading.

HB 803, introduced by Representatives Bray and Kennedy, relating to sales and use tax administration.

HB 804, introduced by Representatives McKenna, Wagner, Abel, Selby, Hollingsworth and Johnson (90), relating to abatement and removal of a nuisance.

HB 805, introduced by Representatives Mayer and Richardson, relating to driver's licenses.

HB 806, introduced by Representative Troupe, relating to occupations and professions.

HB 807, introduced by Representatives Naeger, Secrest, Reinhart, Shields, Hanaway, Luetkemeyer, Dolan and Reid, et al, relating to pharmacy discount program.

HB 808, introduced by Representatives Gratz and Vogel, to authorize the conveyance of two parcels of property owned by the state in Cole County to the City of Jefferson for the purpose of wastewater treatment.

HB 809, introduced by Representatives Carnahan, Dolan, Kelly (36), Ostmann and Britt, et al, relating to discipline of law enforcement officers.

HB 810, introduced by Representative Carnahan, relating to land conservation and development in certain metropolitan areas.

HB 811, introduced by Representative Portwood, relating to the crime of involuntary manslaughter.

HB 812, introduced by Representatives Selby, Ward and Thompson, et al, relating to the protection of certain citizens from termination of utility services.

HB 813, introduced by Representative Selby, relating to prescribing psychiatric medication for a minor.

HB 814, introduced by Representative Shields, relating to certification of teachers.

HB 815, introduced by Representatives Burcham and Crowell, relating to venue in criminal credit card fraud cases.

HB 816, introduced by Representatives Kennedy and Gambaro, relating to authenticating claims for tax refunds.

HB 817, introduced by Representative Kennedy, relating to the regulation and licensing of professional addiction counselors.

HB 818, introduced by Representative Kennedy, relating to the elimination of state sales tax on coffins, caskets and urns.

HB 819, introduced by Representatives Hosmer, Gaskill, Kelley (47), Skaggs, Boucher and Williams, et al, relating to driving with excessive blood alcohol content.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 7**, entitled:

An act to repeal section 71.794, RSMo 2000, relating to business districts, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 58**, entitled:

An act to amend chapter 9, RSMo, by adding thereto one new section relating to “Bird Appreciation Day”.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 207**, entitled:

An act to repeal section 334.128, RSMo 2000, relating to the state board of registration for the healing arts, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 3**.

SENATE CONCURRENT RESOLUTION NO. 3

WHEREAS, on May 14, 1804, at the request of President Thomas Jefferson, Meriwether Lewis and William Clark set out on an amazing expedition across the Louisiana Territory to explore the country west of the Mississippi by following the Missouri River to its headwaters in order to discover a water route to the Pacific Ocean; and

WHEREAS, Lewis and Clark faced unknown people, harsh conditions and unexplored lands to secure a place in history as two of the world's greatest explorers; and

WHEREAS, the Lewis and Clark Expedition was successful in not only discovering a westward river route to the Pacific, but also in mapping the new territory and describing previously unknown plant and animal life; and

WHEREAS, as a result of the expedition, claims were established to Oregon, Washington and Idaho, our knowledge of the land west of the Mississippi was greatly expanded and new opportunities were provided for settlement and trade along the Missouri River; and

WHEREAS, the bicentennial of the Lewis and Clark Expedition is approaching with towns along the expedition route planning festivals, parties and commemorations of the explorers that helped to shape their history:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-First General Assembly, First Regular Session, the House of Representatives concurring therein, hereby request the Department of Elementary and Secondary Education to develop a model curriculum for public school instruction concerning the Lewis and Clark Expedition which includes age-appropriate content for elementary and secondary grade levels and hereby request all school districts to include age-appropriate curriculum and instruction regarding the Lewis and Clark Expedition in regular courses of instruction beginning with the 2002-2003 school year; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Commissioner of Education and the President of the State Board of Education.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SS SCS SCR 5**.

SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE CONCURRENT RESOLUTION NO. 5

WHEREAS, the state abuse and neglect hotline received approximately 46,270 reports of child abuse or neglect, involving nearly 71,500 children in Missouri in 1999; and

WHEREAS, approximately, 17,700 reports were assigned for further investigation in 1999 and, of those investigated, 54 percent were found to be unsubstantiated; and

WHEREAS, there exists a need for continued accountability in the review and investigation of child abuse and neglect cases; and

WHEREAS, there exists an additional need for assistance within and oversight of the agencies handling child abuse and neglect reports in order to ensure that every child's case is appropriately handled; and

WHEREAS, a need for clarification, uniformity, accountability and standardization of what constitutes the best interest of the child exists; and

WHEREAS, there is a general presumption pursuant to Chapters 210, 452, 453, 454, 455 and 487, RSMo, that the courts of the state of Missouri in consideration of matters involving domestic relations and particularly those matters concerning child custody and visitation shall under the law use their discretion to protect the best interest of the child; and

WHEREAS, there exists a need for families to be able to have expectations on how the law will be applied and to not rely solely upon the discretion of the court without accountability for the court's findings; and

WHEREAS, there exists a need for specific statutory guidelines directing the court in their consideration and deliberation of child custody and visitation when determining the best interest of the child and a required format for reporting the court's findings to provide for uniformity and accountability and to reduce arbitrary discretion; and

WHEREAS, there exists a need to prevent arbitrary discretion in the termination of parental rights without uniformity and accountability for the findings of the court:

NOW, THEREFORE BE IT RESOLVED, that the members of the Missouri Senate, Ninety-First General Assembly, First Regular Session, the House of Representatives concurring therein, hereby authorize the creation of a Child Abuse and Neglect Commission in the office of the Governor which shall evaluate the laws and rules relating to child abuse, neglect, child custody and visitation and termination of parental rights and shall make recommendations on further action or legislative remedies, if any, to be taken as necessary; and

BE IT FURTHER RESOLVED that such Commission shall review and recommend standardized guidelines for judicial review of what constitutes the best interest of the child; and

BE IT FURTHER RESOLVED that the Child Abuse and Neglect Commission shall be composed of 12 members to be appointed by the Governor, including a county prosecutor, a law enforcement officer, a juvenile officer, a member of the clergy, a psychologist, a pediatrician, an educator, the chairman of the Childrens Services Commission, a Division of Family Services designee, and three citizens of the state of Missouri, chosen to reflect the racial composition of the state, to serve four-year terms and of the members first appointed, three shall serve for a term of two years, four shall serve for a term of three years, and four shall serve for a term of four years; and

BE IT FURTHER RESOLVED that the Commission shall make its first report to the Governor, the chief justice of the Supreme Court, and the General Assembly by February 1, 2002, and any subsequent reports shall be made to the Governor and the General Assembly as necessary; and

BE IT FURTHER RESOLVED that all members shall serve without compensation but shall be reimbursed for all actual and necessary expenses incurred in the performance of their official duties for the Commission; and

BE IT FURTHER RESOLVED that the office of the Governor shall provide funding, administrative support, and staff for the effective operation of the Commission; and

BE IT FURTHER RESOLVED that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Foley, the House adjourned until 4:00 p.m., Monday, February 19, 2001.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Twenty-sixth Day, Wednesday, February 14, 2001, page 383, line 7, by deleting all of said line and inserting in lieu thereof the following:

The following members' presence was noted: Cooper and Kelley (47).

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, February 21, 2001, 3:00 pm. Hearing Room 7.

To be considered - HB 308, HB 411, HB 581, Executive Session - HB 473

APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY

Tuesday, February 20, 2001, 8:00 am. Hearing Room 1.

Mark-up House Bill 8 and House Bill 9.

Department of Corrections and Public Safety.

APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY

Wednesday, February 21, 2001, 8:00 am. Hearing Room 1.

Mark-up House Bill 8 and House Bill 9.

Possible Executive Session.

APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY

Thursday, February 22, 2001, 8:00 am. Hearing Room 1. Executive Session.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, February 19, 2001, 1:00 pm. Hearing Room 7. Continue mark-up.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 20, 2001, 1:00 pm. Hearing Room 7. Continue mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Monday, February 19, 2001, 12:00 pm. Hearing Room 6.

Executive Session on Departments of Health and Mental Health.

APPROPRIATIONS - SOCIAL SERVICES

Monday, February 19, 2001, 12:00 pm. Hearing Room 3.

House Bill 11 Department of Social Services.

Mark-up and possible Executive Session.

APPROPRIATIONS - TRANSPORTATION

Wednesday, February 21, 2001, 8:00 am. Hearing Room 7. Mark-up.

APPROPRIATIONS - TRANSPORTATION

Thursday, February 22, 2001, 8:00 am. Hearing Room 7. Mark-up if needed.

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 21, 2001, 3:00 pm. Hearing Room 1.

To be considered - HB 403, HB 442, HB 464, HB 467, Executive Session - HB 237,

Executive Session - HB 399, Executive Session - HB 403, Executive Session - HB 442

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, February 20, 2001, 8:00 pm. Hearing Room 7.

Executive Session may follow.

To be considered - HB 402, HB 409, HB 452, HB 502

CRIMINAL LAW

Tuesday, February 20, 2001. Side gallery upon adjournment.
Executive Session.

CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING

Monday, February 19, 2001, 8:00 pm. Hearing Room 3.
Executive Session may follow.
To be considered - HB 593

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, February 20, 2001, 3:00 pm. Hearing Room 3.
To be considered - HB 29, HB 300, HB 457, HB 505, HB 754, HCR 10

EDUCATION - HIGHER

Wednesday, February 21, 2001, 3:00 pm. Hearing Room 5.
Possible Executive Session.
To be considered - HB 424, HB 435, HB 489

ELECTIONS

Tuesday, February 20, 2001, 7:30 pm. Hearing Room 5.
Executive Session to follow.
To be considered - HB 538, HB 541

FISCAL REVIEW AND GOVERNMENT REFORM

Tuesday, February 20, 2001, 8:30 am. Hearing Room 7.
HCS HB 144 & 46 (Fiscal)
To be considered - HB 554, HB 592, Executive Session - HB 309, Executive Session - HB 315,
Executive Session - HB 363, Executive Session - HJR 3, Executive Session - HJR 4,
Executive Session - HJR 10

INSURANCE

Tuesday, February 20, 2001, 1:00 pm. Hearing Room 5.
To be considered - HB 341, HB 459, HB 542, HB 646

JUDICIARY

Tuesday, February 20, 2001, 3:00 pm. Hearing Room 5.
Executive Session may follow.
To be considered - HB 229, HB 230, HB 342, HB 383, HB 454

LABOR

Tuesday, February 20, 2001, 5:00 pm. Hearing Room 3.
To be considered - HB 63, HB 64, HB 527

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, February 20, 2001, 3:00 pm. Hearing Room 1.

To be considered - HB 182, HB 477, Executive Session - HB 126, Executive Session - HB 158

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Tuesday, February 20, 2001, 8:00 am. Hearing Room 6.

Executive Session may follow.

To be considered - HB 420, HB 428, HB 479, HB 524

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Monday, February 19, 2001. Hearing Room 6 upon adjournment.

Executive Session may follow.

To be considered - HB 445, HB 446, HB 570

HOUSE CALENDAR

TWENTY-EIGHTH DAY, MONDAY, FEBRUARY 19, 2001

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 22

HOUSE BILLS FOR SECOND READING

HB 797 through HB 819

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 5 - Barry

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HCS HB 15 - Green (73)

HOUSE BILLS FOR PERFECTION

- 1 HB 219, HCA 1 - Townley
- 2 HCS HB 441, 94 & 244 - Holt
- 3 HCS HB 207 - Ross
- 4 HB 163 - Berkowitz
- 5 HCS HB 113 - Hickey
- 6 HB 381 - Hoppe
- 7 HB 621, HCA 1 - Gratz
- 8 HB 287 - Williams
- 9 HB 575, HCA 1 - O'Connor
- 10 HCS HB 567 - Treadway
- 11 HCS HB 241 - Smith
- 12 HB 80 - Ross
- 13 HCS HB 50 - Relford

HOUSE BILLS FOR PERFECTION - CONSENT

(February 19, 2001)

- 1 HB 133 - Gambaro
- 2 HB 288 - Campbell
- 3 HB 266 - Treadway
- 4 HB 236 - Smith
- 5 HB 48 - Relford
- 6 HB 180 - Thompson
- 7 HB 78 - Kennedy
- 8 HB 262 - Linton

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 144 & 46, (Fiscal Review 2-14-01) - Bonner
- 2 HS HCS HB 328 & 88, (Fiscal Review 2-15-01) - Harlan

SENATE CONCURRENT RESOLUTIONS FOR SECOND READING

- 1 SCR 3
- 2 SS SCS SCR 5

SENATE BILLS FOR SECOND READING

- 1 SB 7
- 2 SB 58
- 3 SB 207

HOUSE RESOLUTIONS

- 1 HR 200, (2-15-01) - Murphy
- 2 HR 102, (2-15-01) - Gratz
- 3 HR 186, (2-15-01) - Kreider

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

TWENTY-EIGHTH DAY, MONDAY, FEBRUARY 19, 2001

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

All the heavens declare Your glory, and all the earth Your handiwork, Creator of the universe. The heavens we leave to You, God. We solicit support and grace, however, to try to continue to improve the lot of our earthly society within our state of Missouri.

As we begin this legislative week, we pray for our citizens. We count on Your succor in building up those laws and statutes which might bring our culture closer to Your heavenly commonwealth. Guide and direct these legislators this week and all this session, and protect their families back home. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kayleigh Harris, Caleb Harris, Joshua Harris and Kate Harris.

The Journal of the twenty-seventh day was approved as corrected by the following vote:

AYES: 152

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid

Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Dempsey	Gaskill	Hoppe	Miller	Monaco
Surface	Wiggins			

VACANCIES: 004

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 421 - Representative Naeger
House Resolution No. 422
and
House Resolution No. 423 - Representative Bowman
House Resolution No. 424
through
House Resolution No. 497 - Representative Naeger
House Resolution No. 498
through
House Resolution No. 511 - Representatives Murphy, Enz and Hendrickson
House Resolution No. 512
through
House Resolution No. 514 - Representative Selby
House Resolution No. 515 - Representative Jetton
House Resolution No. 516
and
House Resolution No. 517 - Representative Shields
House Resolution No. 518 - Representative Scheve
House Resolution No. 519 - Representative Hosmer
House Resolution No. 520 - Representative Mayer
House Resolution No. 521 - Representatives Lograsso and Ross
House Resolution No. 522 - Representatives Hollingsworth and McKenna

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 22 was read the second time.

SECOND READING OF HOUSE BILLS

HB 797 through **HB 819** were read the second time.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

SCR 3 and **SS SCS SCR 5** were read the second time.

SECOND READING OF SENATE BILLS

SB 7, **SB 58** and **SB 207** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HBs 205, 323 & 549**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

PERFECTION OF HOUSE BILLS

HB 219, with **House Committee Amendment No. 1**, relating to fence law, was taken up by Representative Townley.

On motion of Representative Townley, **House Committee Amendment No. 1** was adopted.

On motion of Representative Townley, **HB 219, as amended**, was ordered perfected and printed.

HCS HBs 441, 94 & 244, relating to veterans' recognition, was taken up by Representative Holt.

On motion of Representative Holt, **HCS HBs 441, 94 & 244** was adopted.

On motion of Representative Holt, **HCS HBs 441, 94 & 244** was ordered perfected and printed.

HCS HB 207, relating to veterans' programs, was taken up by Representative Ross.

Representative Foley offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 207, Page 1, In the Title, Lines 2 to 4, by deleting all of said lines and inserting in lieu thereof the following:

"To repeal sections 34.115 and 313.835, and to enact in lieu thereof two new sections relating to the veterans' commission capital improvement trust fund, with an emergency clause."; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said line the following:

"34.115. **1.** The commissioner of administration, without charge therefor and without proceeding in the manner required for the disposal of surplus property, may return title to personal property to the person who, or entity which, donated the personal property to the state if the person who, or entity which, donated the personal property intends to donate to the state newer or superior personal property of the same type and intends to replace the function of the old personal property.

2. For a donation of a motor vehicle to assist military veterans made by a nonprofit organization to the state, the commissioner of administration, without charge therefor and without proceeding in the manner required for the disposal of surplus property, shall, upon request, return title to such motor vehicle to the donor of the motor vehicle to the state if the donor intends to donate to the state a newer or superior motor vehicle of the same type to replace the function of the old motor vehicle."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Foley, **House Amendment No. 1** was adopted.

On motion of Representative Ross, **HCS HB 207, as amended**, was adopted.

On motion of Representative Ross, **HCS HB 207, as amended**, was ordered perfected and printed.

HB 163, relating to highway patrol revolving fund, was taken up by Representative Berkowitz.

On motion of Representative Berkowitz, **HB 163** was ordered perfected and printed.

HOUSE RESOLUTIONS

HR 200, relating to use of chamber, was taken up by Representative Murphy.

On motion of Representative Murphy, **HR 200** was adopted.

HR 102, relating to use of chamber, was taken up by Representative Vogel.

On motion of Representative Vogel, **HR 102** was adopted.

HR 186, relating to use of chamber, was taken up by Representative Foley.

On motion of Representative Foley, **HR 186** was adopted.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 223 - Miscellaneous Bills & Resolutions

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 744 - Professional Registration and Licensing

HB 798 - Insurance

HB 801 - Banks and Financial Institutions

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 23, introduced by Representatives Holand and Davis, relating to the Windfall Elimination Provision.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 820, introduced by Representatives Byrd and Portwood, et al, relating to the acquisition of public utilities.

HB 821, introduced by Representative Hosmer, relating to a University of Missouri program to assist organ transplant patients.

HB 822, introduced by Representative Troupe, relating to motor vehicle registration tabs.

HB 823, introduced by Representative Hegeman, relating to water purchases and sales involving rural water supply districts.

HB 824, introduced by Representatives Abel, Barry, Kreider, Sanders Brooks, Kelly (27), Scheve, Reid, Hosmer, O'Toole, Foley, Ward, Smith and Curls, et al, relating to a pharmaceutical insurance program for seniors.

HB 825, introduced by Representative Kennedy, relating to the exemption from taxation of bullion and investment coins.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 26 & 126**, entitled:

An act to amend chapter 160, RSMo, by adding thereto one new section relating to high school diplomas for World War I and World War II veterans.

In which the concurrence of the House is respectfully requested.

COMMITTEE ASSIGNMENT

PUBLIC-PRIVATE PARTNERSHIPS

Farnen, Ted - Chair

Bowman, John - Vice-chair

Riback Wilson, Vicky

Hosmer, Craig

Ross, Carson

Legan, Ken

Marsh, B. J.

The following members' presence was noted: Gaskill and Miller.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Tuesday, February 20, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Twenty-seventh Day, Thursday, February 15, 2001, page 391, line 28, by deleting the word "responsible" and inserting in lieu thereof the word "responsibility".

Page 395, by inserting immediately after line 24 the following:

Committee on Budget, Chairman Green (73) reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 15**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Pages 387 and 388, roll call, by showing Representative Dolan voting "aye" rather than "absent with leave".

Pages 391 and 392, roll call, by showing Representatives Moore and Myers voting "aye" rather than "no".

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, February 21, 2001, 3:00 pm. Hearing Room 7.

To be considered - HB 308, HB 411, HB 581, Executive Session - HB 473

APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY

Tuesday, February 20, 2001, 8:00 am. Hearing Room 1.

Mark-up House Bill 8 and House Bill 9.

Hearing will possibly continue upon adjournment. AMENDED.

APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY

Wednesday, February 21, 2001, 8:00 am. Hearing Room 1.

Mark-up HB 8 and HB 9. Possible Executive Session.

Hearing may continue upon adjournment. AMENDED.

APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY

Thursday, February 22, 2001, 8:00 am. Hearing Room 1.

Executive Session.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 20, 2001, 1:00 pm. Hearing Room 7.

Continue mark-up.

APPROPRIATIONS - SOCIAL SERVICES

Tuesday, February 20, 2001, 8:00 am. Hearing Room 3.

Hearing will continue upon adjournment. HB 11.

Mark-up and possible Executive Session.

APPROPRIATIONS - SOCIAL SERVICES

Wednesday, February 21, 2001, 8:00 am. Hearing Room 3.

Hearing will continue upon adjournment. HB 11.

Mark-up and possible Executive Session.

APPROPRIATIONS - TRANSPORTATION

Wednesday, February 21, 2001, 8:00 am. Hearing Room 7.

Mark-up.

APPROPRIATIONS - TRANSPORTATION

Thursday, February 22, 2001, 8:00 am. Hearing Room 7.

Mark-up if needed.

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, February 21, 2001, 3:00 pm. Hearing Room 6.

Executive Session may follow.

To be considered - HB 96, HB 348, HB 360, HB 432, HB 736, HB 738, HB 801

BUDGET

Tuesday, February 20, 2001, 3:00 pm. Hearing Room 3.

To be considered - HB 1, HB 2, HB 3

BUDGET

Wednesday, February 21, 2001, 3:00 pm. Hearing Room 3.

To be considered - HB 2, HB 3, HB 4

CHILDREN, FAMILIES, AND HEALTH

Tuesday, February 20, 2001, 3:00 pm. Hearing Room 4. AMENDED NOTICE.

To be considered - HB 291, HB 317, HB 422, HB 762

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 21, 2001, 3:00 pm. Hearing Room 1.

To be considered - HB 403, HB 442, HB 464, HB 467, Executive Session - HB 237,

Executive Session - HB 399, Executive Session - HB 403, Executive Session - HB 442

COMMERCE AND ECONOMIC DEVELOPMENT

Tuesday, February 20, 2001, 2:00 pm. Side gallery.

To be considered - Executive Session - HB 189, Executive Session - HB 215,

Executive Session - HB 327, Executive Session - HB 332, Executive Session - HB 397

CONSERVATION, STATE PARKS AND MINING

Wednesday, February 21, 2001, 3:00 pm. Hearing Room 2.

To be considered - HB 616, Executive Session - HB 239, Executive Session - HCR 6

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, February 20, 2001, 8:00 pm. Hearing Room 7.

Executive Session may follow.

To be considered - HB 402, HB 409, HB 452, HB 502

CRIMINAL LAW

Tuesday, February 20, 2001. Side gallery upon adjournment.

Executive Session.

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, February 20, 2001, 3:00 pm. Hearing Room 6. CORRECTED/AMENDED.

To be considered - HB 29, HB 300, HB 505, HB 754, HCR 10

EDUCATION - HIGHER

Wednesday, February 21, 2001, 3:00 pm. Hearing Room 5.

Possible Executive Session.

To be considered - HB 424, HB 435, HB 489

ELECTIONS

Tuesday, February 20, 2001, 7:30 pm. Hearing Room 5.

Executive Session to follow. AMENDED NOTICE.

To be considered - HB 538, HB 541, HB 638

FISCAL REVIEW AND GOVERNMENT REFORM

Tuesday, February 20, 2001, 8:30 am. Hearing Room 7.

HCS HB 144 & 46 (Fiscal)

To be considered - HB 554, HB 592, Executive Session - HB 309, Executive Session - HB 315, Executive Session - HB 363, Executive Session - HJR 3, Executive Session - HJR 4, Executive Session - HJR 10

INSURANCE

Tuesday, February 20, 2001, 1:00 pm. Hearing Room 5.

To be considered - HB 341, HB 459, HB 542, HB 646

JUDICIARY

Tuesday, February 20, 2001, 3:00 pm. Hearing Room 5.

Executive Session may follow.

To be considered - HB 229, HB 230, HB 342, HB 383, HB 454

LABOR

Tuesday, February 20, 2001, 5:00 pm. Hearing Room 3. AMENDED NOTICE.

To be considered - HB 63, HB 64, HB 527, HB 662

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, February 20, 2001, 3:00 pm. Hearing Room 7.

Executive Session may follow.

To be considered - HB 227, HB 295, HB 376, HB 398, HB 408, HB 410, HB 419, HB 436, HB 497, HB 498, HB 503, HB 689

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, February 21, 2001, 8:00 am. Hearing Room 6.

Executive Session may follow.

To be considered - HB 313, HB 501, HB 555

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, February 20, 2001, 3:00 pm. Hearing Room 1.

To be considered - HB 182, HB 477, Executive Session - HB 126, Executive Session - HB 158

MUNICIPAL CORPORATIONS

Wednesday, February 21, 2001, 3:00 pm. Hearing Room 4.

Executive Session may follow.

To be considered - HB 293, HB 557, HB 596

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 21, 2001, 5:00 pm. Hearing Room 5.

Executive Session will be held first. AMENDED NOTICE.

To be considered - HB 416, HB 465, HB 544, HB 588, HB 607, HB 631, HB 695

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Tuesday, February 20, 2001, 8:00 am. Hearing Room 6.

Executive Session may follow.

To be considered - HB 420, HB 428, HB 479, HB 524

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, February 20, 2001, 7:00 pm. Hearing Room 6.

Executive Session may follow.

To be considered - HB 392, HB 546, HB 591, HB 603, HB 612, HB 746

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Wednesday, February 21, 2001, 9:30 am. Side gallery.

Executive Session.

WAYS AND MEANS

Tuesday, February 20, 2001, 3:00 pm. Hearing Room 2.

To be considered - HB 226, HB 240, HB 286, HB 364, HB 405, HB 507, HB 508, HB 509, HB 751

HOUSE CALENDAR

TWENTY-NINTH DAY, TUESDAY, FEBRUARY 20, 2001

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 23

HOUSE BILLS FOR SECOND READING

HB 820 through HB 825

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 5 - Barry

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HCS HB 15 - Green (73)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 113 - Hickey
- 2 HB 381 - Hoppe
- 3 HB 621, HCA 1 - Gratz
- 4 HB 287 - Williams
- 5 HB 575, HCA 1 - O'Connor
- 6 HCS HB 567 - Treadway
- 7 HCS HB 241 - Smith
- 8 HB 80 - Ross
- 9 HCS HB 50 - Relford

HOUSE BILLS FOR PERFECTION - CONSENT

(February 19, 2001)

- 1 HB 133 - Gambaro
- 2 HB 288 - Campbell
- 3 HB 266 - Treadway
- 4 HB 236 - Smith
- 5 HB 48 - Relford
- 6 HB 180 - Thompson
- 7 HB 78 - Kennedy
- 8 HB 262 - Linton

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 144 & 46, (Fiscal Review 2-14-01) - Bonner
- 2 HS HCS HB 328 & 88, (Fiscal Review 2-15-01) - Harlan
- 3 HCS HB 205, 323 & 549 - Relford

SENATE BILL FOR SECOND READING

SCS SB 26 & 126

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

TWENTY-NINTH DAY, TUESDAY, FEBRUARY 20, 2001

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

God, help us entrust the committee meetings, the discussions, the time with constituents, all the affairs of this day to Your attention. Your care will infuse these dealings and interactions with a deeper sense of meaning and purpose.

May our representatives not work as if they are alone or helpless, but rather awake with the knowledge that Your spirit breathes in and through their efforts and toiling. Grant them this presence as they humbly stand praying to You at the start of this day. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Sarah Leleah McDonald, Maddy Noss, Steven Le, Daniel Kuehn and Ashley Burris.

The Journal of the twenty-eighth day was approved as printed by the following vote:

AYES: 144

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Holt
Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross

Scheve	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Wagner	Walton	Wiggins
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Black	Clayton	Froelker	Gambaro	Hohulin
Holand	Hollingsworth	Hunter	Kelly 36	Schwab
St. Onge	Vogel	Ward	Williams	Wright

VACANCIES: 004

Dana Staley, State President of Future Farmers of America, King City, Missouri, addressed the House.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 523

through

House Resolution No. 526 - Representative Selby
House Resolution No. 527 - Representative Naeger
House Resolution No. 528 - Representative Kelly (27)
House Resolution No. 529 - Representative Seigfreid
House Resolution No. 530

and

House Resolution No. 531 - Representatives Seigfreid and Copenhaver
House Resolution No. 532

and

House Resolution No. 533 - Representative Ladd Baker
House Resolution No. 534 - Representative Barry
House Resolution No. 535 - Representative Phillips

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 23 was read the second time.

SECOND READING OF HOUSE BILLS

HB 820 through **HB 825** were read the second time.

SECOND READING OF SENATE BILL

SCS SBs 26 & 126 was read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 163, HCS HBs 441, 94 & 244, HB 219, and HCS HB 207**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

PERFECTION OF HOUSE JOINT RESOLUTION

HJR 5, relating to school district bond elections, was taken up by Representative Barry.

Speaker Pro Tem Abel assumed the Chair.

Representative Marble offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Joint Resolution No. 5, Page 1, Article VI, Section 26(b), Line 1, by adding immediately after “26(b).”, the following: “[.]”; and

Further amend said House Joint Resolution No. 5, Page 2, Article VI, Section 26(b), Line 10, by adding after all of said line the following:

“2. The required majority for passage of this house joint resolution, notwithstanding Article XII, Section 2(b) of the Constitution, shall be a four-sevenths majority.”

Representative Marble moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 055

Ballard	Barnett	Bartelsmeyer	Bearden	Behnen
Berkstresser	Boatright	Burcham	Burton	Byrd
Champion	Cierpiot	Cooper	Crawford	Crowell
Cunningham	Dempsey	Enz	Gaskill	Green 73
Hegeman	Henderson	Hohulin	Holand	Hunter
Jetton	Kelly 144	Legan	Levin	Linton
Lograsso	Luetkemeyer	Marble	Marsh	May 149
Mayer	Miller	Murphy	Myers	Naeger
Nordwald	Phillips	Portwood	Purgason	Rector
Reinhart	Richardson	Ridgeway	Roark	Schwab
Scott	Secret	St. Onge	Townley	Wright

NOES: 099

Abel	Baker	Barnitz	Barry 100	Bartle
Berkowitz	Black	Bonner	Boucher	Bowman

Boykins	Bray 84	Britt	Brooks	Campbell
Carnahan	Clayton	Coleman	Copenhaver	Crump
Curls	Davis	Dolan	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Harding	Hartzler
Haywood	Hendrickson	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 27	Kelly 36	Kennedy
King	Koller	Liese	Lowe	Luetkenhaus
Mays 50	McKenna	Merideth	Monaco	Moore
O'Connor	O'Toole	Ostmann	Overschmidt	Ransdall
Reid	Relford	Reynolds	Rizzo	Robirds
Ross	Scheve	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	Surface
Thompson	Treadway	Troupe	Van Zandt	Villa
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 005

Hanaway	Harlan	Lawson	Long	Vogel
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VACANCIES: 004

Representative Bearden offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Joint Resolution No. 5, Page 2, Section 26(b), Lines 9 and 10, by striking the words: “**general municipal election day or**”.

Representative Bearden moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 057

Ballard	Barnett	Bartelsmeyer	Bearden	Behnen
Berkstresser	Burcham	Burton	Byrd	Champion
Cierpiot	Cooper	Crawford	Crowell	Cunningham
Dempsey	Dolan	Enz	Froelker	Gaskill
Green 15	Griesheimer	Hegeman	Henderson	Hohulin
Holand	Holt	Hunter	Jetton	Kelly 144
Kelly 36	Legan	Linton	Lograsso	Long
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Murphy	Myers	Naeger	Nordwald	Portwood
Purgason	Rector	Reinhart	Richardson	Ridgeway
Roark	Robirds	Schwab	Scott	Secrest
St. Onge	Townley			

NOES: 097

Abel	Baker	Barnitz	Barry 100	Bartle
Berkowitz	Black	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Campbell	Carnahan	Clayton	Coleman	Copenhaver
Crump	Curls	Davis	Fares	Farnen
Foley	Ford	Franklin	Fraser	Gambaro
George	Graham	Gratz	Green 73	Hagan-Harrell
Hampton	Harding	Harlan	Hartzler	Haywood
Hendrickson	Hickey	Hilgemann	Hollingsworth	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 27	Kennedy	King	Koller	Liese
Lowe	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Ransdall	Reid
Relford	Reynolds	Rizzo	Ross	Scheve
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	Surface	Thompson	Treadway
Troupe	Van Zandt	Villa	Wagner	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 005

Hanaway	Lawson	Levin	Vogel	Walton
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VACANCIES: 004

On motion of Representative Barry, **HJR 5** was ordered perfected and printed.

PERFECTION OF HOUSE BILLS

HCS HB 113, relating to state building contracts, was taken up and placed on the Informal Calendar.

HB 381, relating to gray market tobacco, was taken up and placed on the Informal Calendar.

HB 621, with House Committee Amendment No. 1, relating to the penitentiary redevelopment commission, was taken up by Representative Gratz.

On motion of Representative Gratz, **House Committee Amendment No. 1** was adopted.

Representative Britt assumed the Chair.

Representative Gratz offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 621, Page 3, Section 217.900, Line 77, by inserting immediately after said line the following:

“9. Upon the dissolving of the commission, any funds remaining in the Missouri State Penitentiary Commission Fund shall be transferred to the general revenue fund.”.

On motion of Representative Gratz, **House Amendment No. 1** was adopted.

On motion of Representative Gratz, **HB 621, as amended**, was ordered perfected and printed.

Speaker Pro Tem Abel resumed the Chair.

HB 575, with House Committee Amendment No. 1, relating to motor vehicle franchise, was taken up by Representative O'Connor.

On motion of Representative O'Connor, **House Committee Amendment No. 1** was adopted.

On motion of Representative O'Connor, **HB 575, as amended**, was ordered perfected and printed.

HCS HB 567, relating to professional registration, was taken up by Representative Treadway.

Representative Johnson (90) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 567, Page 12, Section 324.205, Line 3, by striking the “[” on said line; and

Further amend said Section, Page 13, Line 4, by striking the following: “[**a class A misdemeanor**”.

On motion of Representative Johnson (90), **House Amendment No. 1** was adopted.

Representative Shoemyer offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 567, Page 61, Section 331.050, Line 27, by inserting after all of said line the following:

"332.051. 1. The board shall establish and maintain an office at Jefferson City, Missouri, where its records and files shall be kept.

2. Investigators employed by the board shall, among other duties, have the power in the name of the board to investigate alleged violations of this chapter including the right to inspect, on order of the board, dental offices, [including records,] dental laboratories, dental equipment and instruments [with respect to violations of the provisions of this chapter], **and to inspect and copy all records, including patient records.**

3. In any investigation, hearing or other proceeding to determine a licensee's or applicant's fitness to practice, any record relating to any patient of the licensee or applicant shall be discoverable by the board and

admissible into evidence, regardless of any statutory or common law privilege that such licensee, applicant, record custodian or patient might otherwise invoke. In addition, no such licensee, applicant, or record custodian may withhold records or testimony bearing upon a licensee's or applicant's fitness to practice on the ground of privilege between such licensee, applicant or record custodian and a patient.

332.181. 1. [After a person has received a certificate of registration qualifying him to practice dentistry in Missouri, he may within one year from the date of his certificate, apply, on forms furnished to the applicant for, and upon payment of a dentist's license fee shall receive, a license to practice dentistry in Missouri] **No person shall engage in the practice of dentistry in Missouri without first obtaining a license pursuant to this chapter.**

2. [The certificate of registration of a dentist issued to any person who fails to apply for a license as herein provided within one year after the date of his certificate of registration shall be void] **Any person desiring to obtain a license to practice dentistry in Missouri shall make application to the board on a form prescribed by the board pursuant to section 332.141. An application for licensure shall be active for one year after the date it is received by the board. The application is void if not completed within one year of its receipt by the board.**

3. [Each person who holds a certificate of registration] **Once licensed** to practice dentistry in Missouri, a licensee shall renew his **or her** license [to practice dentistry in Missouri] on or before the license renewal date and shall display his **or her** license for each current licensing period in the office in which he **or she** practices or offers to practice dentistry.

4. **All licenses issued or renewed on or after December 1, 2002, shall be valid for two years.** The board shall not renew [any certificate of registration] **the license** of any dentist unless the licensee [shall provide] **provides** satisfactory evidence that he **or she** has completed [seventy-five hours] **the required number** of continuing education [within a three-year period] **hours within the time period prescribed by rule by the board. The board may extend the time requirements for completion of continuing education for up to six months for reasons related to health, military service, foreign residency or other good cause. All requests for extensions of time shall be made in writing and submitted to the board before the license renewal date.** The board may waive the requirements for continuing education for retired or disabled dentists or for other good cause.

5. Any [registered and] licensed dentist who fails to renew his **or her** license on or before the renewal date may apply to the board for [a] renewal of his **or her** license within [five] **four** years subsequent to the date [his] **of** license [expired] **expiration**, provided that any such applicant shall pay a reinstatement fee for the license.

6. The [certificate of registration] **license** of any dentist who fails to renew [his license] within [five] **four** years of the time his **or her** license [has] expired [shall be] **is** void. [He] **The dentist** may reapply for a [new certificate of registration], **license** provided that, unless [he applies] **application is made** under section 332.211, he **or she** shall pay the same fees and be examined in the same manner as an original applicant for [a certificate of registration] **licensure** as a dentist. A [registered and] currently licensed dentist in Missouri may apply to the board to be placed on an inactive list of dentists, and during the time his **or her** name remains on the inactive list, he **or she** shall not practice dentistry. If a dentist wishes to be removed from the inactive list, unless he **or she** applies under section 332.211, he **or she** shall apply for a current license and pay the license fees for the years between the date of the entry of his **or her** name on the inactive list and the date of issuance of his **or her** current license. [And] **In addition**, [if he] **any dentist who** has been on the inactive list for more than [three] **four** years[,] **shall** be examined in the same manner as an original applicant for [a certificate of registration] **licensure** as a dentist.

7. A [registered and] currently licensed dentist in Missouri who does not maintain a practice in this state or does not reside in this state may apply to the board to be placed on an out-of-state licensee list of dentists. Any dentist applying to be so [registered and] licensed shall accompany his **or her** application with a fee not greater than the licensure fee for a licensee who maintains a practice in this state or who resides in this state. The required fee shall be established by the board, by rule, as with other licensing fees.

332.261. 1. [After a person has received a certificate of registration qualifying him to practice as a dental hygienist in Missouri, he may within one year from the date of his certificate apply for and shall receive a license to practice as a dental hygienist in Missouri. Application forms shall be furnished to the applicant, and the application shall be accompanied by the dental hygienist license fee.] **No person shall engage in the practice of dental hygiene without first obtaining a license pursuant to this chapter.**

2. [The certificate of registration as a dental hygienist issued to any person who fails to apply for a license as herein provided within one year after the date of his certificate of registration shall be void.] **Any person desiring to obtain a license to practice dental hygiene in Missouri shall make application to the board on a form prescribed by the board pursuant to section 332.241. An application for licensure shall be active for one year after the date it is received by the board. The application is void if not completed within one year of its receipt by the board.**

3. [Each person who holds a certificate of registration] **Once licensed** to practice as a dental hygienist in Missouri, **a licensee** shall renew his **or her** license to practice as a dental hygienist on or before the renewal date and shall display his **or her** license for each current licensing period in the office in which he **or she** practices or offers to practice as a dental hygienist.

4. **All licenses issued or renewed on or after December 1, 2002, shall be valid for two years.** The board shall not renew [any certificate of registration] **the license** of any hygienist unless the licensee [shall provide] **provides** satisfactory evidence that he **or she** has completed [forty-five hours] **the required number** of continuing education [within a three-year period] **hours within the time period prescribed by rule by the board. The board may extend the time requirements for completion of continuing education for up to six months for reasons related to health, military service, foreign residency or other good cause. All requests for extensions of time shall be made in writing and submitted to the board before the license renewal date.** The board may waive the requirements for continuing education for retired or disabled hygienists or for other good cause.

5. Any [registered and] licensed dental hygienist who fails to renew his **or her** license on or before the renewal date may apply to the board for [a] renewal of his **or her** license within [five] **four** years [after] **subsequent to** the date [his] of license [expired] **expiration**, [but he] **but any such applicant** shall pay a reinstatement fee for the [new] license.

6. The [certificate of registration] **license** of any dental hygienist who fails to renew [his license] within [five] **four** years of the time that his **or her** license [shall have] expired [shall be] **is** void. [He] **The dental hygienist** may apply for a new [certificate of registration] **license**, provided that, unless [he applies] **application is made** under section 332.281, he **or she** shall pay the same fees and be examined in the same manner as an original applicant for [a certificate of registration] **licensure** as a dental hygienist. **A currently licensed dental hygienist in Missouri may apply to the board to be placed on an inactive list of dental hygienists, and during the time his or her name remains on the inactive list, he or she shall not practice as a dental hygienist. If a dental hygienist wishes to be removed from the inactive list, unless he or she applies pursuant to section 332.281, he or she shall apply for a current license and pay the license fees for the years between the date of the entry of his or her name on the inactive list and the date of issuance of his or her current license. In addition, any dental hygienist who has been on the inactive list for more than four years shall be examined in the same manner as an original applicant for licensure as a dental hygienist.**

7. [Any] **A currently licensed** dental hygienist [holding a certificate of registration in this state] **in Missouri** who does not practice in this state or who does not reside in this state may apply to the board to be placed on an out-of-state registration list of dental hygienists. Any dental hygienist applying to be so [registered] **licensed** shall accompany his **or her** application with a fee not greater than the license fee for a licensee who practices in this state or resides in this state. The required fee shall be established by the board, by rule, as with other licensing fees.

332.321. 1. The board may refuse to issue [any certificate of registration or authority, permit or license, or refuse to renew any such certificate of registration or authority,] **or renew any** permit or license[,] required pursuant to this chapter for one or any combination of causes stated in subsection 2 of this section or the board may, as a condition to issuing or renewing any such [certificate of registration or authority,] permit or license, require a person to submit himself or herself for identification, intervention, treatment or rehabilitation by the well-being committee as provided in section 332.327. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of his or her right to file a complaint with the administrative hearing commission as provided by chapter 621, RSMo.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621, RSMo, against any holder of any [certificate of registration or authority,] permit or license required by this chapter or any person who has failed to renew or has surrendered his or her [certificate of registration or authority,] permit or license for any one or any combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, RSMo, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by this chapter;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution pursuant to the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated pursuant to this chapter, for any offense an essential element of which is fraud, dishonesty or an act of violence, or any offense involving moral turpitude, whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any [certificate of registration or authority,] permit or license issued pursuant to this chapter or in obtaining permission to take any examination given or required

pursuant to this chapter;

(4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation; or increasing charges when a patient utilizes a third-party payment program; or for repeated irregularities in billing a third party for services rendered to a patient. For the purposes of this subdivision, irregularities in billing shall include:

(a) Reporting charges for the purpose of obtaining a total payment in excess of that usually received by the dentist for the services rendered;

(b) Reporting incorrect treatment dates for the purpose of obtaining payment;

(c) Reporting charges for services not rendered;

(d) Incorrectly reporting services rendered for the purpose of obtaining payment [which is] greater than that to which the person is entitled;

(e) Abrogating the co-payment or deductible provisions of a third-party payment contract. Provided, however, that this paragraph shall not prohibit a discount, credit or reduction of charges provided under an agreement between the [holder of a license] **licensee** and an insurance company, health service corporation or health maintenance organization licensed pursuant to the laws of this state; or governmental third-party payment program; or self-insurance program organized, managed or funded by a business entity for its own employees or labor organization for its members;

(5) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of, or relating to one's ability to perform, the functions or duties of any profession licensed or regulated by this chapter;

(6) Violation of, or assisting or enabling any person to violate, any provision of this chapter, or any lawful rule or regulation adopted pursuant to this chapter;

(7) Impersonation of any person holding a [certificate of registration or authority,] permit or license or allowing any person to use his or her [certificate of registration or authority,] permit, license or diploma from any school;

(8) Disciplinary action against the holder of a license or other right to practice any profession regulated by this chapter [granted] **imposed** by another state, **province**, territory, federal agency or country upon grounds for which [revocation or suspension] **discipline** is authorized in this state;

(9) A person is finally adjudicated incapacitated or disabled by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice, by lack of supervision or in any other manner, any profession licensed or regulated by this chapter who is not registered and currently eligible to practice pursuant to this chapter;

(11) Issuance of a [certificate of registration or authority,] permit or license based upon a material mistake of fact;

(12) Failure to display a valid certificate [or], license **or permit** if so required by this chapter or by any rule promulgated hereunder;

(13) Violation of any professional trust or confidence;

(14) Use of any advertisement or solicitation [which] **that** is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed. False, misleading or deceptive advertisements or solicitations shall include, but not be limited to:

(a) Promises of cure, relief from pain or other physical or mental condition, or improved physical or mental health;

(b) Any misleading or deceptive statement offering or promising a free service. Nothing herein shall be construed to make it unlawful to offer a service for no charge if the offer is announced as part of a full disclosure of routine fees including consultation fees;

(c) Any misleading or deceptive claims of patient cure, relief or improved condition; superiority in service, treatment or materials; new or improved service, treatment or material; or reduced costs or greater savings. Nothing herein shall be construed to make it unlawful to use any such claim if it is readily verifiable by existing documentation, data or other substantial evidence. Any claim [which] **that** exceeds or exaggerates the scope of its supporting documentation, data or evidence is misleading or deceptive;

(d) Any announced fee for a specified service where that fee does not include the charges for necessary related or incidental services, or where the actual fee charged for that specified service may exceed the announced fee, but it shall not be unlawful to announce only the maximum fee [which] **that** can be charged for the specified service, including all related or incidental services, modified by the term "up to" if desired;

(e) Any announcement in any form including the term "specialist" or the phrase "limited to the specialty of" unless each person named in conjunction with the term or phrase, or responsible for the announcement, holds a valid Missouri certificate and license evidencing that the person is a specialist in that area;

(f) Any announcement containing any of the terms denoting recognized specialties, or other descriptive terms carrying the same meaning, unless the announcement clearly designates by list each dentist not licensed as a specialist in Missouri who is sponsoring or named in the announcement, or employed by the entity sponsoring the announcement, after the following clearly legible or audible statement: "Notice: the following dentist(s) in this practice is (are) not licensed in Missouri as specialists in the advertised dental specialty(s) of";

(g) Any announcement containing any terms denoting or implying specialty areas [which] **that** are not recognized by the American Dental Association;

(15) Violation of the drug laws or rules and regulations of this state, any other state or the federal government;

(16) Failure or refusal to properly guard against contagious, infectious or communicable diseases or the spread thereof;

(17) Failing to maintain his or her office or offices, laboratory, equipment and instruments in a safe and sanitary condition;

(18) Accepting [or], tendering or paying "rebates" to or "splitting fees" with any other person; provided, however, that nothing herein shall be so construed as to make it unlawful for a dentist practicing in a partnership or as a corporation organized pursuant to the provisions of chapter 356, RSMo, [from distributing] **to distribute** profits in accordance with his or her stated agreement;

(19) Administering, **or** causing or permitting to be administered, nitrous oxide gas in any amount to himself or herself[;], or to another unless [this administration is done] as an adjunctive measure to patient management;

(20) Being unable to practice as a dentist, specialist or hygienist with reasonable skill and safety to patients by reasons of professional incompetency, or because of illness, drunkenness, excessive use of drugs, narcotics, chemicals, or as a result of any mental or physical condition. In enforcing this subdivision the board shall, after a hearing before the board, upon a finding of probable cause, require the dentist or specialist or hygienist to submit to a reexamination for the purpose of establishing his or her competency to practice as a dentist, specialist or hygienist, which reexamination shall be conducted in accordance with rules adopted for this purpose by the board, including rules to allow the examination of the dentist's, specialist's or hygienist's professional competence by at least three dentists or fellow specialists, or to submit to a mental or physical examination or combination thereof by at least three physicians. One examiner shall be selected by the dentist, specialist or hygienist compelled to take examination, one selected by the board, and one shall be selected by the two examiners so selected. Notice of the physical or mental examination shall be given by personal service or registered mail. Failure of the dentist, specialist or hygienist to submit to the examination when directed shall constitute an admission of the allegations against him or her, unless the failure was due to circumstances beyond his or her control. A dentist, specialist or hygienist whose right to practice has been affected pursuant to this subdivision shall, at reasonable intervals, be afforded an opportunity to demonstrate that he or she can resume competent practice with reasonable skill and safety to patients.

(a) In any proceeding pursuant to this subdivision, neither the record of proceedings nor the orders entered by the board shall be used against a dentist, specialist or hygienist in any other proceeding. Proceedings pursuant to this subdivision shall be conducted by the board without the filing of a complaint with the administrative hearing commission;

(b) When the board finds any person unqualified because of any of the grounds set forth in this subdivision, it may enter an order imposing one or more of the following: denying his or her application for a license; permanently withholding issuance of a license; administering a public or private reprimand; **placing on probation**, suspending or limiting or restricting his or her license to practice as a dentist, specialist or hygienist for a period of not more than five years; revoking his or her license to practice as a dentist, specialist or hygienist; requiring him or her to submit to the care, counseling or treatment of physicians designated by the dentist, specialist or hygienist compelled to be treated; or requiring such person to submit to identification, intervention, treatment or rehabilitation by the well-being committee as provided in section 332.327. For the purpose of this subdivision, "license" includes the certificate of registration, or license, or both, issued by the board.

3. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621, RSMo. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2, for disciplinary action are met, the board may, singly or in combination:

(1) Censure or place the person or firm named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed five years; or

(2) [May] Suspend the license, certificate or permit for a period not to exceed three years; or

(3) Revoke the license, certificate, or permit. **In any order of revocation, the board may provide that the person may not apply for licensure for a period of time ranging from two to seven years following the date of**

the order of revocation; or

(4) Cause the person or firm named in the complaint to make restitution to any patient, or any insurer or third-party payer who shall have paid in whole or in part a claim or payment which they should be reimbursed [for], where restitution would be an appropriate remedy, including the reasonable cost of follow-up care to correct or complete a procedure performed or one [which] **that** was to be performed by the person or firm named in the complaint; or

(5) Request the attorney general to bring an action in the circuit court of competent jurisdiction to recover a civil penalty on behalf of the state in an amount to be assessed by the court.

4. If the board concludes that a dentist or dental hygienist has committed an act or is engaging in a course of conduct that would be grounds for disciplinary action and that constitutes a clear and present danger to public health and safety, the board may file a complaint before the administrative hearing commission which requests an expedited hearing, which specifies the activities that endanger the public health and safety and which specifies the nature of the proposed restriction or suspension of the dentist's or dental hygienist's license. Within fifteen days after service of the complaint on the dentist or dental hygienist, the administrative hearing commission shall conduct a preliminary hearing to determine whether the alleged activities of the dentist or dental hygienist appear to constitute a clear and present danger to the public health and safety which justify the immediate restriction or suspension of the dentist's or dental hygienist's license. The burden of proving that a dentist or dental hygienist is a clear and present danger to the public health and safety is on the Missouri dental board. The administrative hearing commission shall issue its decision immediately after the hearing and shall either grant the board the authority to suspend or restrict the license or dismiss the action.

5. If the administrative hearing commission grants temporary authority to the board to restrict or suspend the dentist's or dental hygienist's license, such temporary authority shall become final authority if the dentist or dental hygienist fails to request a full hearing within thirty days of the preliminary hearing. The administrative hearing commission shall, if requested by the dentist or dental hygienist named in the complaint, set a date to hold a full hearing pursuant to chapter 621, RSMo, regarding the activities alleged in the initial complaint filed by the board.

6. If the administrative hearing commission dismisses the action filed by the board pursuant to subsection 4 of this section, such dismissal shall not bar the board from initiating a subsequent action on the same grounds.

7. Notwithstanding any other provisions of section 332.071 or of this section, a [duly registered and] currently licensed dentist in Missouri may enter into an agreement with individuals and organizations to provide dental health care, provided such agreement does not permit or compel practices [in violation of this section or violate any other] **that violate any** provision of this chapter.

[5.] **8.** At all proceedings for the enforcement of these or any other provisions of this chapter the board shall, as it deems necessary, select, in its discretion, either the attorney general or one of the attorney general's assistants designated by the attorney general or other legal counsel to appear and represent the board at each stage of such proceeding or trial until its conclusion.

[6.] **9.** If at any time when any [disciplinary sanctions have] **discipline has** been imposed pursuant to this section or pursuant to any provision of this chapter, the licensee removes himself or herself from the state of Missouri, ceases to be currently licensed pursuant to the provisions of this chapter, or fails to keep the Missouri dental board advised of his or her current place of business and residence, the time of his or her absence, or unlicensed status, or unknown whereabouts shall not be deemed or taken as any part of the time of discipline so imposed."; and

Further amend said title, enacting clause and intersectional references accordingly.

HCS HB 567, as amended, with House Amendment No. 2, pending, was laid over.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 207 - Fiscal Review and Government Reform (Fiscal Note)

HB 81 - Education-Elementary and Secondary

HB 702 - Local Government and Related Matters

- HB 703** - Critical Issues, Consumer Protection and Housing
- HB 704** - Municipal Corporations
- HB 705** - Retirement
- HB 706** - Ways and Means
- HB 707** - Criminal Law
- HB 708** - Motor Vehicle and Traffic Regulations
- HB 709** - Motor Vehicle and Traffic Regulations
- HB 710** - Elections
- HB 711** - Judiciary
- HB 712** - Civil and Administrative Law
- HB 713** - Insurance
- HB 714** - Transportation
- HB 715** - Social Services, Medicaid and the Elderly
- HB 716** - Professional Registration and Licensing
- HB 717** - Ways and Means
- HB 718** - Criminal Law
- HB 719** - Ways and Means
- HB 720** - Labor
- HB 721** - Environment and Energy
- HB 722** - Children, Families and Health
- HB 723** - Utilities Regulation
- HB 724** - Criminal Law
- HB 725** - Education-Elementary and Secondary
- HB 726** - Local Government and Related Matters
- HB 727** - Local Government and Related Matters
- HB 728** - Local Government and Related Matters
- HB 729** - Motor Vehicle and Traffic Regulations
- HB 730** - Local Government and Related Matters
- HB 731** - Public Safety, Law Enforcement and Veteran Affairs
- HB 732** - Public Safety, Law Enforcement and Veteran Affairs
- HB 733** - Public Safety, Law Enforcement and Veteran Affairs
- HB 734** - Transportation
- HB 739** - Critical Issues, Consumer Protection and Housing
- HB 740** - Ways and Means
- HB 741** - Ways and Means
- HB 742** - Correctional and State Institutions
- HB 743** - Transportation
- HB 748** - Local Government and Related Matters
- HB 749** - Local Government and Related Matters
- HB 750** - Retirement
- HB 752** - Professional Registration and Licensing
- HB 753** - Motor Vehicle and Traffic Regulations
- HB 755** - Motor Vehicle and Traffic Regulations
- HB 756** - Transportation
- HB 757** - Professional Registration and Licensing

HB 758 - Commerce and Economic Development
HB 760 - Urban Affairs
HB 761 - Utilities Regulation
HB 763 - Education-Elementary and Secondary
HB 764 - Insurance
HB 765 - Motor Vehicle and Traffic Regulations
HB 766 - Utilities Regulation
HB 767 - Commerce and Economic Development
HB 768 - Workers Compensation and Employment Security
HB 769 - Education-Higher
HB 770 - Municipal Corporations
HB 771 - Judiciary
HB 772 - Elections
HB 773 - Local Government and Related Matters
HB 774 - Criminal Law
HB 775 - Miscellaneous Bills & Resolutions
HB 776 - Motor Vehicle and Traffic Regulations
HB 777 - Criminal Law
HB 778 - Utilities Regulation
HB 779 - Correctional and State Institutions
HB 780 - Commerce and Economic Development
HB 781 - Commerce and Economic Development
HB 782 - Elections
HB 783 - Urban Affairs
HB 784 - Social Services, Medicaid and the Elderly
HB 785 - Professional Registration and Licensing
HB 786 - Judiciary
HB 788 - Motor Vehicle and Traffic Regulations
HB 789 - Ways and Means
HB 790 - Ways and Means
HB 791 - Ways and Means
HB 792 - Criminal Law
HB 793 - Insurance
HB 794 - Education-Elementary and Secondary
HB 795 - Education-Elementary and Secondary
HB 796 - Children, Families and Health
HB 797 - Motor Vehicle and Traffic Regulations
HB 800 - Motor Vehicle and Traffic Regulations

COMMITTEE REPORTS

Committee on Environment and Energy, Chairman Lawson reporting:

Mr. Speaker: Your Committee on Environment and Energy, to which was referred **HCR 16**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Concurrent Resolution No. 16

WHEREAS, on January 29, 2001, the United States District Court for the District of Columbia in the case of *Sierra Club v. Browner* ordered the United States Environmental Protection Agency to decide by March 12, 2001, whether the St. Louis area is in serious violation of standards for ozone air pollution; and

WHEREAS, since the court was barred from ordering the Environmental Protection Agency to find the St. Louis area in "serious" violation, the question of what the EPA will ultimately decide to do is still open; and

WHEREAS, a "serious" designation by the Environmental Protection Agency for the St. Louis area would be significant for the region because it could deter the development of new industries in the region by requiring more costly and restrictive air pollution controls on industry aimed at improving air quality as well as imposing penalties, such as the withholding of federal highway dollars; and

WHEREAS, the state of Missouri and its citizens have worked hard to improve the St. Louis area's air quality through such steps as the use of reformulated gasoline, the implementation of stricter industry controls on emissions, improvements in mass transit, a vehicle inspection program that started in April 2000 and the placement of nozzles on gas pumps to collect gas fumes; and

WHEREAS, last year, the Environmental Protection Agency agreed to give the St. Louis area until November of 2003 to meet the ozone standards and any reduction in that time frame would be unfair to the citizens of St. Louis and the state who have worked so diligently to improve the air quality:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-first General Assembly, First Regular Session, the Senate concurring therein, hereby urge the United States Environmental Protection Agency to provide the St. Louis area with the time promised last year to meet the ozone standards before making its determination as to whether the area is in serious violation of standards for ozone air pollution; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for President George Bush, EPA Administrator Christine Todd Whitman, Governor Bob Holden and each member of the Missouri congressional delegation.

Committee on Fiscal Review and Government Reform, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HB 309**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 826, introduced by Representative Mays (50), relating to emergency telephone service.

HB 827, introduced by Representative Shields, relating to the neighborhood assistance act.

HB 828, introduced by Representative Skaggs, relating to special license plates.

HB 829, introduced by Representatives Ford, Hosmer, O'Connor, Bowman, Ross, Gambaro, Troupe and Haywood, et al, relating to fraudulent use of a credit card and identifying information.

HB 830, introduced by Representatives Phillips, Harding and Shields, et al, relating to transient guest tax.

HB 831, introduced by Representatives Carnahan, Smith, Selby, Kelly (36), Ross, Kelly (27) and Hosmer, et al, relating to the crime victims' compensation fund.

HB 832, introduced by Representative Gaskill, relating to defense of the United States flag.

HB 833, introduced by Representative Smith, relating to certified court reporters.

HB 834, introduced by Representative Barry, relating to the Missouri health professional student loan repayment program.

HB 835, introduced by Representatives Britt, Hosmer, Crowell, Richardson and Merideth, relating to crime reduction.

HB 836, introduced by Representatives Mays (50), Richardson, Hegeman and Koller, et al, relating to retail electric choice.

HB 837, introduced by Representatives Foley, Hanaway, Scheve, O'Toole, Coleman, O'Connor and Rizzo, relating to certain sports facilities.

HB 838, introduced by Representative Murphy, relating to motor vehicle registration.

HB 839, introduced by Representative Secrest, relating to workers' compensation.

HB 840, introduced by Representative Secrest, relating to workers' compensation.

HB 841, introduced by Representative Secrest, relating to workers' compensation.

HB 842, introduced by Representative Secrest, relating to workers' compensation.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 185**, entitled:

An act to repeal section 301.131, RSMo 2000, relating to historic motor vehicles, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 224**, entitled:

An act to amend chapter 67, RSMo, by adding thereto twenty new sections relating to law enforcement districts, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 275**, entitled:

An act to amend chapter 302, RSMo, by adding thereto one new section relating to hearing impaired drivers.

In which the concurrence of the House is respectfully requested.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Champion is no longer a member of the Children, Families and Health Committee.

Representative May (149) has been appointed a member of the Children, Families and Health Committee.

Representative Bartle is no longer a member of the Judiciary Committee.

Representative Gaskill has been appointed a member of the Judiciary Committee.

Representative Curls has been appointed a member of the Civil and Administrative Law Committee.

Representative Hosmer has been appointed a member of the Civil and Administrative Law Committee.

Representative Britt has been appointed a member of the Civil and Administrative Law Committee.

Representative Crowell has been appointed a member of the Civil and Administrative Law Committee.

Representative Mayer has been appointed a member of the Civil and Administrative Law Committee.

Representative Levin has been appointed a member of the Civil and Administrative Law Committee.

WITHDRAWAL OF HOUSE BILL

February 19, 2001

The Honorable Jim Kreider, Speaker
Missouri House of Representatives
State Capitol, Room 308
Jefferson City, MO 65101

Dear Mr. Speaker:

I respectfully request the withdrawal of **House Bill 799**. Thank you.

Sincerely,

/s/ Richard G. Byrd

The following member's presence was noted: Vogel.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, February 21, 2001.

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, February 21, 2001, 3:00 pm. Hearing Room 7. AMENDED NOTICE.
To be considered - HB 308, HB 411, HB 581, Executive Session - HB 306,
Executive Session - HB 307, Executive Session - HB 473

APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY

Wednesday, February 21, 2001, 8:00 am. Hearing Room 1.
Mark-up HB 8 and HB 9. Possible Executive Session.
Hearing may continue upon adjournment. AMENDED.

APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY

Thursday, February 22, 2001, 8:00 am. Hearing Room 1.
Executive Session.

APPROPRIATIONS - SOCIAL SERVICES

Wednesday, February 21, 2001, 8:00 am. Hearing Room 3.
Hearing will continue upon adjournment. HB 11.
Mark-up and possible Executive Session.

APPROPRIATIONS - SOCIAL SERVICES

Thursday, February 22, 2001, 8:00 am. Hearing Room 3.

Hearing will continue upon adjournment.

Mark-up and possible Executive Session.

To be considered - HB 11

APPROPRIATIONS - TRANSPORTATION

Wednesday, February 21, 2001, 8:00 am. Hearing Room 7.

Mark-up.

APPROPRIATIONS - TRANSPORTATION

Thursday, February 22, 2001, 8:00 am. Hearing Room 7.

Mark-up if needed.

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, February 21, 2001, 3:00 pm. Hearing Room 6.

Executive Session may follow.

To be considered - HB 96, HB 348, HB 360, HB 432, HB 736, HB 738, HB 801

BUDGET

Wednesday, February 21, 2001, 3:00 pm. Hearing Room 3.

To be considered - HB 2, HB 3, HB 4, HB 5

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 21, 2001, 3:00 pm. Hearing Room 1.

To be considered - HB 403, HB 442, HB 464, HB 467, Executive Session - HB 237,

Executive Session - HB 399, Executive Session - HB 403, Executive Session - HB 442

COMMERCE AND ECONOMIC DEVELOPMENT

Thursday, February 22, 2001. Hearing Room 6 upon adjournment.

To be considered - Executive Session - HB 189, Executive Session - HB 215,

Executive Session - HB 327, Executive Session - HB 332, Executive Session - HB 397

CONSERVATION, STATE PARKS AND MINING

Wednesday, February 21, 2001, 3:00 pm. Hearing Room 2.

To be considered - HB 616, Executive Session - HB 239, Executive Session - HCR 6

EDUCATION - HIGHER

Wednesday, February 21, 2001, 3:00 pm. Hearing Room 5.

Possible Executive Session.

To be considered - HB 424, HB 435, HB 489

ENVIRONMENT AND ENERGY

Thursday, February 22, 2001, 8:30 am. Hearing Room 5.

To be considered - HB 597

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, February 21, 2001, 12:00 pm. Hearing Room 6.

Organizational meeting. Presentation of Oversight Program Evaluation Reports.

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, February 21, 2001, 8:00 am. Hearing Room 6.

Executive Session may follow.

To be considered - HB 313, HB 501, HB 555

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Thursday, February 22, 2001, 9:45 am. Side Gallery

Executive Session.

To be considered - HB 120

MUNICIPAL CORPORATIONS

Wednesday, February 21, 2001, 3:00 pm. Hearing Room 4.

Executive Session may follow. AMENDED NOTICE.

To be considered - HB 293, HB 491, HB 557, HB 596

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 21, 2001, 5:00 pm. Hearing Room 5.

Executive Session will be held first. AMENDED NOTICE.

To be considered - HB 416, HB 465, HB 544, HB 588, HB 607, HB 631, HB 695, HB 744

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Wednesday, February 21, 2001, 9:30 am. Side gallery.

Executive Session.

HOUSE CALENDAR

THIRTIETH DAY, WEDNESDAY, FEBRUARY 21, 2001

HOUSE BILLS FOR SECOND READING

HB 826 through HB 842

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HCS HB 15 - Green (73)

HOUSE BILLS FOR PERFECTION

- 1 HB 287 - Williams
- 2 HCS HB 567, as amended, HA 2, pending - Treadway
- 3 HCS HB 241 - Smith
- 4 HB 80 - Ross
- 5 HCS HB 50 - Relford

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HB 381 - Hoppe

HOUSE BILLS FOR PERFECTION - CONSENT

(February 19, 2001)

- 1 HB 133 - Gambaro
- 2 HB 288 - Campbell
- 3 HB 266 - Treadway
- 4 HB 236 - Smith
- 5 HB 48 - Relford
- 6 HB 180 - Thompson
- 7 HB 78 - Kennedy
- 8 HB 262 - Linton

HOUSE CONCURRENT RESOLUTION FOR ADOPTION

HCR 16, (2-20-01) - Green (15)

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 144 & 46, (Fiscal Review 2-14-01) - Bonner
- 2 HS HCS HB 328 & 88, (Fiscal Review 2-15-01) - Harlan
- 3 HCS HB 205, 323 & 549 - Relford
- 4 HB 219 - Townley
- 5 HCS HB 441, 94 & 244 - Holt
- 6 HCS HB 207, E.C. (Fiscal Review 2-20-01) - Ross
- 7 HB 163 - Berkowitz

SENATE BILLS FOR SECOND READING

- 1 SB 185
- 2 SB 224
- 3 SB 275

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

THIRTIETH DAY, WEDNESDAY, FEBRUARY 21, 2001

Speaker Pro Tem Abel in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God: This is the day that the Lord has made, help us to make good use of it. This day, we pray with countless others:

“Grant me the serenity to accept the things I cannot change, the courage to change the things I can, and the wisdom to know the difference.” (A prayer of Reinhold Niebuhr).

Bless this House and to You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Tyler Johnson, Lauren Smith, Jennifer Barge, Mike Staat, April Beck, Terri Buchanan, Jenna Clark, Kyle Erwin, Melissa Goodale, Ashley Henson, Johnny Malchert, Terrell McCollough, Alicia Ray, Arron Simpson, Amanda Smith, Ryan Swafford, Heather Treadway, Sierra Wilcox, Nicole Young, Chad Bell, Shane Clack, Amy Darnell, Robert Gonzalez, Jessica Harris, Billy Leslie, Jessica Marshall, Jay Morris, George Roland, Andrea Sisco, Tara Sprou, Trisha Thomas, Justin Webster, Samantha Williams and Jacqueline Zoll.

The Journal of the twenty-ninth day was approved as corrected.

RESOLUTION

Representative Williams offered House Resolution No. 537.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 536	-	Representative Kreider
House Resolution No. 538	-	Representative Treadway
House Resolution No. 539	-	Representatives Ross and Lograsso
House Resolution No. 540	-	Representative Relford
House Resolution No. 541	-	Representative Surface
House Resolution No. 542	-	Representative Barnett
House Resolution No. 543	-	Representative Murphy
House Resolution No. 544	-	Representative Crawford

House Resolution No. 545 - Representative Crump
House Resolution No. 546
through
House Resolution No. 549 - Representative May (149)

SECOND READING OF HOUSE BILLS

HB 826 through **HB 842** were read the second time.

SECOND READING OF SENATE BILLS

SB 185, **SB 224** and **SB 275** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HJR 5**, **HB 575** and **HB 621**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

PERFECTION OF HOUSE BILL

HCS HB 567, as amended, with House Amendment No. 2, pending, relating to professional registration, was taken up by Representative Treadway.

House Amendment No. 2 was withdrawn.

Representative Johnson (61) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 567, Page 53, Section 327.631, Line 47, by inserting after all of said line the following:

"329.010. As used in this chapter, unless the context clearly indicates otherwise, the following words and terms mean:

(1) "Apprentice" or "student", a person who is engaged in training within a cosmetology establishment or school, and while so training performs any of the practices of the classified occupations within this chapter under the immediate direction and supervision of a registered cosmetologist or instructor;

(2) "Board", the state board of cosmetology;

(3) "**Braider**", **any person who engages for compensation in the practice of cosmetology as defined in paragraph (b) of subdivision (5) of this section;**

(4) "Cosmetologist", any person who, for compensation, engages in the practice of cosmetology, as defined in subdivision [(4)] (5) of this section;

[(4)] (5) "Cosmetology" includes performing or offering to engage in any acts of the classified occupations of cosmetology for compensation, which shall include:

(a) "Class CH - hairdresser" includes arranging, dressing, curling, singeing, waving, permanent waving, cleansing, cutting, bleaching, tinting, coloring, **braiding, hair weaving, hair extensions, hair twisting, hair dreadlocking** or similar work upon the hair of any person by any means[; or removing superfluous hair from the body of any person by means other than electricity, or any other means of arching or tinting eyebrows or tinting eyelashes]. Class CH - hairdresser, also includes, any person who either with the person's hands or with mechanical or electrical apparatuses or appliances, or by the use of cosmetic preparations, antiseptics, tonics, lotions or creams engages for compensation in any one or any combination of the following: massaging, cleaning, stimulating, manipulating, exercising, beautifying or similar work[,], upon the scalp[,], face, neck, arms or bust];

(b) **"Class CB - braider" includes arranging, shampooing, cutting, braiding, hair weaving, hair extensions, hair twisting, hair dreadlocking or other similar work upon the hair of any person;**

(c) "Class MO - manicurist" includes cutting, trimming, polishing, coloring, tinting, cleaning or otherwise beautifying a person's fingernails, applying artificial fingernails, massaging, cleaning a person's hands and arms; pedicuring, which includes, cutting, trimming, polishing, coloring, tinting, cleaning or otherwise beautifying a person's toenails, applying artificial toenails, massaging and cleaning a person's legs and feet;

[(c)] **(d)** "Class CA - hairdressing and manicuring" includes all practices of cosmetology, as defined in paragraphs (a) [and], (b) **and (c)** of this subdivision;

[(d)] **(e)** "Class E - estheticians" includes the use of mechanical, electrical apparatuses or appliances, or by the use of cosmetic preparations, antiseptics, tonics, lotions or creams, not to exceed ten percent phenol, engages for compensation, either directly or indirectly, in any one, or any combination, of the following practices: massaging, cleansing, stimulating, manipulating, exercising, beautifying or similar work upon the scalp, face, neck, ears, arms, hands, bust, torso, legs or feet and removing superfluous hair by means other than electric needle or any other means of arching or tinting eyebrows or tinting eyelashes, of any person;

[(5)] **(6)** "Cosmetology establishment", that part of any building wherein or whereupon any of the classified occupations are practiced;

[(6)] **(7)** "Hairdresser", any person who, for compensation, engages in the practice of cosmetology as defined in paragraph (a) of subdivision [(4)] **(5)** of this section;

[(7)] **(8)** "Instructor", any person who is licensed to teach cosmetology or any practices of cosmetology pursuant to this chapter;

[(8)] **(9)** "Manicurist", any person who, for compensation, engages in any or all of the practices in paragraph [(b)] **(c)** of subdivision [(4)] **(5)** of this section;

[(9)] **(10)** "School of cosmetology" or "school of manicuring", an establishment operated for the purpose of teaching cosmetology as defined in subdivision [(4)] **(5)** of this section."; and

Further amend said bill, Page 53, Section 329.040, Lines 1 to 133, by deleting all of said section and inserting in lieu thereof the following:

"329.040. 1. Any person of good moral character may make application to the board for a license to own a school of cosmetology on a form provided upon request by the board. Every school of cosmetology in which any of the classified occupations of cosmetology are taught shall be required to obtain a license from the board prior to opening. The license shall be issued upon approval of the application by the board, the payment of the required fees, and the applicant meets other requirements provided in this chapter. The license shall be kept posted in plain view within the school at all times.

2. A school license renewal fee shall be due on or before the renewal date of any school license issued pursuant to this section. If the school license renewal fee is not paid on or before the renewal date, a late fee shall be added to the regular school license fee.

3. No school of cosmetology shall be granted a license [under] **pursuant to** this chapter unless it:

(1) Employs and has present in the school a competent licensed instructor for every twenty-five students [enrolled and scheduled to be] in attendance for a given class period and one to ten additional students may be [enrolled and] in attendance with the assistance of an instructor trainee. One instructor is authorized to teach up to three instructor trainees immediately after being granted an instructor's license;

(2) Requires all students to be enrolled in a course of study of no less than three hours per day and no more than eight hours per day with a weekly total that is no less than fifteen hours and no more than forty-eight hours;

(3) Requires for the classified occupation of cosmetologist, the course of study shall be no less than one thousand five hundred hours or, for a student in public vocational/technical school no less than one thousand two

hundred twenty hours. The student must earn a minimum of one hundred and sixty hours of classroom training before the student may perform any of the acts of the classified occupation of cosmetology on any patron or customer of the school of cosmetology;

(4) Requires for the classified occupation of manicurist, the course of study shall be no less than three hundred and ninety hours. The student must earn a minimum of fifty hours of classroom training before the student may perform any of the acts of the classified occupation of manicurist on any patron or customer of the school of cosmetology;

(5) Requires for the classified occupation of esthetician, the course of study shall be no less than seven hundred fifty hours. The student shall earn a minimum of seventy-five hours of classroom training before the student may perform any of the acts of the classified occupation of esthetics on any patron or customer of the school of cosmetology or an esthetics school;

(6) Requires for the classified occupation of "Class CB - braider" the course of study shall be no less than six hundred hours. The student must earn a minimum of one hundred hours of classroom training before the student may perform any of the acts of the classified occupation of braider on any patron or customer of the school of cosmetology.

4. The subjects to be taught for the classified occupation of cosmetology shall be as follows and the hours required for each subject shall be not less than those contained in this subsection:

- (1) Shampooing of all kinds, forty hours;
- (2) Hair coloring, bleaches and rinses, one hundred thirty hours;
- (3) Hair cutting and shaping, one hundred thirty hours;
- (4) Permanent waving and relaxing, one hundred twenty-five hours;
- (5) Hairsetting, pin curls, fingerwaves, thermal curling, two hundred twenty-five hours;
- (6) Combouts and hair styling techniques, one hundred five hours;
- (7) Scalp treatments and scalp diseases, thirty hours;
- (8) Facials, eyebrows and arches, forty hours;
- (9) Manicuring, hand and arm massage and treatment of nails, one hundred ten hours;
- (10) Cosmetic chemistry, twenty-five hours;
- (11) Salesmanship and shop management, ten hours;
- (12) Sanitation and sterilization, thirty hours;
- (13) Anatomy, twenty hours;
- (14) State law, ten hours;
- (15) Curriculum to be defined by school, not less than four hundred seventy hours.

5. The subjects to be taught for the classified occupation of "Class CB - braider" shall be as follows and the hours required for each subject shall be not less than those contained in this subsection:

- (1) Shampooing of all kinds, twenty hours;**
- (2) Hair coloring, bleaches and rinses, thirty-five hours;**
- (3) Hair cutting and shaping, fifty hours;**
- (4) Permanent waving and relaxing, forty hours;**
- (5) Hairsetting, pin curls, fingerwaves, thermal curling, twenty hours;**
- (6) Combouts and hair styling techniques, one hundred five hours;**
- (7) Scalp treatments and scalp diseases, thirty hours;**
- (8) Salesmanship and shop management, ten hours;**
- (9) Sanitation and sterilization, thirty hours;**
- (10) Anatomy, twenty hours;**
- (11) State law, ten hours; and**
- (12) Curriculum to be defined by school, not less than two hundred thirty hours.**

6. The subjects to be taught for the classified occupation of manicurist shall be as follows and the hours required for each subject shall be not less than those contained in this subsection:

- (1) Manicuring, hand and arm massage and treatment of nails, two hundred twenty hours;
- (2) Salesmanship and shop management, twenty hours;
- (3) Sanitation and sterilization, twenty hours;
- (4) Anatomy, ten hours;
- (5) State law, ten hours;
- (6) Study of the use and application of certain chemicals, forty hours; **and**
- (7) Curriculum to be defined by school, not less than seventy hours.

[6.] 7. The subjects to be taught for the classified occupation of esthetician shall be as follows, and the hours required for each subject shall not be less than those contained in this subsection:

- (1) Facials, cleansing, toning, massaging, one hundred twenty hours;
- (2) Makeup application, all phases, one hundred hours;
- (3) Hair removal, thirty hours;
- (4) Body treatments, aromatherapy, wraps, one hundred twenty hours;
- (5) Reflexology, thirty-five hours;
- (6) Cosmetic sciences, structure, condition, disorder, eighty-five hours;
- (7) Cosmetic chemistry, products and ingredients, seventy-five hours;
- (8) Salon management and salesmanship, fifty-five hours;
- (9) Sanitation and sterilization, safety, forty-five hours;
- (10) State law, ten hours; **and**
- (11) Curriculum to be defined by school, not less than seventy-five hours.

[7.] 8. Training for all classified occupations shall include practical demonstrations, written and/or oral tests, and practical instruction in sanitation, sterilization and the use of antiseptics, cosmetics and electrical appliances consistent with the practical and theoretical requirements as applicable to the classified occupations as provided in this chapter.

[8.] 9. No school of cosmetology shall operate within this state unless a proper license [under] **pursuant to** this chapter has first been obtained.

[9.] 10. Nothing contained in this chapter shall prohibit a licensee within a cosmetology establishment from teaching any of the practices of the classified occupations for which the licensee has been licensed for not less than two years in the licensee's regular course of business, if the owner or manager of the business does not hold himself or herself out as a school and does not hire or employ or personally teach regularly at any one and the same time, more than one apprentice to each licensee regularly employed within the owner's business, not to exceed one apprentice per establishment, and the owner, manager, or trainer does not accept any fee for instruction.

[10.] 11. Each licensed school of cosmetology shall provide a minimum of two thousand square feet of floor space, adequate rooms and equipment, including lecture and demonstration rooms, lockers, an adequate library and two restrooms. The minimum equipment requirements shall be: six shampoo bowls, ten hair dryers, two master dustproof and sanitary cabinets, wet sterilizers, and adequate working facilities for twenty students.

[11.] 12. Each licensed school of cosmetology for manicuring only shall provide a minimum of one thousand square feet of floor space, adequate room for theory instruction, adequate equipment, lockers, an adequate library, two restrooms and a clinical working area for ten students. Minimum floor space requirement proportionately increases with student enrollment of over ten students.

[12.] 13. Each licensed school of cosmetology for esthetics only shall provide a minimum of one thousand square feet of floor space, adequate room for theory instruction, adequate equipment, lockers, an adequate library, two restrooms and a clinical working area for ten students. Minimum floor space requirement increases fifty square feet per student with student enrollment of over ten.

[13.] 14. No school of cosmetology may have a greater number of students enrolled and scheduled to be in attendance for a given class period than the total floor space of that school will accommodate. Floor space required per student shall be no less than fifty square feet per additional student beyond twenty students for a school of cosmetology, beyond ten students for a school of manicuring and beyond ten students for a school of esthetics.

[14.] 15. Each applicant for a new school shall file a written application with the board upon a form approved and furnished upon request by the board. The applicant shall include a list of equipment, the proposed curriculum, and the name and qualifications of any and all of the instructors.

[15.] 16. Each school shall display in a conspicuous place, visible upon entry to the school, a sign stating that all cosmetology services in this school are performed by students, who are in training.

[16.] 17. Any student who wishes to remain in school longer than the required training period may make application for an additional training license and remain in school. A fee is required for such additional training license.

[17.] 18. All contractual fees that a student owes to any cosmetology school shall be paid before such student may be allowed to apply for any examination required to be taken by an applicant applying for a license [under] **pursuant to** the provisions of this chapter.

329.050. 1. Applicants for examination or licensure [under] **pursuant to** this chapter shall possess the following qualifications:

- (1) They must be persons of good moral character, have an education equivalent to the successful completion

of the tenth grade and be at least seventeen years of age;

(2) If the applicants are apprentices, they shall have served and completed, as an apprentice under the supervision of a licensed cosmetologist, the time and studies required by the board which shall be no less than three thousand hours for cosmetologists, **no less than thirteen hundred hours for "Class CB - braider"**, and no less than seven hundred eighty hours for manicurists. However, when the classified occupation of manicurist is apprenticed in conjunction with the classified occupation of cosmetologist, the apprentices shall be required to successfully complete the apprenticeship of no less than a total of three thousand hours;

(3) If the applicants are students, they shall have had the required time in a licensed school of no less than one thousand five hundred hours training for the classification of cosmetologist, with the exception of public vocational technical schools in which a student shall complete no less than one thousand two hundred twenty hours training. All students shall complete no less than three hundred ninety hours for the classification of manicurist. All students shall complete no less than seven hundred fifty hours for the classification of esthetician. However, when the classified occupation of manicurist is taken in conjunction with the classified occupation of cosmetologist, the student shall not be required to serve the extra three hundred ninety hours otherwise required to include manicuring of nails. **All students shall complete no less than six hundred fifty hours of training for the classified occupation of "Class CB - braider"**; and

(4) They shall have passed an examination to the satisfaction of the board.

2. A person may apply to take the examination required by subsection 1 of this section if the person is a graduate of a school of cosmetology or apprentice program in another state or territory of the United States which has substantially the same requirements as an educational establishment licensed pursuant to this chapter.

3. Each application shall contain a statement that, subject to the penalties of making a false affidavit or declaration, the application is made under oath or affirmation and that its representations are true and correct to the best knowledge and belief of the person signing the application.

4. The sufficiency of the qualifications of applicants shall be determined by the board, but the board may delegate this authority to its executive director subject to such provisions as the board may adopt.

5. For the purpose of meeting the minimum requirements for examination, training completed by a student or apprentice shall be recognized by the board for a period of no more than five years from the date it is received."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Johnson (61), **House Amendment No. 2** was adopted.

Representative Shields offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 567, Page 61, Section 331.050, Line 27, by inserting after all of said line the following:

"332.081. 1. No person shall practice dentistry in Missouri as defined in section 332.071 unless and until the board has issued to the person a certificate certifying that the person has been duly registered as a dentist in Missouri and unless and until the board has issued to the person a license, to be renewed each period as provided in this chapter, to practice dentistry in Missouri; but nothing in this chapter shall be so construed as to make it unlawful for a legally qualified and licensed physician or surgeon, who does not practice dentistry as a specialty, from extracting teeth, or to make it unlawful for a dentist licensed in a state other than Missouri from making a clinical demonstration before a meeting of dentists in Missouri, or to make it unlawful for dental students in any accredited dental school to practice dentistry under the personal direction of instructors, or to make it unlawful for any duly registered and licensed dental hygienist in Missouri to practice as a dental hygienist as defined in section 332.091, or to make it unlawful for dental assistants, certified dental assistants or expanded functions dental assistants to be delegated duties as defined in section 332.093, or to make it unlawful for persons to practice dentistry in the United States armed services or in or for the United States Public Health Service, or in or for the United States Veterans Bureau, or to make it unlawful to teach in an accredited dental school, or to make it unlawful for a duly qualified anesthesiologist or anesthetist to administer an anesthetic in connection with dental services or dental surgery.

2. No corporation shall practice dentistry as defined in section 332.071 unless that corporation is organized [under] **pursuant to the provisions of chapter 356, RSMo; except that, nonprofit organizations may employ dentists and dental hygienists to provide dental services for Medicaid recipients and low-income individuals.**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Shields, **House Amendment No. 3** was adopted.

Representative Kennedy offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 567, Page 24, Section 326.280, Line 21, by inserting immediately before the period on said line the following:

"including governmental accounting, budgeting or auditing".

On motion of Representative Kennedy, **House Amendment No. 4** was adopted.

Representative Treadway offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 567, Page 16, Section 324.243, Line 44, by deleting the word "**commission**" and inserting in lieu thereof the word "**board**"; and

Further amend said bill, Page 46, Section 327.031, Line 111, by deleting the words "**landscape architects**" and inserting in lieu thereof the words "**land surveyors**"; and

Further amend said bill, Page 59, Section 329.190, Line 24, by inserting at the end of said line the following:

"Any member who is a school owner shall not be allowed access to the testing and examination materials nor to attend the administration of the examinations, except when such member is being examined for licensure."; and

Further amend said bill, Page 59, Section 329.210, Lines 15 and 16, by deleting all of said lines and inserting in lieu thereof the following:

(5) Elect one of its members president, one vice president and one secretary; [and]
(6) Determine the sufficiency of the qualifications of applicants; **and**
(7) **Prescribe by rule the minimum standards and methods of accountability for the schools of cosmetology licensed pursuant to this chapter.**"; and

Further amend said bill, Page 63, Section 334.749, Line 45, by inserting after all of said line the following:

"334.870. An applicant for a license to practice respiratory care may be issued a license which is valid until the expiration date as determined by the board after the following requirements have been met:

- (1) The applicant submits to the board:
 - (a) A completed application for licensure;
 - (b) Written evidence of:
 - a. Credentials from the certifying entity; or
 - b. Current licensure or registration as a respiratory care practitioner in another state, the District of Columbia

or territory of the United States which requires standards for licensure or registration determined by the board to be equivalent to, or exceed, the requirements for licensure under sections 334.800 to 334.930;

(c) Payment of any required fees;
 (2) The board requests and receives a complete background check and other information as may be deemed necessary to fulfill sections 334.800 to 334.910[.];

(3) An applicant who has completed the requirements of subdivision (1) of this section and has submitted the necessary information for the background check pursuant to subdivision (2) of this section may obtain a conditional license to practice as a respiratory care practitioner pending the outcome of the background check subject to the following restrictions:

(a) The conditional license shall only be issued if the applicant has made a prima facie showing that he or she meets all of the requirements for full licensure;

(b) The conditional license shall only be effective until the board has had an opportunity to investigate the applicant's qualifications for licensure pursuant to subdivisions (1) and (2) of this section and to notify the applicant that his or her application for licensure has been granted or denied;

(c) If the applicant provides false or misleading information to the board, the board may automatically terminate the conditional license. If the board automatically terminates a conditional license, the board shall notify the holder of the board's decision by certified mail or personal service;

(d) In no event shall such conditional license be in effect for more than twelve months after the date of its issuance;

(e) A conditional license shall not be eligible for renewal; and

(f) No fee shall be charged for issuing a conditional license.

334.880. 1. A license issued pursuant to sections 334.800 to 334.930 shall be renewed biennially, except as provided in sections 334.800 to 334.930. The board shall mail a notice to each person licensed during the preceding licensing period at least thirty calendar days prior to the expiration date of the license. The board shall not renew any license unless the licensee shall provide satisfactory evidence of having complied with the board's minimum requirements for continuing education.

2. [A respiratory care practitioner may choose not to renew such person's license and allow such practitioner's licensure to lapse, or may ask to be put on inactive status, provided such person does not practice respiratory care during such period that the licensure is lapsed or the practitioner is on inactive status. If after sixty days a person with a lapsed license desires to resume the practice of respiratory care, the person shall apply for licensure under the licensing requirements in effect at the time the person applies to resume the practice of respiratory care and pay the required fee as established by the board. If the person wants to maintain such person's licensure on an inactive status and in order to avoid lapsing of such license, the person shall maintain continuing education and pay the required fee as established by the board for maintaining an inactive license.] **Failure of a licensee to renew his or her license prior to the expiration of the license shall result in the lapse of the license. A lapsed license may be reinstated by the board as provided by rule.**

3. Each licensee may, in lieu of submitting proof of the completion of the required continuing education course, apply for an inactive license at the time of renewal and pay the required inactive fee. An inactive license shall be renewed biennially. An inactive license may be reactivated by the board as provided by rule.

4. Any person who practices as a respiratory care practitioner during the time his or her license is inactive or lapsed shall be considered an illegal practitioner and shall be subject to the penalties for violation of the respiratory care practice act."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Treadway, **House Amendment No. 5** was adopted.

Representative Foley offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 567, Page 48, Section 327.131, Line 18, by inserting after said line the following:

“327.314 [Any person may apply to the board for examination and license as a professional land surveyor who has been enrolled as a land surveyor-in-training for a period of not less than one year and who has presented evidence to the satisfaction of the board that such person has completed the following requirement: a person who applied for enrollment as a land surveyor-in-training under the provisions of subsection 1 or 2 of section 327.312 must have acquired at least two years of satisfactory professional field and office experience in land surveying projects under the immediate personal supervision of a professional land surveyor in addition to the experience required for enrollment as a land surveyor-in-training. A person who applied for enrollment as a land surveyor-in-training under the provisions of subsection 3 of section 327.312 must have acquired at least one year of satisfactory professional field and office experience in land surveying projects under the immediate personal supervision of a professional land surveyor in addition to the experience required for enrollment as a land surveyor-in-training. At any time prior to January 1, 1991, any person possessing the experience qualifications above set forth may apply to the board for examination and license as a professional land surveyor if the applicant either:

(1) Is a graduate of and holds a degree in engineering from an accredited school of engineering and has acquired at least two years of satisfactory land surveying experience after such person has graduated and has received a degree as aforesaid; or

(2) Is a high school graduate, or holds a Missouri certificate of high school equivalence (GED), and after such graduation or after having acquired the certificate, has acquired at least eight years of satisfactory education and experience in land surveying.] **1. Any person may apply to the board for examination and licensure as a professional land surveyor who has been enrolled as a land surveyor-in-training and has presented evidence to the satisfaction of the board that said person has acquired at least four years of satisfactory professional field and office experience in land surveying from the date of enrollment as a land surveyor-in-training. This experience shall have been under the immediate personal supervision of a professional land surveyor.**

2. At any time prior to January 1, 2006, any applicant enrolled as a land surveyor-in-training under the provisions of subsections (1) or (2) of section 327.312, must have acquired at least two years of satisfactory professional field and office experience in land surveying under the immediate supervision of a professional land surveyor. Any person who applied for enrollment as a land surveyor-in-training under the provisions of subsection (3) of section 327.312, must have acquired at least one year of satisfactory professional field and office experience in land surveying under the immediate supervision of a professional land surveyor.”; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Foley, **House Amendment No. 6** was adopted.

On motion of Representative Treadway, **HCS HB 567, as amended**, was adopted.

On motion of Representative Treadway, **HCS HB 567, as amended**, was ordered perfected and printed.

Speaker Kreider assumed the Chair.

PERFECTION OF HOUSE BILL - INFORMAL

HB 381, relating to gray market tobacco, was taken up by Representative Hoppe.

Representative Hoppe offered **HS HB 381**.

Representative Holt offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Bill No. 381, Page 12, Section 407.931.2, Line 11, by inserting after 2. the following: “**By January 1, 2002,**”; and

Further amending said Section, Line 15, by deleting the following after “**machine**”:

“**. By January 1, 2002, all vending machines designed to dispense tobacco products**” and inserting in lieu thereof the following: “**or**”.

On motion of Representative Holt, **House Amendment No. 1** was adopted.

Representative Foley offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Bill No. 381, Section 149.212, Page 8, Line 24, by inserting immediately after said line the following new section:

“**Section 149.213. The sales restrictions and penalties imposed pursuant to sections 149.200 to 149.212 shall not apply to cigarettes legally imported into the United States prior to the effective date of this act, or cigarettes legally imported after such effective date when imported in compliance with Public Law 106-476, Title VIII.**”; and

Further amend said bill title and enacting clause accordingly.

Representative Foley moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 018

Abel	Barry 100	Bonner	Davis	Foley
Ford	George	Green 73	Kennedy	Lograsso
Lowe	McKenna	Murphy	O'Connor	O'Toole
Reynolds	Troupe	Wagner		

NOES: 135

Baker	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boatright	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Dempsey
Dolan	Enz	Fares	Farnen	Franklin
Fraser	Froelker	Gambaro	Gaskill	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King

Koller	Legan	Levin	Liese	Long
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	Merideth	Miller	Monaco
Moore	Naeger	Nordwald	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Ridgeway
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Van Zandt
Villa	Vogel	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 006

Hollingsworth	Lawson	Linton	Myers	Rizzo
Wiggins				

VACANCIES: 004

Representative Monaco offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Bill No. 381, Page 8, Line 18, by adding the number “1” following the period after the number 149.212; and

Further amend said Bill, Page 8, Line 24, by adding after said line the following:

“2. Any person who sustains any injury, whether the injury is in the nature of an economic loss or a commercial injury as a result of any violation of Sections 149.200 to 149.215 that person may bring a civil action seeking injunctive relief or other equitable relief, including the recovery of actual damages, which damages shall include in addition to the actual damages an award of interest at the judgment rate from the date of the filing of the lawsuit; costs incurred in the prosecution of the claim, and reasonable attorneys fees. In the event the court or jury determines that a violation of Sections 149.200 to 149.215 was willful, the court shall assess treble damages for the willful violation of said sections.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Hohulin raised a point of order that **House Amendment No. 3** is not germane to the bill.

The Chair ruled the point of order not well taken.

Representative Monaco moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Abel offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Bill No. 381, Page 10, Section 407.927, Lines 5-8, by deleting all new language in said section; and

Further amend House Substitute for House Bill No. 381, Page 12, Section 407.931, Lines 8-10, by removing brackets on line 8 and 9; and

Further amend said section by deleting all new language in said section; and

Further amend said title and enacting clause accordingly.

Representative Hosmer requested a division of the question.

House Amendment No. 4

PART I

AMEND House Substitute for House Bill No. 381, Page 10, Section 407.927, Line 5-8, by deleting all new language in said section.

House Amendment No. 4

PART II

AMEND House Substitute for House Bill No. 381, Page 12, Section 407.931, Lines 8-10, by removing brackets on line 8 and 9; and

Further amend said section by deleting all new language in said section; and

Further amend said title and enacting clause accordingly.

HB 381, with Part I of House Amendment No. 4 to HS, Part II of House Amendment No. 4 to HS and HS, as amended, pending, was laid over.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 537 - Miscellaneous Bills & Resolutions

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 824 - Children, Families and Health

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 472 - Utilities Regulation

COMMITTEE REPORT

Committee on Motor Vehicle and Traffic Regulations, Chairman O'Connor reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 126**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 16, introduced by Representatives Reid, Crawford, Moore and Cooper, relating to highways and transportation.

INTRODUCTION OF HOUSE BILL - APPROPRIATIONS

The following House Bill was read the first time and copies ordered printed:

HB 8, introduced by Representative Green (73), to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for period beginning July 1, 2001 and ending June 30, 2002.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 843, introduced by Representatives Harding, Copenhaver, Williams, Kelley (47) and Kelly (36), et al, relating to liquor control.

HB 844, introduced by Representative Liese, relating to local tourism taxes.

HB 845, introduced by Representative Scheve, relating to the regulation of hay rides.

HB 846, introduced by Representatives Abel, Foley, Crump, Farnen, Carnahan, Kreider, Thompson and Green (73), et al, relating to the tobacco settlement agreement.

HB 847, introduced by Representative Fraser, et al, relating to adoption records.

HB 848, introduced by Representatives Barry and Johnson (61), relating to the Missouri genetic advisory committee.

HB 849, introduced by Representatives Myers, Black, Crowell, Schwab and Clayton, relating to the Missouri consolidated health care plan.

HB 850, introduced by Representative Fraser, relating to the sale of certain consumer credit information.

HB 851, introduced by Representatives Black, Myers and Mayer, et al, to authorize the conveyance of property owned by the state in Scott County to the Village of Commerce.

HB 852, introduced by Representatives Crawford, Luetkemeyer, Crump, Legan, Cooper, Bearden and Dempsey, et al, relating to the preemption of the regulation of firearms.

HB 853, introduced by Representatives Crump, Kreider, Hampton, Gratz, Lograsso, Koller, Clayton and Ransdall, et al, relating to concealable weapons.

HB 854, introduced by Representatives Curls, Boucher, Smith and Skaggs, et al, relating to user fees collected by the county recorder of deeds.

HB 855, introduced by Representatives Willoughby, Ridgeway, Phillips, Reinhart, Harding and Kelly (36), relating to tax-delinquent property sales.

HB 856, introduced by Representative Koller, relating to emissions requirements for historic vehicles.

HB 857, introduced by Representative Koller, relating to the issuance of driver's licenses.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 10**, entitled:

An act to repeal sections 473.398 and 516.350, RSMo 2000, relating to judicial proceedings, and to enact in lieu thereof three new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 216**, entitled:

An act to repeal section 334.120, RSMo 2000, relating to professional registration, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 219**, entitled:

An act to repeal section 191.227, RSMo 2000, relating to access to medical records, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 258**, entitled:

An act to repeal sections 483.310 and 488.426, RSMo 2000, relating to court fees, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 274**, entitled:

An act to repeal sections 50.1230 and 50.1250, RSMo 2000, relating to the county employees' retirement system, and to enact in lieu thereof two new sections relating to the same subject, with an effective date.

In which the concurrence of the House is respectfully requested.

WITHDRAWAL OF HOUSE BILLS

February 15, 2001

The Honorable Jim Kreider, Speaker
Missouri House of Representatives
Missouri State Capitol
Jefferson City, MO 65101

Dear Mr. Speaker:

I respectfully request that **HB 737** be withdrawn. Thank you for your consideration and attention to this matter.

Sincerely,

/s/ Chris Liese

February 20, 2001

Mr. Ted Wedel, Chief Clerk
Missouri House of Representatives
Capitol Building
Jefferson City, MO 65101

Dear Ted:

I respectfully request that **House Bill 430**, relating to the Policemen's and Sheriff's Deputies' Trust Fund, be withdrawn.
Thank you for your assistance.

Sincerely,

/s/ Gary Kelly

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, February 22, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Twenty-ninth Day, Tuesday, February 20, 2001, page 421, line 15, by deleting all of said line and inserting in lieu thereof the following:

the following: "1."; and

Pages 419 and 420, roll call, by showing Representatives Hunter, St. Onge, Ward and Wright voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY

Thursday, February 22, 2001, 8:00 am. Hearing Room 1.

Executive Session. Hearing may continue upon adjournment.

AMENDED NOTICE.

APPROPRIATIONS - SOCIAL SERVICES

Thursday, February 22, 2001, 8:00 am. Hearing Room 3.

Hearing will continue upon adjournment. Mark-up and possible Executive Session.

To be considered - HB 11

APPROPRIATIONS - TRANSPORTATION

Thursday, February 22, 2001, 8:00 am. Hearing Room 7.

Mark-up if needed.

CHILDREN, FAMILIES, AND HEALTH

Thursday, February 22, 2001. Hearing Room 7 upon adjournment.

To be considered - Executive Session - HB 87, Executive Session - HB 108,
Executive Session - HB 317, Executive Session - HB 339, Executive Session - HB 365,
Executive Session - HB 762

COMMERCE AND ECONOMIC DEVELOPMENT

Thursday, February 22, 2001. Hearing Room 6 upon adjournment.

To be considered - Executive Session - HB 189, Executive Session - HB 215,
Executive Session - HB 327, Executive Session - HB 332, Executive Session - HB 397

CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING

Monday, February 26, 2001, 8:00 pm. Hearing Room 3.

Executive Session may follow.

To be considered - HB 145, HB 146, HB 511

ENVIRONMENT AND ENERGY

Thursday, February 22, 2001, 8:30 am. Hearing Room 5.

To be considered - HB 597

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, February 22, 2001, 1:30 pm. Hearing Room 4.

Closed meeting within the meeting of Chapter 610, RSMo.

LOCAL GOVERNMENT AND RELATED MATTERS

Thursday, February 22, 2001, 9:30 am. Side gallery.

Executive Session. CANCELLED.

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Thursday, February 22, 2001, 9:45 am. Side gallery.

To be considered - Executive Session - HB 120

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Tuesday, February 27, 2001, 8:00 am. Hearing Room 6.

Executive Session may follow.

To be considered - HB 731, HB 732, HB 733

RETIREMENT

Wednesday, February 28, 2001, 8:00 pm. Hearing Room 1.

To be considered - HB 426, HB 514, HB 548, HB 602, HB 660, HB 705, HB 750

UTILITIES REGULATION

Thursday, February 22, 2001, 8:15 am. Hearing Room 6.

Executive Session to follow.

To be considered - HB 472, HB 723

HOUSE CALENDAR

THIRTY-FIRST DAY, THURSDAY, FEBRUARY 22, 2001

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 16

HOUSE BILLS FOR SECOND READING

HB 843 through HB 857

HOUSE BILL FOR SECOND READING - APPROPRIATIONS

HB 8

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HCS HB 15 - Green (73)

HOUSE BILLS FOR PERFECTION

- 1 HB 287 - Williams
- 2 HCS HB 241 - Smith
- 3 HB 80 - Ross
- 4 HCS HB 50 - Relford

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HB 381, Pt. I of HA 4 to HS, Pt. II of HA 4 to HS, and HS, as amended, pending - Hoppe

HOUSE BILLS FOR PERFECTION - CONSENT

(February 19, 2001)

- 1 HB 133 - Gambaro
- 2 HB 288 - Campbell
- 3 HB 266 - Treadway
- 4 HB 236 - Smith
- 5 HB 48 - Relford
- 6 HB 180 - Thompson
- 7 HB 78 - Kennedy
- 8 HB 262 - Linton

HOUSE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING

HCR 16, (2-20-01, Page 432) - Green (15)

HOUSE JOINT RESOLUTION FOR THIRD READING

HJR 5 - Barry

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 144 & 46, (Fiscal Review 2-14-01) - Bonner
- 2 HS HCS HB 328 & 88, (Fiscal Review 2-15-01) - Harlan
- 3 HCS HB 205, 323 & 549 - Relford
- 4 HB 219 - Townley
- 5 HCS HB 441, 94 & 244 - Holt
- 6 HCS HB 207, E.C. (Fiscal Review 2-20-01) - Ross
- 7 HB 163 - Berkowitz
- 8 HB 621 - Gratz
- 9 HB 575 - O'Connor

SENATE BILLS FOR SECOND READING

- 1 SCS SB 10
- 2 SB 216
- 3 SB 219
- 4 SB 258
- 5 SB 274

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

THIRTY-FIRST DAY, THURSDAY, FEBRUARY 22, 2001

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Lord of Life: we would know You better than we do, that we may love You more than we have, and so be more useful to our neighbors. Help us to seek Your will, to sense Your presence and to pay attention.

Bless the members and staff of this House, that what they do may encourage the most needy in our state. Make them ready to act when You show them the way. And keep their families in Your protective love this day. To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Victoria Clodfelter, Abby Kohn, Rebecca Swank, Wendie Weldon, Justin Mayhugh, Kiajuana Whimper and Taleen Wadley.

The Journal of the thirtieth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 550 - Representatives Luetkemeyer and Vogel

House Resolution No. 551 - Representative Boucher

House Resolution No. 552

and

House Resolution No. 553 - Representative Jetton

House Resolution No. 554

and

House Resolution No. 555 - Representative Richardson

House Resolution No. 556 - Representative Levin

House Resolution No. 557 - Representative Shoemyer

House Resolution No. 558 - Representative Berkowitz

House Resolution No. 559

and

House Resolution No. 560 - Representative Crawford

House Resolution No. 561 - Representative Skaggs

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 16 was read the second time.

SECOND READING OF HOUSE BILL - APPROPRIATIONS

HB 8 was read the second time.

SECOND READING OF HOUSE BILLS

HB 843 through **HB 857** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 10, SB 216, SB 219, SB 258 and **SB 274** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 567**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

PERFECTION OF HOUSE BILL - APPROPRIATIONS

HCS HB 15, relating to appropriations, was taken up by Representative Green (73).

Representative Green (73) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 15, Page 3, Section 15.065, Line 4, by inserting immediately after said line one new section to read as follows:

“Section 15.070. There is transferred out of the State Treasury, chargeable to the Healthy Families Trust Fund, One Hundred Twenty-Six Million, Nine Hundred Thousand Dollars (\$126,900,000) to the General Revenue Fund
From Healthy Families Trust Fund \$126,900,000E”

Representative Green (73) moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 068

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Coleman	Copenhaver	Crump	Curls	Davis
Farnen	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Harding	Harlan	Hilgemann
Hollingsworth	Johnson 61	Kelly 27	Kennedy	Koller
Lawson	Liese	Lowe	Mays 50	Merideth
Monaco	Murphy	O'Connor	O'Toole	Overschmidt
Ransdall	Relford	Reynolds	Rizzo	Scheve
Shelton	Shoemyer	Smith	Thompson	Treadway
Van Zandt	Villa	Walton	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42		

NOES: 088

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Black	Boatright	Burcham	Burton
Byrd	Champion	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Dolan	Enz
Fares	Froelker	Gaskill	Griesheimer	Hampton
Hanaway	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hohulin	Holand	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 36	King	Legan
Levin	Linton	Lograsso	Long	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
McKenna	Miller	Moore	Myers	Naeger
Nordwald	Ostmann	Phillips	Portwood	Purgason
Rector	Reid	Reinhart	Richardson	Ridgeway
Roark	Robirds	Ross	Schwab	Scott
Secrest	Seigfreid	Selby	Shields	St. Onge
Surface	Townley	Troupe	Vogel	Wagner
Ward	Wright	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 003

Berkstresser	Hickey	Skaggs
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VACANCIES: 004

HCS HB 15 was placed on the Informal Calendar.

THIRD READING OF HOUSE BILLS

HCS HBs 205, 323 & 549, relating to conservation commission, was taken up by Representative Relford.

On motion of Representative Relford, **HCS HBs 205, 323 & 549** was read the third time and passed by the following vote:

AYES: 150

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Black	Boatright	Bonner	Boucher
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Froelker
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 004

Bowman	Fraser	Gambaro	Villa
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PRESENT: 000

ABSENT WITH LEAVE: 005

Berkstresser	Hickey	Hoppe	Reinhart	Skaggs
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VACANCIES: 004

Speaker Kreider declared the bill passed.

HB 219, relating to fence law, was taken up by Representative Townley.

On motion of Representative Townley, **HB 219** was read the third time and passed by the following vote:

AYES: 144

Baker	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Boatright	Bonner	Boucher	Boykins
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hosmer	Hunter	Jetton	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Legan	Levin
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Moore	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Relford
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 009

Abel	Bowman	Bray 84	Foley	Johnson 61
Monaco	Murphy	Reynolds	Troupe	

PRESENT: 000

ABSENT WITH LEAVE: 006

Berkstresser	Hickey	Hoppe	Lawson	Reinhart
Skaggs				

VACANCIES: 004

Speaker Kreider declared the bill passed.

HCS HBs 441, 94 & 244, relating to veterans' recognition, was taken up by Representative Holt.

On motion of Representative Holt, **HCS HBs 441, 94 & 244** was read the third time and passed by the following vote:

AYES: 151

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Black	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelly 144	Kelly 36	Kennedy	King
Koller	Legan	Levin	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Berkstresser	Hickey	Hoppe	Kelley 47	Kelly 27
Lawson	Reinhart	Skaggs		

VACANCIES: 004

Speaker Kreider declared the bill passed.

HB 163, relating to highway patrol revolving fund, was taken up by Representative Berkowitz.

On motion of Representative Berkowitz, **HB 163** was read the third time and passed by the following vote:

AYES: 153

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Black	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Legan	Levin
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Berkstresser	Hickey	Hoppe	Lawson	Reinhart
Skaggs				

VACANCIES: 004

Speaker Kreider declared the bill passed.

HB 621, relating to penitentiary redevelopment commission, was taken up by Representative Gratz.

On motion of Representative Gratz, **HB 621** was read the third time and passed by the following vote:

AYES: 145

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Black	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 27
Kelly 36	Kennedy	King	Koller	Legan
Levin	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Smith	Surface
Thompson	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 008

Boatright	Brooks	Hendrickson	Kelly 144	Roark
St. Onge	Van Zandt	Walton		

PRESENT: 000

ABSENT WITH LEAVE: 006

Berkstresser	Hickey	Hoppe	Lawson	Reinhart
Skaggs				

VACANCIES: 004

Speaker Kreider declared the bill passed.

HB 575, relating to motor vehicle franchises, was taken up by Representative O'Connor.

On motion of Representative O'Connor, **HB 575** was read the third time and passed by the following vote:

AYES: 148

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bearden	Behnen	Berkowitz
Black	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Legan	Levin	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
Merideth	Miller	Monaco	Moore	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 001

McKenna

PRESENT: 003

Bartle	Griesheimer	Murphy
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ABSENT WITH LEAVE: 007

Berkstresser	Hickey	Hoppe	Lawson	Reinhart
Skaggs	Troupe			

VACANCIES: 004

Speaker Kreider declared the bill passed.

THIRD READING OF HOUSE JOINT RESOLUTION

HJR 5, relating to school district bond elections, was taken up by Representative Barry.

On motion of Representative Barry, **HJR 5** was read the third time and passed by the following vote:

AYES: 085

Abel	Baker	Barry 100	Bartle	Berkowitz
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Champion
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Dolan	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	George	Graham	Hagan-Harrell	Harding
Harlan	Hartzler	Haywood	Hendrickson	Hilgemann
Hollingsworth	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 27	Kelly 36	Kennedy
Liese	Lowe	Mays 50	McKenna	Monaco
Moore	O'Connor	Ostmann	Overschmidt	Reid
Relford	Reynolds	Rizzo	Ross	Scheve
Seigfreid	Selby	Shelton	Shields	Smith
Thompson	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 067

Ballard	Barnett	Barnitz	Bartelsmeyer	Bearden
Behnen	Black	Boatright	Burcham	Burton
Byrd	Cierpiot	Cooper	Crawford	Crowell
Cunningham	Dempsey	Gaskill	Gratz	Green 15
Green 73	Griesheimer	Hampton	Hanaway	Hegeman
Henderson	Hohulin	Holand	Holt	Hunter
Jetton	Kelly 144	King	Koller	Legan
Levin	Linton	Lograsso	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Merideth
Miller	Murphy	Myers	Naeger	Nordwald
O'Toole	Phillips	Portwood	Purgason	Ransdall
Rector	Richardson	Ridgeway	Roark	Robirds
Schwab	Scott	Secrest	Shoemyer	St. Onge
Townley	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 007

Berkstresser	Hickey	Lawson	Long	Reinhart
Skaggs	Surface			

VACANCIES: 004

Speaker Kreider declared the bill passed.

REFERRAL OF HOUSE BILL - APPROPRIATIONS

The following House Bill was referred to the Committee indicated:

HB 8 - Budget

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 466 - Missouri Tobacco Settlement

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SB 256 - Miscellaneous Bills & Resolutions

COMMITTEE REPORTS

Committee on Banks and Financial Institutions, Chairman Liese reporting:

Mr. Speaker: Your Committee on Banks and Financial Institutions, to which was referred **HB 801**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Civil and Administrative Law, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **HB 237**, **HB 270**, **HB 403** and **HB 442**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Criminal Law, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Criminal Law, to which was referred **HB 265** and **HB 369**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Education-Higher, Chairman Williams reporting:

Mr. Speaker: Your Committee on Education-Higher, to which was referred **HB 26**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Education-Higher, to which was referred **HB 166**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Education-Higher, to which was referred **HB 194**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Education-Higher, to which was referred **HB 218**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Local Government and Related Matters, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 421**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Miscellaneous Bills & Resolutions, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HB 425**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Professional Registration and Licensing, Chairman Treadway reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 431**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Public Safety, Law Enforcement and Veteran Affairs, Chairman Boucher reporting:

Mr. Speaker: Your Committee on Public Safety, Law Enforcement and Veteran Affairs, to which was referred **HB 253**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Ways and Means, Chairman Kennedy reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 114**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 170**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 858, introduced by Representatives Selby, McKenna, Scheve, Abel, Carnahan, Fraser, Van Zandt, Campbell, Shelton and Boucher, et al, relating to animal care facilities.

HB 859, introduced by Representatives Hilgemann, Gambaro, Johnson (61), Coleman and Carnahan, et al, relating to housing grants for new public school teachers.

HB 860, introduced by Representatives Hilgemann, Kennedy, Boykins, Gambaro, Coleman and Johnson (61), et al, relating to compulsory age for school attendance.

HB 861, introduced by Representative Ford, relating to the revitalization of certain cities.

HB 862, introduced by Representatives Clayton and Richardson, relating to fees for court transcripts.

HB 863, introduced by Representatives Dempsey and Gambaro, relating to the executive-level hiring practices of the St. Louis police force.

HB 864, introduced by Representatives Dempsey, Bearden and Portwood, relating to state aid for public schools.

HB 865, introduced by Representative Davis, relating to building-level school accountability report cards.

HB 866, introduced by Representative Boucher, relating to gaming proceeds.

HB 867, introduced by Representatives Walton and Johnson (90), et al, relating to presidential electors.

HB 868, introduced by Representatives Merideth, Gambaro, Barnitz, Shoemyer, Berkowitz, Myers, Lawson, Wiggins, Relford and Mayer, et al, relating to the use of biodiesel to fuel school buses in school districts.

HB 869, introduced by Representatives Merideth, Richardson, Crowell, Mayer and Myers, et al, relating to state funding for the education of certain disabled students.

HB 870, introduced by Representatives Merideth, Holand, Green (73), Moore, Black and Myers, relating to the grandparents as foster parents program.

HB 871, introduced by Representative Fraser, relating to the use of epinephrine by emergency medical technicians.

HB 872, introduced by Representatives Naeger, Schwab, Townley, Hunter, Reinhart, Burcham and Jetton, relating to the mandatory transportation of, and a tax credit for the transportation costs of, nonpublic school students.

HB 873, introduced by Representatives Naeger, Reinhart, Nordwald and Holand, relating to on-site sewage treatment systems.

HB 874, introduced by Representatives Naeger, Portwood, Froelker, Reinhart, Champion, Wright and Bartelsmeyer, et al, relating to health care for uninsured children.

HB 875, introduced by Representative Barnitz, relating to urban development.

HB 876, introduced by Representatives Jetton, Luetkenhaus, Reinhart, Kelly (36), Crowell, Hunter, Reid, Naeger, Selby and Barry, et al, relating to pharmacies and pharmacists.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 136**, entitled:

An act to repeal sections 194.300, 194.302 and 302.171, RSMo 2000, relating to anatomical donation, and to enact in lieu thereof three new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 252**, entitled:

An act to authorize the conveyance of certain properties between the Missouri national guard and the city of Joplin.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 301**, entitled:

An act to authorize the conveyance of property owned by Missouri Western State College to the University of Missouri Extension Council of Buchanan County for use as an extension office.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 304**, entitled:

An act to repeal section 456.183, RSMo 2000, relating to trustees' resignation and removal, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 12**, entitled:

An act to repeal section 484.020, RSMo 2000, relating to the practice of law, and to enact in lieu thereof one new section relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 44 & 59**, entitled:

An act to repeal sections 207.020, 453.005, 453.010, 453.070 and 453.080, RSMo 2000, relating to adoption, and to enact in lieu thereof eight new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

COMMITTEE CHANGE

The Speaker submitted the following Committee change:

Representative Carnahan has been appointed a member of the Workers Compensation and Employment Security Committee.

The following member's presence was noted: Skaggs.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 4:00 p.m., Monday, February 26, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Thirtieth Day, Wednesday, February 21, 2001, page 451, line 5, by inserting immediately after said line the following:

Committee on Education-Elementary and Secondary, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **HB 334**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Pages 448 and 449, roll call, by showing Representative O'Connor voting "no" rather than "aye".

Page 454, line 11, by inserting after said line the following:

The following members' presence was noted: Hollingsworth and Myers.

COMMITTEE MEETINGS

APPROPRIATIONS - SOCIAL SERVICES

Monday, February 26, 2001, 12:00 pm. Hearing Room 3.

Mark-up and possible Executive Session.

To be considered - HB 11

APPROPRIATIONS - SOCIAL SERVICES

Tuesday, February 27, 2001. Hearing Room 3 upon adjournment.

Mark-up and possible Executive Session.

To be considered - HB 11

BUDGET

Tuesday, February 27, 2001, 8:00 am. Hearing Room 3.

To be considered - HB 4, HB 5, HB 6

BUDGET

Tuesday, February 27, 2001, 3:00 pm. Hearing Room 3.

To be considered - HB 5, HB 6, HB 7

BUDGET

Tuesday, February 27, 2001, 7:30 pm. Hearing Room 3.

To be considered - HB 6, HB 7, HB 8

BUDGET

Wednesday, February 28, 2001, 8:00 am. Hearing Room 3.

To be considered - HB 7, HB 8, HB 9

BUDGET

Wednesday, February 28, 2001, 3:00 pm. Hearing Room 3.

To be considered - HB 8, HB 9, HB 10

BUDGET

Wednesday, February 28, 2001, 7:30 pm. Hearing Room 3.

To be considered - HB 9, HB 10, HB 11, HB 12

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 28, 2001, 3:00 pm. Hearing Room 1.

To be considered - HB 467, HB 537, HB 693, HB 712, Executive Session - HB 464

COMMERCE AND ECONOMIC DEVELOPMENT

Tuesday, February 27, 2001, 3:00 pm. Hearing Room 6.

Executive Session may follow.

To be considered - HB 780

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, February 27, 2001, 8:00 pm. Hearing Room 7.

Executive Session will follow.

To be considered - HB 152, HB 528, HB 531, HB 600, HB 779

CRIMINAL LAW

Wednesday, February 28, 2001, 8:00 pm. Hearing Room 7. AMENDED NOTICE.

To be considered - HB 378, HB 471, HB 510, HB 533, HB 563, HB 572, HB 641, HB 707, HB 724

CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING

Monday, February 26, 2001, 8:00 pm. Hearing Room 3.

Executive Session may follow.

To be considered - HB 145, HB 146, HB 511

EDUCATION - HIGHER

Wednesday, February 28, 2001, 3:00 pm. Hearing Room 5.

Possible Executive Session.

To be considered - HB 636, HB 683, HB 769

ELECTIONS

Tuesday, February 27, 2001, 7:30 pm. Hearing Room 5.

To be considered - HB 538, HB 541, HB 577, HB 627, HB 678

FISCAL REVIEW AND GOVERNMENT REFORM

Tuesday, February 27, 2001, 8:30 am. Hearing Room 7.

To be considered - HB 144, HB 207, HB 223, HB 328, HB 656, HJR 12,

Executive Session - HB 592

FISCAL REVIEW AND GOVERNMENT REFORM

Tuesday, February 27, 2001, 5:30 pm. Hearing Room 6.

Governing for Results.

Speaker Ron Snell, Director of Economics, Fiscal & Human Resources - NCSL

INSURANCE

Tuesday, February 27, 2001. Hearing Room 5 upon morning adjournment.

To be considered - HB 673, HB 713, HB 764, HB 793, HB 798, Executive Session - HB 212,

Executive Session - HB 459, Executive Session - HB 542, Executive Session - HB 646

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Monday, February 26, 2001, 2:30 pm. Senate Committee Room 1.

Challenge fiscal note.

To be considered - HB 88, HB 144, HB 180, HB 392, SB 65, SB 99, SB 141, SB 200

JUDICIARY

Tuesday, February 27, 2001, 3:00 pm. Hearing Room 5.

Executive Session may follow.

To be considered - HB 183, HB 456, HB 529, HB 540, HB 677

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, February 27, 2001, 3:00 pm. Hearing Room 7.

Executive Session to follow.

To be considered - HB 515, HB 520, HB 534, HB 553, HB 571, HB 578, HB 606, HB 611, HB 727, HB 728, HB 745

MISCELLANEOUS BILLS AND RESOLUTIONS

Tuesday, February 27, 2001. Hearing Room 6 upon adjournment.

Executive Session may follow.

To be considered - HB 444, HR 152, HR 223, HR 537

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, February 28, 2001, 8:30 am. Hearing Room 6.

Executive Session may follow.

To be considered - HB 172, HB 186, HB 545

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, February 27, 2001, 3:00 pm. Hearing Room 1.

To be considered - HB 681, HB 684, HB 687, HB 691, HB 692, HB 708

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Tuesday, February 27, 2001, 8:00 am. Hearing Room 6.

Executive Session may follow.

To be considered - HB 731, HB 732, HB 733

RETIREMENT

Wednesday, February 28, 2001, 8:00 pm. Hearing Room 1. AMENDED NOTICE.

Executive Session may follow.

To be considered - HB 318, HB 426, HB 514, HB 548, HB 602, HB 660, HB 705, HB 750

SUBCOMMITTEE ON SOCIAL SERVICES, MEDICAID, AND THE ELDERLY

Monday, February 26, 2001, 11:00 am. Hearing Room 4.

Subcommittee on TANF time limits.

TOURISM, RECREATION AND CULTURAL AFFAIRS

Tuesday, February 27, 2001. Side gallery upon adjournment.

To be considered - Executive Session - HB 242

WAYS AND MEANS

Tuesday, February 27, 2001, 3:00 pm. Hearing Room 2.

Executive Session will be first.

To be considered - HB 59, HB 171, HB 225, HB 319, HB 344, HB 366, HB 590

HOUSE CALENDAR

THIRTY-SECOND DAY, MONDAY, FEBRUARY 26, 2001

HOUSE BILLS FOR SECOND READING

HB 858 through HB 876

HOUSE BILL FOR PERFECTION - APPROPRIATIONS - INFORMAL

HCS HB 15 - Green (73)

HOUSE BILLS FOR PERFECTION

- 1 HB 287 - Williams
- 2 HCS HB 241 - Smith
- 3 HB 80 - Ross
- 4 HCS HB 50 - Relford
- 5 HCS HB 26 - Wilson (42)
- 6 HCS HB 194 - Hosmer
- 7 HB 166 - Troupe
- 8 HB 218 - Farnen
- 9 HB 114 - Hickey
- 10 HB 421 - Graham
- 11 HCS HB 265 & 369 - Hosmer
- 12 HCS HB 237, 270, 403 & 442 - Smith
- 13 HCS HB 425 - O'Toole

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HB 381, Pt. I of HA 4 to HS, Pt. II of HA 4 to HS, and HS, as amended, pending - Hoppe

HOUSE BILLS FOR PERFECTION - CONSENT

(February 19, 2001)

- 1 HB 133 - Gambaro
- 2 HB 288 - Campbell
- 3 HB 266 - Treadway
- 4 HB 236 - Smith
- 5 HB 48 - Relford
- 6 HB 180 - Thompson
- 7 HB 78 - Kennedy
- 8 HB 262 - Linton

(February 26, 2001)

- 1 HB 801 - Liese
- 2 HB 309 - McKenna
- 3 HB 111 - Ladd Baker
- 4 HB 126 - Long
- 5 HB 431 - Barry
- 6 HB 202 - Rizzo
- 7 HB 129 - Van Zandt
- 8 HB 157 - Hosmer

HOUSE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING
HCR 16, (2-20-01, Page 432) - Green (15)

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 144 & 46, (Fiscal Review 2-14-01) - Bonner
- 2 HS HCS HB 328 & 88, (Fiscal Review 2-15-01) - Harlan
- 3 HCS HB 207, E.C. (Fiscal Review 2-20-01) - Ross
- 4 HCS HB 567 - Treadway

SENATE BILLS FOR SECOND READING

- 1 SB 12
- 2 SCS SB 44 & 59
- 3 SCS SB 136
- 4 SB 252
- 5 SCS SB 301
- 6 SB 304

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

THIRTY-SECOND DAY, MONDAY, FEBRUARY 26, 2001

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

Heavenly Father, to follow all the goings on in this Chamber and in these committee and hearing rooms is to follow a staggering number of ideas, proposals, opinions, viewpoints, beliefs, judgements and motivations. Only You, it seems could really bring orderliness to what seems such a collection of diversity.

Please, this day and the rest of this session, help to bring just that. These women and men want the best for this state and for their constituents, and for that they work and they pray. We trust You will help us, out of Your goodness, if we expend our best efforts, to make it so. May it be so. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the thirty-first day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 562 - Representative Crowell
House Resolution No. 563 - Representative Roark
House Resolution No. 564 - Representative Reinhart
House Resolution No. 565 - Representative Moore
House Resolution No. 566 - Representative Hickey
House Resolution No. 567 - Representative Marble
House Resolution No. 568
and
House Resolution No. 569 - Representative Miller
House Resolution No. 570 - Representatives Bartelsmeyer and Gaskill

SECOND READING OF HOUSE BILLS

HB 858 through **HB 876** were read the second time.

SECOND READING OF SENATE BILLS

SB 12, **SCS SBs 44 & 59**, **SCS SB 136**, **SB 252**, **SCS SB 301** and **SB 304** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred (By Consent) **HB 48, HB 78, HB 133, HB 180, HB 236, HB 262, HB 266 and HB 288**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

PERFECTION OF HOUSE BILL - APPROPRIATIONS - INFORMAL

HCS HB 15, relating to appropriations, was taken up by Representative Green (73).

On motion of Representative Green (73), **HCS HB 15** was adopted.

On motion of Representative Green (73), **HCS HB 15** was ordered perfected and printed.

ADOPTION AND THIRD READING OF HOUSE CONCURRENT RESOLUTION

HCR 16, relating to ozone air pollution, was taken up by Representative Green (15).

On motion of Representative Green (15), **HCR 16** was read the third time and passed by the following vote:

AYES: 152

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson

Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Ward	Wiggins	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 001

Walton

PRESENT: 000

ABSENT WITH LEAVE: 006

Gambaro	Harding	Hoppe	Lograsso	Seigfreid
Williams				

VACANCIES: 004

Speaker Kreider declared the bill passed.

PERFECTION OF HOUSE BILLS

HCS HB 241, relating to trusts, was taken up by Representative Smith.

On motion of Representative Smith, **HCS HB 241** was adopted.

On motion of Representative Smith, **HCS HB 241** was ordered perfected and printed.

HB 80, relating to antifraud enforcement groups, was taken up by Representative Ross.

Speaker Pro Tem Abel assumed the Chair.

Representative Hollingsworth assumed the Chair.

Representative Luetkemeyer offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 80, Page 1, In the Title, Lines 1 to 2, by deleting all of said lines and inserting in lieu thereof the following:

"To amend chapter 70, RSMo, by adding thereto twenty-two new sections relating to cooperative law enforcement efforts between political subdivisions."; and

Further amend said bill, Page 1, Section A, Lines 1 to 20, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Chapter 70, RSMo, is amended by adding thereto twenty-two new sections, to be known as sections 70.827, 70.829, 70.831, 70.833, 70.900, 70.903, 70.906, 70.909, 70.912, 70.915, 70.918, 70.921, 70.924, 70.927, 70.930, 70.933, 70.936, 70.939, 70.942, 70.945, 70.948 and 70.951, to read as follows:"; and

Further amend said bill, Page 1, Section 70.829, Line 1, by inserting before all of said line the following:

"70.900. Sections 70.900 to 70.951 shall be known as the "Missouri Law Enforcement District Act".

70.903. As used in sections 70.900 to 70.951, the following terms mean:

- (1) "Approval of the required majority" or "direct voter approval", a simple majority;**
- (2) "Board", the board of directors of a district;**
- (3) "District", a law enforcement district organized pursuant to sections 70.900 to 70.951.**

70.906. 1. A district may be created to fund, promote, plan, design, construct, improve, maintain and operate one or more projects relating to law enforcement or to assist in such activity.

2. A district is a political subdivision of the state.

3. A district may be created in any county of the first classification without a charter form of government and a population of fifty thousand inhabitants or less.

70.909. 1. Whenever the creation of a district is desired, ten percent of the registered voters within the proposed district may file a petition requesting the creation of a district. The petition shall be filed in the circuit court of the county in which the proposed district is located.

2. The proposed district area shall be contiguous and may contain any portion of one or more municipalities.

3. The petition shall set forth:

(1) The name and address of each owner of real property located within the proposed district or who is a registered voter resident within the proposed district;

(2) A specific description of the proposed district boundaries including a map illustrating such boundaries;

(3) A general description of the purpose or purposes for which the district is being formed; and

(4) The name of the proposed district.

4. In the event any owner of real property within the proposed district who is named in the petition or any legal voter resident within the district shall not join in the petition or file an entry of appearance and waiver of service of process in the case, a copy of the petition shall be served upon said owner or legal voter in the manner provided by supreme court rule for the service of petitions generally. Any objections to the petition shall be raised by answer within the time provided by supreme court rule for the filing of an answer to a petition.

70.912. 1. Any owner of real property within the proposed district and any legal voter who is a resident within the proposed district may join in or file a petition supporting or answer opposing the creation of the district and seeking a judgment respecting these same issues.

2. The court shall hear the case without a jury. If the court determines the petition is defective or the proposed district or its plan of operation is unconstitutional, it shall enter its judgment to that effect and shall refuse to incorporate the district as requested in the pleadings. If the court determines the petition is not legally defective and the proposed district and plan of operation are not unconstitutional, the court shall determine and declare the district organized and incorporated and shall approve the plan of operation stated in the petition.

3. Any party having filed a petition or answer to a petition may appeal the circuit court's order or judgment in the same manner as provided for other appeals. Any order either refusing to incorporate the district or incorporating the district shall be a final judgment for purposes of appeal.

70.915. The costs of filing and defending the petition and all publication and incidental costs incurred in obtaining circuit court certification of the petition for voter approval shall be paid by the petitioners. If a district is organized pursuant to sections 70.900 to 70.951, the petitioners may be reimbursed for such costs out of the revenues received by the district.

70.918. A district created pursuant to sections 70.900 to 70.951 shall be governed by a board of directors consisting of five members to be elected as provided in section 70.921.

70.921. 1. Within thirty days after the order declaring the district organized has become final, the circuit

clerk of the county in which the petition was filed shall give notice by causing publication to be made once a week for two consecutive weeks in a newspaper of general circulation in the county, the last publication of which shall be at least ten days before the day of the meeting required by this section, to call a meeting of the owners of real property and registered voters resident within the district at a day and hour specified in a public place in the county in which the petition was filed for the purpose of electing a board of five directors, two to serve one year, two to serve two years, and one to serve three years, to be composed of residents of the district.

2. The attendees, when assembled, shall organize by the election of a chairman and secretary of the meeting who shall conduct the election.

3. Each director shall serve for a term of three years and until such director's successor is duly elected and qualified. Successor directors shall be elected in the same manner as the initial directors at a meeting of the residents called by the board. Each successor director shall serve a three-year term. The remaining directors shall have the authority to elect an interim director to complete any unexpired term of a director caused by resignation or disqualification.

4. Directors shall be at least twenty-one years of age.

70.924. 1. The board shall possess and exercise all of the district's legislative and executive powers.

2. Within thirty days after the election of the initial directors, the board shall meet. At its first meeting and after each election of new board members the board shall elect a chairman, a secretary, a treasurer and such other officers as it deems necessary from its members. A director may fill more than one office, except that a director may not fill both the office of chairman and secretary.

3. The board may employ such employees as it deems necessary; provided, however, that the board shall not employ any employee who is related within the third degree by blood or marriage to a member of the board.

4. At the first meeting, the board, by resolution, shall define the first and subsequent fiscal years of the district, and shall adopt a corporate seal.

5. A simple majority of the board shall constitute a quorum. If a quorum exists, a majority of those voting shall have the authority to act in the name of the board, and approve any board resolution.

6. Each director shall devote such time to the duties of the office as their faithful discharge may require and may be reimbursed for such director's actual expenditures in the performance of such director's duties on behalf of the district.

70.927. A district may receive and use funds for the purposes of planning, designing, constructing, reconstructing, maintaining and operating one or more projects relating to law enforcement. Such funds may be derived from any funding method which is authorized by sections 70.900 to 70.951 and from any other source, including but not limited to funds from federal sources, the state of Missouri or an agency of the state, a political subdivision of the state or private sources.

70.930. 1. If approved by at least four-sevenths of the qualified voters voting on the question in the district, the district may impose a property tax in an amount not to exceed the annual rate of thirty cents per one hundred dollars assessed valuation. The district board may levy a property tax rate lower than its approved tax rate ceiling and may increase that lowered tax rate to a level not exceeding the tax rate ceiling without voter approval. The property tax shall be uniform throughout the district.

2. The ballot of submission shall be substantially in the following form:

Shall the Law Enforcement District impose a property tax upon all real and tangible personal property within the district at a rate of not more than (insert amount) cents per one hundred dollars assessed valuation for the purpose of providing revenue for the development of a project (or projects) in the district (insert general description of the project or projects, if necessary)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

3. The county collector of each county in which the district is partially or entirely located shall collect the property taxes and special benefit assessments made upon all real property and tangible personal property within that county and the district, in the same manner as other property taxes are collected.

4. Every county collector having collected or received district property taxes shall, on or before the fifteenth day of each month and after deducting his or her commissions, remit to the treasurer of that district the amount collected or received by him or her prior to the first day of the month. Upon receipt of such money, the district treasurer shall execute a receipt therefor, which he or she shall forward or deliver to the collector.

The district treasurer shall deposit such sums into the district treasury, credited to the appropriate project or purpose. The collector and district treasurer shall make final settlement of the district account and commissions owing, not less than once each year, if necessary.

70.933. 1. A district may contract and incur obligations appropriate to accomplish its purposes.

2. A district may enter into any lease or lease-purchase agreement for or with respect to any real or personal property necessary or convenient for its purposes.

3. A district may borrow money for its purposes at such rates of interest as the district may determine.

4. A district may enter into labor agreements, establish all bid conditions, decide all contract awards, pay all contractors and generally supervise the operation of the district.

70.936. The district may contract with a federal agency, a state or its agencies and political subdivisions, a corporation, partnership or individual regarding funding, promotion, planning, designing, constructing, improving, maintaining or operating a project or to assist in such activity; provided, however, that any contract providing for the overall management and operation of the district shall only be with a governmental entity or a not for profit corporation.

70.939. In addition to all other powers granted by sections 70.900 to 70.951 the district shall have the following general powers:

(1) To contract with the local sheriff's department for the provision of services;

(2) To sue and be sued in its own name, and to receive service of process, which shall be served upon the district secretary;

(3) To fix compensation of its employees and contractors;

(4) To purchase any personal property necessary or convenient for its activities;

(5) To collect and disburse funds for its activities; and

(6) To exercise such other implied powers necessary or convenient for the district to accomplish its purposes which are not inconsistent with its express powers.

70.942. 1. The district may obtain such insurance as it deems appropriate, considering its legal limits of liability, to protect itself, its officers and its employees from any potential liability and may also obtain such other types of insurance as it deems necessary to protect against loss of its real or personal property of any kind. The cost of this insurance shall be charged against the project.

2. The district may also require contractors performing construction or maintenance work on the project and companies providing operational and management services to obtain liability insurance having the district, its directors and employees as additional named insureds.

3. The district shall not attempt to self-insure for its potential liabilities unless it finds that it has sufficient funds available to cover any anticipated judgments or settlements and still complete its project without interruption. The district may self-insure if it is unable to obtain liability insurance coverage at a rate which is economically feasible to the district, considering its resources.

70.945. 1. The boundaries of any district organized pursuant to sections 70.900 to 70.951 may be changed in the manner prescribed in this section, but any change of boundaries of the district shall not impair or affect its organization or its rights in or to property, or any of its rights or privileges whatsoever; nor shall it affect or impair or discharge any contract, obligation, lien or charge for or upon which it might be liable or chargeable had any change of boundaries not been made.

2. The boundaries may be changed as follows:

(1) Twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed may file with the board a petition in writing praying that such real property be included within the district. The petition shall describe the property to be included in the district and shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in the district of the property described in the petition. Such petition shall be in substantially the form set forth for petitions in chapter 116, RSMo; provided that, in the event that there are more than twenty-five property owners or taxpaying electors signing the petition, it shall be deemed sufficient description of their property in the petition as required in this section to list the addresses of such property; or

(2) All of the owners of any territory or tract of land near or adjacent to a district who own all of the real estate in such territory or tract of land may file a petition with the board praying that such real property be included in the district. The petition shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in the district of the property described in the petition.

3. The secretary of the board shall cause notice of the filing of any petition filed pursuant to this section

to be given and published in the county in which the property is located, which notice shall recite the filing of such petition, the number of petitioners, a general description of the boundaries of the area proposed to be included and the prayer of the petitioners; giving notice to all persons interested to appear at the office of the board at the time named in the notice and show cause in writing, if any they have, why the petition should not be granted. The board shall at the time and place mentioned, or at such time or times to which the hearing may be adjourned, proceed to hear the petition and all objections thereto presented in writing by any person showing cause why the petition should not be granted. The failure of any person interested to show cause in writing why such petition shall not be granted shall be deemed as an assent on his part to the inclusion of such lands in the district as prayed for in the petition.

4. If the board deems it for the best interest of the district, it shall grant the petition, but if the board determines that some portion of the property mentioned in the petition cannot as a practical matter be served by the district, or if it deems it for the best interest of the district that some portion of the property in the petition not be included in the district, then the board shall grant the petition in part only. If the petition is granted, the board shall make an order to that effect and file the petition with the circuit clerk. Upon the order of the court having jurisdiction over the district, the property shall be included in the district. If the petition contains the signatures of all the owners of the property pursuant to the provisions of subdivision (2) of subsection 2 of this section, the property shall be included in the district upon the order of the court. If the petition contains the signatures of twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed pursuant to subdivision (1) of subsection 2 of this section, the property shall be included in the district subject to the election provided in section 70.948. The circuit court having jurisdiction over the district shall proceed to make any such order including such additional property within the district as is provided in the order of the board, unless the court shall find that such order of the board was not authorized by law or that such order of the board was not supported by competent and substantial evidence.

5. Any person aggrieved by any decision of the board made pursuant to the provisions of this section may appeal that decision to the circuit court of the county in which the property is located within thirty days of the decision by the board.

70.948. 1. If the petition to add any territory or tract of land to the district contained fewer than all of the signatures required pursuant to subdivision (2) of subsection 2 of section 70.945, the decree of extension of boundaries shall not become final and conclusive until it has been submitted to an election of the voters residing within the boundaries described in such decree and until it has been assented to by a majority vote of the voters in the newly included area voting on the question. The decree shall also provide for the holding of the election to vote on the proposition of extending the boundaries of the district, and shall fix the date for holding the election.

2. The question shall be submitted in substantially the following form:

Shall the boundaries of the Law Enforcement District be extended to include the following described property? (Describe property)

☐ YES

☐ NO

3. If a majority of the voters voting on the proposition vote in favor of the extension of the boundaries of the district, then the court shall enter its further order declaring the decree of extension of the boundaries to be final and conclusive. In the event, however, that the court finds that a majority of the voters voting thereon voted against the proposition to extend the boundaries of the district, then the court shall enter its further order declaring the decree of extension of boundaries to be void and of no effect.

70.951. 1. Whenever a petition signed by not less than one hundred voters in any district organized pursuant to sections 70.900 to 70.951 is filed with the circuit court having jurisdiction over the district, setting forth all the relevant facts pertaining to the district, and alleging that the further operation of the district is not in the best interests of the inhabitants of the district, and that the district should, in the interest of the public welfare and safety, be dissolved, the circuit court shall have authority, after hearing evidence submitted on such question, to order a submission of the question, after having caused publication of notice of a hearing on such petition in the same manner as the notice required in section 70.921, in substantially the following form:

Shall (Insert the name of the law enforcement district) Law Enforcement District be dissolved?

☐ YES

☐ NO

2. If the court shall find that it is to the best interest of the inhabitants of the district that such district be dissolved, it shall make an order reciting such finding and providing for the submission of the proposition

to dissolve such district to a vote of the voters of the district, setting forth such further details in its order as may be necessary to an orderly conduct of such election. Such election shall be held on the general municipal election day. Returns of the election shall be certified to the court. If the court finds that a majority of the voters voting thereon shall have voted in favor of the proposition to dissolve the district, the court shall make a final order dissolving the district, and the decree shall contain a proviso that the district shall continue in full force for the purpose of paying all outstanding and lawful obligations and disposing of property of the district; but no additional costs or obligations shall be created except such as are necessary to pay such costs, obligations and liabilities previously incurred, or necessary to the winding up of the district. If the court shall find that a majority of the voters of the district voting thereon shall not have voted favorably on the proposition to dissolve such district, then the court shall make a final order declaring such result dismissing the petition praying for the dissolution of said district; and the district shall continue to operate in the same manner as though the petition asking for such dissolution has not been filed.

3. The dissolution of a district shall not invalidate or affect any right accruing to such district, or to any person, or invalidate or affect any contract or indebtedness entered into or imposed upon such district or person; and whenever the circuit court shall, pursuant to this section, dissolve a law enforcement district, the court shall appoint some competent person to act as trustee for the district so dissolved and such trustee before entering upon the discharge of his or her duties shall take and subscribe an oath that he or she will faithfully discharge the duties of the office, and shall give bond with sufficient security, to be approved by the court to the use of such dissolved district, for the faithful discharge of his or her duties, and shall proceed to liquidate the district under orders of the court, including the levying of any taxes provided for in sections 70.900 to 70.951."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Luetkemeyer moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

On motion of Representative Ross, **HB 80** was ordered perfected and printed.

Speaker Pro Tem Abel resumed the Chair.

HCS HB 50, relating to promotion of students, was taken up by Representative Relford.

Representative Holand offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 50, Pages 1 to 3, Section 167.645, Lines 1 to 71, by deleting all of said lines and inserting in lieu thereof the following:

"167.645. **1. Except as provided in subsection 2 of this section**, no public school student shall be promoted to a higher grade level unless that student has a reading ability level [at or above] **no more than** one grade level below the student's grade level[; except that].

2. The provisions of [this] subsection **1 of this section** shall not apply to students:

- (a) Receiving special education services pursuant to sections 162.670 to 162.999, RSMo; or
- (b) **Determined to have limited English proficiency for their first three years of attendance at any public school in the state; or**
- (c) **Participating in a district-approved remediation program until they reach the requisite grade level ability or finish their eighth grade year; or**
- (d) **Enrolled for less than two years in any alternative education program."**; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Holand moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 028

Ballard	Barnett	Bearden	Boatright	Byrd
Cierpiot	Cooper	Cunningham	Enz	Froelker
Green 15	Hanaway	Hendrickson	Hohulin	Holand
Holt	Hunter	Kelly 27	Levin	Linton
Marble	Moore	Murphy	Phillips	Roark
Scott	St. Onge	Wright		

NOES: 116

Abel	Baker	Barnitz	Barry 100	Bartelsmeyer
Bartle	Behnen	Berkowitz	Black	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Clayton	Coleman	Copenhaver	Crawford
Crowell	Curls	Davis	Dempsey	Dolan
Fares	Farnen	Ford	Franklin	Fraser
Gaskill	George	Graham	Green 73	Hagan-Harrell
Hampton	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hickey	Hilgemann	Hollingsworth	Hosmer
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Liese	Lowe	Luetkenhaus
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Robirds	Ross	Schwab	Secrest	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
Surface	Thompson	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

PRESENT: 001

Crump

ABSENT WITH LEAVE: 014

Berkstresser	Foley	Gambaro	Gratz	Griesheimer
Harding	Hoppe	Lograsso	Long	Luetkemeyer
Rizzo	Scheve	Seigfreid	Townley	

VACANCIES: 004

HCS HB 50 was laid over.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 808 - Correctional and State Institutions
HB 846 - Judiciary
HB 853 - Sportsmanship, Safety and Firearms

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 466 - Children, Families and Health

COMMITTEE REPORTS

Committee on Conservation, State Parks and Mining, Chairman Relford reporting:

Mr. Speaker: Your Committee on Conservation, State Parks and Mining, to which was referred **HB 239**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Elections, Chairman Seigfreid reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 247**, **HB 109**, **HB 99** and **HB 100**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Elections, to which was referred **HB 638**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Environment and Energy, Chairman Lawson reporting:

Mr. Speaker: Your Committee on Environment and Energy, to which was referred **HB 453**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Judiciary, Chairman Monaco reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 107**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Motor Vehicle and Traffic Regulations, Chairman O'Connor reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 120**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**.

House Committee Amendment No. 1

AMEND House Bill No. 120, Page 1, Section 307.173, Line 1, by deleting all of said lines and inserting in lieu thereof the following:

"307.173. 1. Except as provided in subsections 2 and 6 of this section, no person shall"; and

Further amend said title, enacting clause and intersectional references accordingly.

Committee on Professional Registration and Licensing, Chairman Treadway reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 249**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Transportation, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 70**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Urban Affairs, Chairman Curls reporting:

Mr. Speaker: Your Committee on Urban Affairs, to which was referred **HB 60**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Urban Affairs, to which was referred **HB 321**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 24, introduced by Representative Boucher, relating to fuel prices.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 877, introduced by Representative Hosmer, relating to the Medicaid home and community-based waiver.

HB 878, introduced by Representative Ballard, relating to the giving of incentives to students or their parents for certain purposes.

HB 879, introduced by Representatives Black and Myers, et al, to authorize the conveyance of property owned by the state in Scott County to the Village of Commerce.

HB 880, introduced by Representatives Crawford and Black, relating to probation services.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 203**, entitled:

An act to repeal section 32.085, RSMo 2000, relating to the sales tax imposed by the metropolitan park and recreation system, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 241**, entitled:

An act to repeal section 375.355, RSMo 2000, relating to mergers of insurance companies, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 36**, entitled:

An act to repeal sections 302.130, 302.178, 302.302, 302.309, 302.505, 302.510, 302.520, 302.535, 302.540, 302.541, 479.500, 577.012, 577.021, 577.023, 577.037, 577.600 and 577.602, RSMo 2000, relating to traffic offenses, and to enact in lieu thereof nineteen new sections relating to the same subject, with penalty provisions and an effective date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SBs 46 & 47**, entitled:

An act to repeal sections 167.181, 191.600, 191.603, 191.605, 191.607, 191.609, 191.611, 191.614, 191.615, 192.070 and 332.311, RSMo 2000, relating to dental care, and to enact in lieu thereof fourteen new sections relating to the same subject, with a termination date and an emergency clause for certain sections.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 128**, entitled:

An act to amend chapter 537, RSMo, by adding thereto one new section relating to torts and actions for damages.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has third read and passed **SS SCR 6**:

SENATE SUBSTITUTE
FOR
SENATE CONCURRENT RESOLUTION NO. 6

Establishes April 6th of each year as Tartan Day in Missouri.

WHEREAS, the Declaration of Arbroath, the Scottish Declaration of Independence, from which the American Declaration of Independence was modeled, was signed on April 6, 1320; and

WHEREAS, Scottish Americans played a major role in the founding of this Nation, almost half of the signers of our Declaration of Independence and the governors of nine of the original 13 states were of Scottish descent; and

WHEREAS, Scottish Americans helped shape this nation in its formative years, guided it through troubled times, and have made invaluable contributions to America in the fields of science, technology, medicine, government and many other areas; and

WHEREAS, the members of the Missouri General Assembly wish to salute to all Americans of Scottish descent as they celebrate their heritage:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-First General Assembly, First Regular Session, the House of Representatives concurring therein, hereby declare April 6th of each year as Tartan Day in Missouri; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for St. Andrews Society of St. Louis; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate shall submit this resolution to the Governor for his approval or rejection pursuant to the Constitution of Missouri.

In which the concurrence of the House is respectfully requested.

COMMITTEE CHANGE

The Speaker submitted the following Committee change:

Representative Wilson (42) has been appointed to the Joint Committee on Capital Improvements.

WITHDRAWAL OF HOUSE BILLS

February 21, 2001

Mr. Ted Wedel, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Ted:

I hereby respectfully request that **HB 30**, relating to defense of the United States flag, be withdrawn.

Sincerely,

/s/ Sam Gaskill

February 26, 2001

The Honorable Jim Kreider, Speaker
Missouri House of Representatives
State Capitol, Room 308
Jefferson City, MO 65101

Dear Mr. Speaker:

I respectfully request the withdrawal of **House Bill 851**. Thank you.

Sincerely,

/s/ Lanie G. Black, III
District 161

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Tuesday, February 27, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Thirty-first Day, Thursday, February 22, 2001, page 463, roll call, by showing Representatives Kelley (47) and Kelly (27) voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

APPROPRIATIONS - SOCIAL SERVICES

Tuesday, February 27, 2001. Hearing Room 3 upon adjournment.

Mark-up and possible Executive Session. CANCELLED.

To be considered - HB 11

BUDGET

Tuesday, February 27, 2001, 8:00 am. Hearing Room 3.

To be considered - HB 4, HB 5, HB 6

BUDGET

Tuesday, February 27, 2001, 3:00 pm. Hearing Room 3.

To be considered - HB 5, HB 6, HB 7

BUDGET

Tuesday, February 27, 2001, 7:30 pm. Hearing Room 3.

To be considered - HB 6, HB 7, HB 8

BUDGET

Wednesday, February 28, 2001, 8:00 am. Hearing Room 3.

To be considered - HB 7, HB 8, HB 9

BUDGET

Wednesday, February 28, 2001, 3:00 pm. Hearing Room 3.

To be considered - HB 8, HB 9, HB 10

BUDGET

Wednesday, February 28, 2001, 7:30 pm. Hearing Room 3.

To be considered - HB 9, HB 10, HB 11, HB 12

CHILDREN, FAMILIES, AND HEALTH

Tuesday, February 27, 2001, 3:00 pm. Hearing Room 4.

Possible Executive Session.

To be considered - HB 106, HB 355, HB 384, HB 461, HB 486, HB 526

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 28, 2001, 3:00 pm. Hearing Room 1.

To be considered - HB 467, HB 537, HB 693, HB 712, Executive Session - HB 464

COMMERCE AND ECONOMIC DEVELOPMENT

Tuesday, February 27, 2001, 3:00 pm. Hearing Room 6.

Executive Session may follow.

To be considered - HB 780

CONSERVATION, STATE PARKS AND MINING

Wednesday, February 28, 2001, 8:30 am. Hearing Room 1.

Informational meeting - Doug Eiken - Division of State Parks

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, February 27, 2001, 8:00 pm. Hearing Room 7.

Executive Session will follow.

To be considered - HB 152, HB 528, HB 531, HB 600, HB 779

CRIMINAL LAW

Wednesday, February 28, 2001, 8:00 pm. Hearing Room 7. AMENDED NOTICE.

To be considered - HB 378, HB 471, HB 510, HB 533, HB 563, HB 572, HB 641, HB 707, HB 724

EDUCATION - ELEMENTARY AND SECONDARY

Wednesday, February 28, 2001. Hearing Room 5.

Upon morning adjournment. Possible Executive Session.

To be considered - HB 81, HB 198, HB 274, HB 457, Executive Session - HB 29,

Executive Session - HB 300, Executive Session - HB 505, Executive Session - HB 754

EDUCATION - HIGHER

Wednesday, February 28, 2001, 3:00 pm. Hearing Room 5.

Possible Executive Session.

To be considered - HB 636, HB 683, HB 769

ELECTIONS

Tuesday, February 27, 2001, 7:30 pm. Hearing Room 5.

To be considered - HB 538, HB 541, HB 577, HB 627, HB 678

FISCAL REVIEW AND GOVERNMENT REFORM

Tuesday, February 27, 2001, 8:30 am. Hearing Room 7.

To be considered - HB 144, HB 207, HB 223, HB 328, HB 656, HJR 12,

Executive Session - HB 592

FISCAL REVIEW AND GOVERNMENT REFORM

Tuesday, February 27, 2001, 5:30 pm. Hearing Room 6.

Governing for Results.

Speaker Ron Snell, Director of Economics, Fiscal & Human Resources - NCSL

INSURANCE

Tuesday, February 27, 2001. Hearing Room 5 upon morning adjournment.

To be considered - HB 673, HB 713, HB 764, HB 793, HB 798, Executive session - HB 212,

Executive Session - HB 459, Executive Session - HB 542, Executive Session - HB 646

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, February 28, 2001, 12:30 pm. Hearing Room 6.

Presentation of Oversight Evaluation Reports:

1) Adoption Services Program & CAPCO Program.

JUDICIARY

Tuesday, February 27, 2001, 3:00 pm. Hearing Room 5.

Executive Session may follow.

To be considered - HB 183, HB 456, HB 529, HB 540, HB 677

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, February 27, 2001, 3:00 pm. Hearing Room 7.

Executive Session to follow.

To be considered - HB 515, HB 520, HB 534, HB 553, HB 571, HB 578, HB 606, HB 611, HB 727, HB 728, HB 745

MISCELLANEOUS BILLS AND RESOLUTIONS

Tuesday, February 27, 2001. Hearing Room 6 upon adjournment.

Executive Session may follow.

To be considered - HB 444, HR 152, HR 223, HR 537

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, February 28, 2001, 8:30 am. Hearing Room 6.

Executive Session may follow.

To be considered - HB 172, HB 186, HB 545

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, February 27, 2001, 3:00 pm. Hearing Room 1.

To be considered - HB 681, HB 684, HB 687, HB 691, HB 692, HB 708

MUNICIPAL CORPORATIONS

Wednesday, February 28, 2001, 3:00 pm. Hearing Room 4.

Executive Session may follow.

To be considered - HB 622, HB 647, HB 699, HB 704, HB 770

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 28, 2001, 5:00 pm. Hearing Room 5.

To be considered - HB 401, HB 416, HB 484, HB 500, HB 640, HB 716, HB 757

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Tuesday, February 27, 2001, 8:00 am. Hearing Room 6.

Executive Session may follow.

To be considered - HB 731, HB 732, HB 733

RETIREMENT

Wednesday, February 28, 2001, 8:00 pm. Hearing Room 1. AMENDED NOTICE.

Executive Session may follow.

To be considered - HB 318, HB 426, HB 514, HB 548, HB 602, HB 660, HB 705, HB 750

TOURISM, RECREATION AND CULTURAL AFFAIRS

Tuesday, February 27, 2001. Side gallery upon adjournment.

To be considered - Executive Session - HB 242

TRANSPORTATION

Wednesday, February 28, 2001, 3:00 pm. Hearing Room 6. CORRECTED.

To be considered - HB 518, HB 523, HB 714

WAYS AND MEANS

Tuesday, February 27, 2001, 3:00 pm. Hearing Room 2.

Executive Session will be first.

To be considered - HB 59, HB 171, HB 225, HB 319, HB 344, HB 366, HB 590

HOUSE CALENDAR

THIRTY-THIRD DAY, TUESDAY, FEBRUARY 27, 2001

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 24

HOUSE BILLS FOR SECOND READING

HB 877 through HB 880

HOUSE BILLS FOR PERFECTION

- 1 HB 287 - Williams
- 2 HCS HB 50 - Relford
- 3 HCS HB 26 - Wilson (42)
- 4 HCS HB 194 - Hosmer
- 5 HB 166 - Troupe
- 6 HB 218 - Farnen
- 7 HB 114 - Hickey
- 8 HB 421 - Graham
- 9 HCS HB 265 & 369 - Hosmer
- 10 HCS HB 237, 270, 403 & 442 - Smith
- 11 HCS HB 425 - O'Toole

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HB 381, Pt. I of HA 4 to HS, Pt. II of HA 4 to HS, and HS, as amended, pending - Hoppe

HOUSE BILLS FOR PERFECTION - CONSENT

(February 26, 2001)

- 1 HB 801 - Liese
- 2 HB 309 - McKenna
- 3 HB 111 - Ladd Baker
- 4 HB 126 - Long
- 5 HB 431 - Barry
- 6 HB 202 - Rizzo
- 7 HB 129 - Van Zandt
- 8 HB 157 - Hosmer

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 144 & 46, (Fiscal Review 2-14-01) - Bonner
- 2 HS HCS HB 328 & 88, (Fiscal Review 2-15-01) - Harlan
- 3 HCS HB 207, E.C. (Fiscal Review 2-20-01) - Ross
- 4 HCS HB 567 - Treadway

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 133 - Gambaro
- 2 HB 288 - Campbell
- 3 HB 266 - Treadway
- 4 HB 236 - Smith
- 5 HB 48 - Relford
- 6 HB 180 - Thompson
- 7 HB 78 - Kennedy
- 8 HB 262 - Linton

SENATE CONCURRENT RESOLUTION FOR SECOND READING

SS SCR 6

SENATE BILLS FOR SECOND READING

- 1 SCS SB 36
- 2 SS SCS SB 46 & 47
- 3 SB 128
- 4 SB 203
- 5 SCS SB 241

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

THIRTY-THIRD DAY, TUESDAY, FEBRUARY 27, 2001

Speaker Pro Tem Abel in the Chair.

Prayer by Father David Buescher.

Almighty God, on this “Fat-Tuesday” much of our nation will try to celebrate in order to move on to new discipline tomorrow. May we too, in this grand room, remember all for which we can celebrate. For the ability to serve people here in our state, our representatives rejoice.

For Your challenge to bring their best abilities to play in office, committee and in this Chamber, we praise You. For all who care for them and all for whom they care, we are truly grateful. May our thankfulness move us to diligent, thorough, conscientious, and yes, even joyful, service today and always. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Andrew Morton, Gabriel Farrar, David Breed, Daniel Breed, Jonathan Breed, Andrew Vines, Tawannia Atkinson, Sheri Frost, Sharon Auffenberg and Delores Jackson.

The Journal of the thirty-second day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 571

through

House Resolution No. 580 - Representatives Dempsey and Ostmann

House Resolution No. 581 - Representative Legan

House Resolution No. 582

through

House Resolution No. 642 - Representative Crowell

House Resolution No. 643

and

House Resolution No. 644 - Representative Clayton

House Resolution No. 645

and

House Resolution No. 646 - Representative Boucher

House Resolution No. 647 - Representatives Green (15) and Holt

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 24 was read the second time.

SECOND READING OF HOUSE BILLS

HB 877 through **HB 880** were read the second time.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SS SCR 6 was read the second time.

SECOND READING OF SENATE BILLS

SCS SB 36, **SS SCS SBs 46 & 47**, **SB 128**, **SB 203** and **SCS SB 241** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules, and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules, and Bills Perfected and Printed, to which was referred **HCS HB 15**, **HB 80** and **HCS HB 241**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

THIRD READING OF HOUSE BILLS - CONSENT

HB 288, relating to design-build contractors, was taken up by Representative Campbell.

On motion of Representative Campbell, **HB 288** was read the third time and passed by the following vote:

AYES: 156

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson

Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 001

Purgason

PRESENT: 000

ABSENT WITH LEAVE: 002

Gambaro Seigfreid

VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

HB 266, relating to real estate brokers, was taken up by Representative Treadway.

On motion of Representative Treadway, **HB 266** was read the third time and passed by the following vote:

AYES: 155

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61

Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Champion	Gambaro	Seigfreid	Williams
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VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

HB 236, relating to juvenile information systems, was taken up by Representative Smith.

On motion of Representative Smith, **HB 236** was read the third time and passed by the following vote:

AYES: 150

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco

Moore	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Portwood	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 007

Boatright	Hohulin	Hunter	Lograsso	Murphy
Phillips	Purgason			

PRESENT: 000

ABSENT WITH LEAVE: 002

Gambaro	Seigfreid
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VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

HB 180, relating to women's offender program, was taken up by Representative Thompson.

On motion of Representative Thompson, **HB 180** was read the third time and passed by the following vote:

AYES: 151

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Ransdall	Rector	Reid

Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 004

Hohulin	Portwood	Purgason	Roark
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PRESENT: 000

ABSENT WITH LEAVE: 004

Gambaro	May 149	Seigfreid	St. Onge
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VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

PERFECTION OF HOUSE BILL

HCS HB 50, relating to promotion of students, was taken up by Representative Relford.

Representative Reid offered **House Amendment No. 2**.

Representative Kennedy raised a point of order that **House Amendment No. 2** is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Hilgemann offered **House Amendment No. 2**.

Representative Relford raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Jetton offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 50, Page 2, Section 167.645, Line 34, by deleting the word "**shall**" and inserting in lieu thereof the word "**may**"; and

Further amend said bill, Page 2, Section 167.645, Line 37, by deleting the word "**may**" and inserting in lieu thereof the word "**shall**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Jetton moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 074

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Behnen	Berkstresser	Black	Boatright
Burcham	Burton	Byrd	Champion	Cierpiot
Cooper	Crawford	Crowell	Cunningham	Dempsey
Dolan	Enz	Fares	Froelker	Gaskill
Griesheimer	Hanaway	Hartzler	Hegeman	Henderson
Hendrickson	Hohulin	Hunter	Jetton	Kelley 47
Kelly 144	King	Legan	Levin	Linton
Lograsso	Long	Luetkemeyer	Marble	Marsh
May 149	Mayer	Miller	Moore	Murphy
Myers	Naeger	Nordwald	Ostmann	Phillips
Portwood	Purgason	Rector	Reid	Reinhart
Richardson	Ridgeway	Roark	Robirds	Ross
Schwab	Scott	Secrest	Shields	St. Onge
Surface	Townley	Vogel	Wright	

NOES: 082

Abel	Baker	Barry 100	Berkowitz	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Campbell	Carnahan	Clayton	Coleman
Copenhaver	Crump	Curls	Davis	Farnen
Foley	Ford	Franklin	Fraser	George
Graham	Gatz	Green 15	Green 73	Hagan-Harrell
Hampton	Harding	Harlan	Haywood	Hickey
Hilgemann	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Kelly 27	Kelly 36
Kennedy	Koller	Lawson	Liese	Lowe
Luetkenhaus	Mays 50	McKenna	Merideth	Monaco
O'Connor	O'Toole	Overschmidt	Ransdall	Relford
Reynolds	Rizzo	Scheve	Selby	Shelton
Shoemyer	Skaggs	Smith	Thompson	Treadway
Troupe	Van Zandt	Villa	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 003

Gambaro	Holand	Seigfreid
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VACANCIES: 004

Representative Shields offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 50, Page 3, Section 167.645, Line 71, by adding after all of said line the following:

"Section 1. The performance of a limited English proficiency student on the statewide assessments pursuant to section 160.518 RSMo shall be disaggregated from the district's performance for five years after such student enters a Missouri public school for the purposes of determining a district's performance for accreditation."; and

Further amend said title, enacting clause, and intersectional references accordingly.

On motion of Representative Shields, **House Amendment No. 3** was adopted.

Representative Cunningham offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 50, Page 3, Section 167.645, Line 68, by deleting the “.” at the end of the line and inserting in lieu thereof the following:

“; provided, however, each district shall make available, upon the request of any parent, patron, or media outlet within the district, the number and percentage of students receiving remediation pursuant to this section. The information shall be presented in a way that does not permit personal identification of any student or educational personnel.”.

On motion of Representative Cunningham, **House Amendment No. 4** was adopted.

Representative Reid offered **House Amendment No. 5.**

Representative Kennedy raised a point of order that **House Amendment No. 5** is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Holand offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 50, Page 3, Section 167.645, Line 71, by adding after all of said line the following:

“Section 1. Students who receive special education services pursuant to sections 162.670 to 162.999, RSMo, shall be exempt from the retake provisions as required by section 167.640, RSMo.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Holand, **House Amendment No. 5** was adopted.

Representative Levin offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 50, Page 2, Section 167.645, Line 33, by deleting the words "**fourth-grade**" and inserting in lieu thereof "**next**"; and

Further amend said bill, Page 2, Section 167.645, Line 35, by deleting the words "**fourth-grade**" and inserting in lieu thereof "**next**"; and

Further amend said bill, Page 2, Section 167.645, Lines 37 and 38, by deleting all of said lines and inserting in lieu thereof the following: "**this subsection.**"; and

Further amend said bill, Page 2, Section 167.645, Line 41, by deleting the words "**fourth-grade**" and inserting in lieu thereof "**next**"; and

Further amend said bill, Page 2, Section 167.645, Line 42, by deleting the words "**third-grade**" and inserting in lieu thereof "**the required**"; and

Further amend said bill, Page 2, Section 167.645, Line 45, by deleting the words "**third-grade**" and inserting in lieu thereof "**the required**" and by adding, immediately after the word "**shall**" the following: "**retain the student and**"; and

Further amend said bill, Page 2, Section 167.645, Line 46, by deleting the words "**fifth-grade**" and inserting in lieu thereof "**next**".

Representative Relford raised a point of order that **House Amendment No. 6** is dilatory.

The Chair ruled the point of order not well taken.

Representative Levin moved that **House Amendment No. 6** be adopted.

Which motion was defeated by the following vote:

AYES: 030

Ballard	Bartelsmeyer	Bearden	Berkstresser	Boatright
Burton	Cooper	Cunningham	Dempsey	Dolan
Froelker	Henderson	Hendrickson	Hohulin	Hunter
Levin	Linton	Marble	Moore	Murphy
Phillips	Portwood	Purgason	Rector	Reid
Roark	Scott	Secrest	St. Onge	Surface

NOES: 123

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Behnen	Berkowitz	Black	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Byrd	Campbell	Champion
Cierpiot	Clayton	Coleman	Copenhaver	Crawford
Crowell	Crump	Curls	Davis	Enz
Fares	Farnen	Foley	Franklin	Fraser
Gaskill	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe

Hosmer	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Liese
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Ransdall
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Scheve	Schwab
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 006

Carnahan	Ford	Gambaro	Green 73	Long
Seigfreid				

VACANCIES: 004

Representative Crowell offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for House Bill No. 50, Page 2, Section 167.645, Line 38, by inserting the following:

“The Department of Elementary and Secondary Education shall be required to reimburse all verifiable costs associated with or incurred by school districts in the implementation and execution of said thirty hours of additional reading instruction program.”; and

Further amend said title, enacting clause and the sectional references accordingly.

On motion of Representative Crowell, **House Amendment No. 7** was adopted by the following vote:

AYES: 141

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Boykins	Britt	Burcham	Burton
Byrd	Campbell	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Fraser
Froelker	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hosmer	Hunter	Jetton	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36

Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Selby
Shields	Shoemyer	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 013

Bowman	Bray 84	Brooks	Coleman	Franklin
Green 73	Hagan-Harrell	Harlan	Johnson 61	Mays 50
Shelton	Skaggs	Walton		

PRESENT: 000

ABSENT WITH LEAVE: 005

Carnahan	Ford	Gambaro	Hoppe	Seigfreid
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VACANCIES: 004

On motion of Representative Relford, **HCS HB 50, as amended**, was adopted.

On motion of Representative Relford, **HCS HB 50, as amended**, was ordered perfected and printed.

Speaker Kreider assumed the Chair.

PERFECTION OF HOUSE BILL - INFORMAL

HB 381, with Part I of House Amendment No. 4 to HS, Part II of House Amendment No. 4 to HS and HS, as amended, pending, relating to gray market tobacco, was taken up by Representative Hoppe.

Part I of House Amendment No. 4 to HS was withdrawn.

Part II of House Amendment No. 4 to HS was withdrawn.

Representative Hosmer offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Bill No. 381, Page 17, Section 407.933, Line 23 of said page, by deleting all of said line and inserting in lieu thereof the following: "**infraction**"; and

Further amend said bill, Page 18, Section 407.933, Lines 1 and 2 of said page, by deleting all of said lines; and

Further amend said bill, Page 18, Section 407.933, Lines 5 to 10 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"or tobacco products confiscated and shall complete a tobacco education or smoking cessation program, if available."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hosmer, **House Amendment No. 4** was adopted.

Representative Legan offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Bill No. 381, Page 19, Section 407.934, Line 12 of said page, by deleting all of said line and inserting in lieu thereof the following:

"division may employ a person seventeen years of age to attempt to purchase tobacco but not complete the transaction for"; and

Further amend said bill, Page 19, Section 407.934, Line 14 of said page, by inserting after all of said line the following:

"6. The supervisor of the division of liquor control shall not use minors to enforce the provisions of this chapter unless the supervisor promulgates rules that establish standards for the use of minors. The supervisor shall establish mandatory guidelines for the use of minors in investigations by a state, county, municipal or other local law enforcement authority which shall be followed by such authority and which shall, at a minimum, provide for the following:

- (1) The minor shall be seventeen years of age;**
- (2) The minor shall have a youthful appearance, and the minor, if a male, shall not have facial hair or a receding hairline and if a female, shall not wear excessive makeup or excessive jewelry;**
- (3) The state, county, municipal or other local law enforcement agency shall obtain the consent of the minor's parent or legal guardian before the use of such minor on a form approved by the supervisor;**
- (4) The state, county, municipal or other local law enforcement agency shall make a photocopy of the minor's valid identification showing the minor's correct date of birth;**
- (5) Any attempt by such minor to purchase tobacco products shall be videotaped or audiotaped with equipment sufficient to record all statements made by the minor and the seller of the tobacco product;**
- (6) The minor shall carry his or her own identification showing the minor's correct date of birth and shall, upon request, produce such identification to the seller of the tobacco product;**
- (7) The minor shall answer truthfully any questions about his or her age and shall not remain silent when asked questions regarding his or her age;**
- (8) The minor shall not lie to the seller of the tobacco product to induce a sale of tobacco products;**
- (9) The minor shall not be employed by the state, county, municipal or other local law enforcement agency on an incentive or quota basis;**
- (10) The state, county, municipal or other local law enforcement agency shall, within forty-eight hours, contact or take all reasonable steps to contact the owner or manager of the establishment if a violation occurs;**
- (11) The state, county, municipal or other local law enforcement agency shall maintain records of each visit to an establishment where a minor is used by the state, county, municipal or other local law enforcement agency for a period of at least one year following the incident, regardless of whether a violation occurs at each visit, and such records shall, at a minimum, include the following information:**
 - (a) The signed consent form of the minor's parent or legal guardian;**

- (b) A Polaroid photograph of the minor;
- (c) A photocopy of the minor's valid identification, showing the minor's correct date of birth;
- (d) An information sheet completed by the minor on a form approved by the supervisor; and
- (e) The name of each establishment visited by the minor, and the date and time of each visit.

7. If the state, county, municipal or other local law enforcement authority uses minors in investigations or in enforcing or determining violations of this chapter or any local ordinance and does not comply with the mandatory guidelines established by the supervisor of liquor control in subsection 6 of this section, the supervisor of liquor control shall not take any disciplinary action against the establishment or seller pursuant to this chapter based on an alleged violation discovered when using a minor and shall not cooperate in any way with the state, county, municipal or other local law enforcement authority in prosecuting any alleged violation discovered when using a minor."; and

Further amend said bill, Page 19, Section 407.934, Line 15 of said page, by deleting the number "6." and inserting in lieu thereof the number "8."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Legan, **House Amendment No. 5** was adopted.

Representative Koller offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for House Bill No. 381, Pages 18 and 19, Section 407.934, by deleting all of said section.; and

Further amend title and enacting clause accordingly.

Representative Hosmer offered **House Substitute Amendment No. 1 for House Amendment No. 6**.

*House Substitute Amendment No. 1
for
House Amendment No. 6*

AMEND House Substitute for House Bill No. 381, Page 19, Section 407.934, Lines 1, 2, and 3, by deleting all of said lines; and

Further amend said bill, Page 19, Section 407.934, Line 18, by deleting all of said line and inserting in lieu thereof the following: "**infraction**"; and

Further amend title, enacting clause, and intersectional references accordingly.

On motion of Representative Hosmer, **House Substitute Amendment No. 1 for House Amendment No. 6** was adopted by the following vote:

AYES: 085

Baker	Ballard	Barnett	Barry 100	Bartle
Berkowitz	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Champion
Coleman	Copenhaver	Crump	Cunningham	Curls

Davis	Dempsey	Dolan	Enz	Fares
Farnen	Fraser	Gaskill	Graham	Gratz
Griesheimer	Hagan-Harrell	Harding	Haywood	Hendrickson
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 90	Jolly	Kelley 47	Kelly 36
Kennedy	Legan	Liese	Linton	Marsh
May 149	Mays 50	McKenna	Miller	Monaco
Moore	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Phillips	Ransdall	Relford	Ridgeway
Ross	Scheve	Secrest	Selby	Shoemyer
Skaggs	Smith	Thompson	Treadway	Van Zandt
Villa	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 063

Abel	Barnitz	Bartelsmeyer	Bearden	Behnen
Berkstresser	Black	Boatright	Burcham	Burton
Byrd	Cierpiot	Clayton	Cooper	Crawford
Crowell	Foley	Franklin	Froelker	George
Green 15	Green 73	Hampton	Hanaway	Hartzler
Hegeman	Henderson	Hickey	Hohulin	Hunter
Jetton	Kelly 144	Kelly 27	King	Koller
Lawson	Levin	Lowe	Luetkemeyer	Marble
Mayer	Merideth	Murphy	Myers	Overschmidt
Portwood	Purgason	Rector	Reinhart	Reynolds
Richardson	Rizzo	Roark	Robirds	Schwab
Scott	Shelton	Shields	St. Onge	Surface
Townley	Vogel	Wagner		

PRESENT: 000

ABSENT WITH LEAVE: 011

Carnahan	Ford	Gambaro	Harlan	Johnson 61
Lograsso	Long	Luetkenhaus	Reid	Seigfreid
Troupe				

VACANCIES: 004

Representative Hohulin, having voted on the prevailing side, moved that the vote by which **House Amendment No. 3 to HB 381** was defeated, be reconsidered.

Which motion was adopted by the following vote:

AYES: 133

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crowell	Crump	Cunningham	Curls
Davis	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Gaskill	Gratz
Green 15	Griesheimer	Hampton	Hanaway	Harding

Harlan	Hartzler	Haywood	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 90	Jolly	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Long	Lowe	Luetkemeyer
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Ransdall
Rector	Reinhart	Relford	Richardson	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Treadway	Van Zandt	Villa	Vogel
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 014

Dempsey	Froelker	George	Graham	Green 73
Hagan-Harrell	Hegeman	Murphy	Purgason	Reid
Reynolds	Ridgeway	Wagner	Wiggins	

PRESENT: 000

ABSENT WITH LEAVE: 012

Carnahan	Crawford	Ford	Gambaro	Johnson 61
Kelley 47	Kelly 144	Lograsso	Luetkenhaus	Seigfreid
Townley	Troupe			

VACANCIES: 004

On motion of Representative Monaco, **House Amendment No. 3** was adopted.

On motion of Representative Hoppe, **HS HB 381, as amended**, was adopted.

On motion of Representative Hoppe, **HS HB 381, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 394 - Miscellaneous Bills & Resolutions

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 24 - Miscellaneous Bills & Resolutions

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 80 - Fiscal Review and Government Reform (Fiscal Note)

HB 660 - Retirement

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 774 - Civil and Administrative Law

COMMITTEE REPORTS

Committee on Fiscal Review and Government Reform, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS HBs 144 & 46** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS HB 207** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HS HCS HBs 328 & 88** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Tourism, Recreation and Cultural Affairs, Chairman Overschmidt reporting:

Mr. Speaker: Your Committee on Tourism, Recreation and Cultural Affairs, to which was referred **HB 242**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 25, introduced by Representative Graham, relating to authorization for the issuance of bonds for university arena projects.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 17, introduced by Representatives Scheve and Van Zandt, relating to the tobacco settlement trust fund.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 881, introduced by Representatives Scott, Crawford and Henderson, relating to nursing home districts.

HB 882, introduced by Representatives Crump, Foley, Hickey, McKenna, Bowman, Ford, Haywood and Thompson, et al, relating to horse racing and pari-mutuel wagering.

HB 883, introduced by Representatives Barnitz, Ransdall, Boatright, Townley, Coleman, Merideth and Legan, et al, relating to trespass.

HB 884, introduced by Representative Kelly (36), relating to registration of motor vehicles.

HB 885, introduced by Representative Kelly (36), relating to signs permitted on certain highways.

HB 886, introduced by Representatives Kelly (144), Cooper, Hunter, Moore, Reinhart and Portwood, et al, relating to sales and use taxation.

HB 887, introduced by Representatives Troupe, Reinhart, Berkowitz, Kelley (47), Naeger, Hilgemann, Kennedy, Black, Portwood, Sanders Brooks and Holand, relating to a Medicaid pharmacy management program.

HB 888, introduced by Representatives Scheve and Van Zandt, relating to tobacco.

HB 889, introduced by Representative Rizzo, relating to tax credits for new or expanded business facilities.

HB 890, introduced by Representative Hendrickson, relating to the regulation of adult establishments.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 186**, entitled:

An act to amend chapter 367, RSMo, by adding thereto five new sections relating to deferred presentment services.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 227**, entitled:

An act to repeal section 461.051, RSMo 2000, relating to nonprobate transfers, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 382**, entitled:

An act relating to compliance with Title V of the Federal Gramm-Leach Bliley Financial Modernization Act of 1999, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 19**.

SENATE CONCURRENT RESOLUTION NO. 19

WHEREAS, the Child Citizenship Act of 2000, effective February 27, 2001, will grant automatic citizenship to foreign-born children who have been adopted abroad, with stipulations that the child meet basic eligibility criteria and that one of the parents hold United States citizenship; and

WHEREAS, prior to the passage of the Child Citizenship Act, obtaining United States citizenship for foreign-born children who were adopted abroad was a complex and burdensome task that could take years to complete; and

WHEREAS, foreign-born children adopted abroad have already experienced long journeys to become treasured members of many families within Missouri and throughout the United States; and

WHEREAS, given the large number of foreign-born children who have been adopted by United States parents, February 27, 2001, will be designated as a day in our nation's history when the largest number of persons become United States citizens; and

WHEREAS, parents, siblings and extended families throughout the state and the nation who have experienced the joy of adding members to their families through adoption of foreign-born children are elated at the passage of the

Child Citizenship Act of 2000, which is being celebrated throughout the nation:

NOW THEREFORE BE IT RESOLVED, that the members of the Missouri Senate, Ninety-First General Assembly, First Regular Session, the House of Representatives concurring therein, hereby declare February 27, 2001, to be Child Citizenship Day; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Director of the Department of Social Services and the Commissioner of Education and the members of the Missouri Congressional delegation.

In which the concurrence of the House is respectfully requested.

WITHDRAWAL OF HOUSE BILL

February 27, 2001

The Honorable Jim Kreider, Speaker
Missouri House of Representatives
State Capitol, Room 308
Jefferson City, MO 65101

Dear Mr. Speaker:

I respectfully request to withdraw **House Bill 653** that requires applicants for unemployment insurance benefits to submit to a drug test.

Your consideration of this matter is appreciated.

Sincerely,

/s/ Estel Robirds
State Representative

The following member's presence was noted: Gambaro.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, February 28, 2001.

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, February 28, 2001, 3:00 pm. Hearing Room 7.

To be considered - HB 412, HB 580, Executive Session - HB 307, Executive Session - HB 411, Executive Session - HB 473

BUDGET

Wednesday, February 28, 2001, 8:00 am. Hearing Room 3. CANCELLED.

To be considered - HB 7, HB 8, HB 9

BUDGET

Wednesday, February 28, 2001, 1:00 pm. Hearing Room 3. AMENDED.
To be considered - HB 8, HB 9, HB 10, HB 11

BUDGET

Wednesday, February 28, 2001, 7:30 pm. Hearing Room 3. AMENDED.
To be considered - HB 10, HB 11, HB 12

BUDGET

Thursday, March 1, 2001. Hearing Room 3 upon morning adjournment.
To be considered - HB 11, HB 12

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 28, 2001, 3:00 pm. Hearing Room 1. AMENDED.
To be considered - HB 407, HB 467, HB 537, HB 693, HB 712, Executive Session - HB 464

CONSERVATION, STATE PARKS AND MINING

Wednesday, February 28, 2001, 8:30 am. Hearing Room 1.
Informational meeting - Doug Eiken - Division of State Parks

CRIMINAL LAW

Wednesday, February 28, 2001, 8:00 pm. Hearing Room 7. AMENDED NOTICE.
To be considered - HB 378, HB 471, HB 510, HB 533, HB 563, HB 572, HB 641, HB 707, HB 724

EDUCATION - ELEMENTARY AND SECONDARY

Wednesday, February 28, 2001. Hearing Room 5. Upon morning adjournment.
Possible Executive Session. AMENDED.
To be considered - HB 45, HB 81, HB 132, HB 274, Executive Session - HB 29,
Executive Session - HB 300, Executive Session - HB 505, Executive Session - HB 754

EDUCATION - HIGHER

Wednesday, February 28, 2001, 3:00 pm. Hearing Room 5.
Possible Executive Session.
To be considered - HB 636, HB 683, HB 769

ENVIRONMENT AND ENERGY

Thursday, March 1, 2001, 8:30 am. Hearing Room 5.
To be considered - HB 437, HB 438, HB 721, Executive Session - HB 296,
Executive Session - HB 597

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, February 28, 2001, 12:30 pm. Hearing Room 6.
Presentation of Oversight Evaluation Reports:
1) Adoption Services Program & CAPCO Program.

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, February 28, 2001, 8:30 am. Hearing Room 6.

Executive Session may follow.

To be considered - HB 172, HB 186, HB 545

MUNICIPAL CORPORATIONS

Wednesday, February 28, 2001, 3:00 pm. Hearing Room 4.

Executive Session may follow.

To be considered - HB 622, HB 647, HB 699, HB 704, HB 770

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 28, 2001, 5:00 pm. Hearing Room 5. AMENDED.

To be considered - HB 401, HB 416, HB 484, HB 500, HB 640, HB 716, HB 757,

Executive Session - HB 400, Executive Session - HB 607

RETIREMENT

Wednesday, February 28, 2001, 8:00 pm. Hearing Room 1. AMENDED NOTICE.

Executive Session may follow.

To be considered - HB 318, HB 426, HB 514, HB 548, HB 602, HB 660, HB 705, HB 750

SUBCOMMITTEE ON LEGISLATIVE RESEARCH & OVERSIGHT

Wednesday, February 28, 2001, 1:00 pm. Hearing Room 6.

Subcommittee on Revision.

Closed meeting within the meeting of Chapter 610, RSMo.

TRANSPORTATION

Wednesday, February 28, 2001, 3:00 pm. Hearing Room 6. CORRECTED.

To be considered - HB 518, HB 523, HB 714

UTILITIES REGULATION

Thursday, March 1, 2001, 8:30 am. Hearing Room 6.

Executive Session to follow.

To be considered - HB 676

HOUSE CALENDAR

THIRTY-FOURTH DAY, WEDNESDAY, FEBRUARY 28, 2001

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 25

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 17

HOUSE BILLS FOR SECOND READING

HB 881 through HB 890

HOUSE BILLS FOR PERFECTION

- 1 HB 287 - Williams
- 2 HCS HB 50 - Relford
- 3 HCS HB 26 - Wilson (42)
- 4 HCS HB 194 - Hosmer
- 5 HB 166 - Troupe
- 6 HB 218 - Farnen
- 7 HB 114 - Hickey
- 8 HB 421 - Graham
- 9 HCS HB 265 & 369 - Hosmer
- 10 HCS HB 237, 270, 403 & 442 - Smith
- 11 HCS HB 425 - O'Toole

HOUSE BILL FOR PERFECTION - INFORMAL

HCS HB 113 - Hickey

HOUSE BILLS FOR PERFECTION - CONSENT

(February 26, 2001)

- 1 HB 801 - Liese
- 2 HB 309 - McKenna
- 3 HB 111 - Ladd Baker
- 4 HB 126 - Long
- 5 HB 431 - Barry
- 6 HB 202 - Rizzo
- 7 HB 129 - Van Zandt
- 8 HB 157 - Hosmer

HOUSE BILL FOR THIRD READING - APPROPRIATIONS

HCS HB 15 - Green (73)

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 144 & 46 - Bonner
- 2 HS HCS HB 328 & 88 - Harlan
- 3 HCS HB 207, E.C. - Ross
- 4 HCS HB 567 - Treadway
- 5 HCS HB 241 - Smith
- 6 HB 80 - Ross (Fiscal Review 2-27-01)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 133 - Gambaro
- 2 HB 48 - Relford
- 3 HB 78 - Kennedy
- 4 HB 262 - Linton

SENATE CONCURRENT RESOLUTION FOR SECOND READING

SCR 19

SENATE BILLS FOR SECOND READING

- 1 SCS SB 186
- 2 SB 227
- 3 SCS SB 382

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

THIRTY-FOURTH DAY, WEDNESDAY, FEBRUARY 28, 2001

Speaker Pro Tem Abel in the Chair.

Prayer by Reverend Rudy Beard.

Eternal God: we pause now to praise You for Your great goodness to us, and for mercies that fall like rain on the just and the unjust; for words that find us when we need the heart uplifted; for songs that Your love has taught the soul to sing; for coincidental happenings, which seen in retrospect, speak of Your gentle leading and care; for loving families and sturdy friends from whom we receive support and encouragement.

Keep this House in this special season, bless its members and staff and their families; to You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the thirty-third day was approved as corrected.

RESOLUTION

Representatives Purgason, Hohulin, Kelly (144), Wright, King, Long, Burton and Gaskill offered House Resolution No. 650.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 648 - Representative Cooper
House Resolution No. 649 - Representative Davis
House Resolution No. 651 - Representative Kelley (47)
House Resolution No. 652 - Representative Hohulin

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 25 was read the second time.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 17 was read the second time.

SECOND READING OF HOUSE BILLS

HB 881 through **HB 890** were read the second time.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 19 was read the second time.

SECOND READING OF SENATE BILLS

SCS SB 186, SB 227 and **SCS SB 382** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules, and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 50** and **HS HB 381**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

THIRD READING OF HOUSE BILLS - CONSENT

HB 133, relating to abatement of derelict property, was taken up by Representative Gambaro.

On motion of Representative Gambaro, **HB 133** was read the third time and passed by the following vote:

AYES: 152

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller

Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Ford	Froelker	Holand	Kelly 36	Reid
Seigfreid	Wagner			

VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

HB 48, relating to funeral directors and embalmers, was taken up by Representative Relford.

On motion of Representative Relford, **HB 48** was read the third time and passed by the following vote:

AYES: 151

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo

Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 003

Brooks	Farnen	Murphy
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ABSENT WITH LEAVE: 005

Ballard	Hickey	Hohulin	Seigfreid	Wagner
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VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

HB 78, relating to immunity reporting, was taken up by Representative Kennedy.

On motion of Representative Kennedy, **HB 78** was read the third time and passed by the following vote:

AYES: 149

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Fraser	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson

Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Byrd	Ford	Franklin	Froelker	Hickey
Johnson 61	King	Seigfreid	Wagner	Walton

VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

HB 262, relating to school records, was taken up by Representative Linton.

On motion of Representative Linton, **HB 262** was read the third time and passed by the following vote:

AYES: 152

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Ford
Seigfreid

Hickey
Wagner

Hoppe

King

Phillips

VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

PERFECTION OF HOUSE BILLS

HB 287, relating to private jails, was taken up by Representative Williams.

Representative Williams offered **HS HB 287**.

Representative Williams offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Bill No. 287, Page 5, Section 1.(2), Line 1, by deleting the word "**Jail**" and inserting in lieu thereof the word "**Correctional**"; and

Further amend said bill, Page 5, Section 2., Line 5, by deleting the word "**Jail**" and inserting in lieu thereof the word "**Correctional**".

On motion of Representative Williams, **House Amendment No. 1** was adopted.

Representative Relford offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Bill No. 287, Page 1, In the Title, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following:

"To amend chapter 221, RSMo, by adding thereto five new sections relating to jails and jailers."; and

Further amend said bill, Page 1, Section A, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Chapter 221, RSMo, is amended by adding thereto five new sections, to be known as sections 221.360, 221.363, 221.366, 221.369 and 221.407, to read as follows:"; and

Further amend said bill, Page 5, Section 221.369, Line 19, by inserting after all of said line the following:

"221.407. 1. The commission of any regional jail district, the jails of which are operated by member counties and not private authorities, may impose, by order, a sales tax in the amount of one-eighth of one percent, one-fourth of one percent, three-eighths of one percent or one-half of one percent on all retail sales made in such region which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525, RSMo,

for the purpose of providing jail services and court facilities and equipment for such region. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no order imposing a sales tax pursuant to the provisions of this section shall be effective unless the commission submits to the voters of the district, on any election date authorized in chapter 115, RSMo, a proposal to authorize the commission to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the regional jail district of (counties' names) impose a region-wide sales tax of (insert amount) for the purpose of providing jail services and court facilities and equipment for the region?

☐ Yes

☐ No

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal by the qualified voters of the district voting thereon are in favor of the proposal, then the order and any amendment to such order shall be in effect on the first day of the second quarter immediately following the election approving the proposal. If the proposal receives less than the required majority, the commission shall have no power to impose the sales tax authorized pursuant to this section unless and until the commission shall again have submitted another proposal to authorize the commission to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters of the district voting on such proposal; however, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last submission of a proposal pursuant to this section.

3. All revenue received by a district from the tax authorized pursuant to the provisions of this section shall be deposited in a special trust fund and shall be used solely for providing jail services and court facilities and equipment for such district for so long as the tax shall remain in effect.

4. Once the tax authorized by this section is abolished or terminated by any means, all funds remaining in the special trust fund shall be used solely for providing jail services and court facilities and equipment for the district. Any funds in such special trust fund which are not needed for current expenditures may be invested by the commission in accordance with applicable laws relating to the investment of other county funds.

5. All sales taxes collected by the director of revenue pursuant to this section on behalf of any district, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, RSMo, shall be deposited in a special trust fund, which is hereby created, to be known as the "Regional Jail District Sales Tax Trust Fund". The moneys in the regional jail district sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each district imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of each member county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the district which levied the tax. Such funds shall be deposited with the treasurer of each such district, and all expenditures of funds arising from the regional jail district sales tax trust fund shall be paid pursuant to an appropriation adopted by the commission and shall be approved by the commission. Expenditures may be made from the fund for any function authorized in the order adopted by the commission submitting the regional jail district tax to the voters.

6. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such districts. If any district abolishes the tax, the commission shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director of revenue shall remit the balance in the account to the district and close the account of that district. The director of revenue shall notify each district in each instance of any amount refunded or any check redeemed from receipts due the district.

7. Except as provided in this section, all provisions of sections 32.085 and 32.087, RSMo, shall apply to the tax imposed pursuant to this section.

8. The provisions of this section shall expire August 28, 2015.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Relford, **House Amendment No. 2** was adopted.

Representative Reynolds offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Substitute for House Bill No. 287, Page 50, Section 221.369, by inserting immediately after said section the following:

“Section 1. Except for private facilities in operation on or before August 28, 2001, no public funds shall be used to pay any private entity to manage, staff, or otherwise control the operations and maintenance of any private jail or prison within this state.”; and

Further amend the title and enacting clause accordingly.

Representative Reynolds moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 036

Baker	Boucher	Bowman	Boykins	Bray 84
Brooks	Campbell	Coleman	Curls	George
Gratz	Green 15	Green 73	Harding	Haywood
Hendrickson	Hilgemann	Hoppe	Hosmer	Johnson 90
Jolly	Kelly 27	Lowe	McKenna	Monaco
Murphy	Reynolds	Thompson	Troupe	Van Zandt
Villa	Walton	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 107

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Boatright	Bonner	Britt
Burcham	Burton	Byrd	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Franklin
Fraser	Froelker	Gambaro	Gaskill	Graham
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Hegeman
Henderson	Hohulin	Holand	Hollingsworth	Holt
Hunter	Jetton	Johnson 61	Kelley 47	Kelly 144
Kelly 36	Kennedy	Koller	Lawson	Legan
Liese	Linton	Lograsso	Long	Luetkemeyer
Marble	Marsh	May 149	Mayer	Mays 50
Merideth	Miller	Moore	Myers	Naeger
Nordwald	Ostmann	Overschmidt	Phillips	Portwood

Purgason	Ransdall	Rector	Reinhart	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Schwab	Scott	Secrest	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Townley	Treadway	Ward	Wiggins
Williams	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 016

Foley	Ford	Harlan	Hartzler	Hickey
King	Levin	Luetkenhaus	O'Connor	O'Toole
Reid	Relford	Scheve	Seigfreid	Vogel
Wagner				

VACANCIES: 004

Representative Ladd Baker offered **House Amendment No. 4**.

Representative Crump raised a point of order that **House Amendment No. 4** is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Troupe offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Bill No. 287, Page 5, Section 221.369, Line 19, by inserting at the end of said line the following:

“(4) House persons charged with or ever convicted of a violent offense or who displays violent behavior while incarcerated in the same cell with persons charged with or convicted of a nonviolent offense who remains nonviolent while incarcerated. Nonviolent offenders who remain nonviolent during incarceration should not be housed in the same cell with an inmate who is violent either by offense or behavior while incarcerated.”.

Representative Relford raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Troupe moved that **House Amendment No. 4** be adopted.

Which motion was defeated.

On motion of Representative Williams, **HS HB 287, as amended**, was adopted.

On motion of Representative Williams, **HS HB 287, as amended**, was ordered perfected and printed.

HCS HB 26, relating to loan repayment assistance for teachers, was taken up by Representative Wilson (42).

Representative Wilson (42) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 26, Page 2, Section 168.610, Lines 35 and 36, by deleting the words “**Missouri higher education savings program board established in section 166.415, RSMo,**” and inserting in lieu thereof the following: “**coordinating board for higher education**”.

Representative Villa assumed the Chair.

On motion of Representative Wilson (42), **House Amendment No. 1** was adopted.

Representative Reid offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 26, Page 1, Section 2, Line 15, by deleting the word “**2.50**” and inserting in lieu thereof the word “**2.80**”.

On motion of Representative Reid, **House Amendment No. 2** was adopted.

HCS HB 26, as amended, was laid over.

Representative Abel resumed the Chair.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HCS HB 50 - Fiscal Review and Government Reform (Fiscal Note)

COMMITTEE REPORTS

Committee on Correctional and State Institutions, Chairman Gratz reporting:

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **HB 409**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **HB 452**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **HB 502**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **HB 600**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **HB 779**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Miscellaneous Bills & Resolutions, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HB 185**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 891, introduced by Representative Smith, relating to disclosure of health information.

HB 892, introduced by Representative Sanders Brooks, relating to sanitation in food establishments.

HB 893, introduced by Representatives Hilgemann and Gambaro, relating to motor vehicles license plates.

HB 894, introduced by Representatives Johnson (61) and Portwood, relating to prostate cancer screening.

HB 895, introduced by Representatives Naeger, Reinhart, Bearden, Dempsey, Levin, Gaskill and Nordwald, et al, relating to small claims court procedure.

HB 896, introduced by Representatives Fraser and Levin, relating to automobile insurance discounts for persons fifty-five years of age and older.

HB 897, introduced by Representatives Kreider, Hanaway, Levin, Kelly (144), Bartelsmeyer, Foley and Holt, et al, relating to motor vehicle records.

HB 898, introduced by Representatives Hilgemann, Hendrickson and Campbell, relating to the uniform planned community act.

HB 899, introduced by Representatives Gratz, Nordwald and Merideth, relating to licensing of auctioneers.

HB 900, introduced by Representative Ward, relating to surplus lines insurance.

HB 901, introduced by Representatives Riback Wilson (25) and Campbell, et al, relating to the death penalty.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 287**, entitled:

An act to repeal section 32.056, RSMo 2000, and to enact in lieu thereof one new section relating to certain peace officers.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 344**, entitled:

An act to repeal section 375.1220, RSMo 2000, relating to insurer liquidation law, and to enact in lieu thereof one new section relating to the same subject, with a termination date and an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Wagner.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, March 1, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Thirty-third Day, Tuesday, February 27, 2001, pages 499 and 500, roll call, by showing Representative Champion voting "aye" rather than "absent with leave".

Pages 510 and 511, roll call, by showing Representatives Crawford and Kelley (47) voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

APPROPRIATIONS - TRANSPORTATION

Wednesday, March 7, 2001, 8:30 am. Hearing Room 7.
Presentations on funding formulas.

BUDGET

Thursday, March 1, 2001. Hearing Room 3 upon morning adjournment.
To be considered - HB 11, HB 12

CHILDREN, FAMILIES, AND HEALTH

Thursday, March 1, 2001. Hearing Room 5 upon adjournment.
Executive Session.

ENVIRONMENT AND ENERGY

Thursday, March 1, 2001, 8:30 am. Hearing Room 5.
To be considered - HB 437, HB 438, HB 721, Executive Session - HB 296,
Executive Session - HB 597

ETHICS

Thursday, March 1, 2001. Northeast side gallery upon adjournment.
Approval of Caucus.

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Thursday, March 1, 2001, 9:00 am. Room 331.
Organizational meeting.

JUDICIARY

Tuesday, March 6, 2001, 3:00 pm. Hearing Room 5.
Executive Session may follow.
To be considered - HB 525, HB 589, HB 677, HB 846

MISCELLANEOUS BILLS AND RESOLUTIONS

Thursday, March 1, 2001, 9:30 am. Hearing Room 3.
To be considered - Executive Session - HB 444, Executive Session - HB 555,
Executive Session - HJR 1, Executive Session - HJR 8

SPECIAL COMMITTEE ON SPORTSMANSHIP, SAFETY AND FIREARMS

Tuesday, March 6, 2001. Hearing Room 7 upon adjournment.
Executive Session may follow.
To be considered - HB 28, HB 33, HB 258, HB 853

URBAN AFFAIRS

Tuesday, March 6, 2001, 5:00 pm. Hearing Room 1.
To be considered - HB 760, HB 783

UTILITIES REGULATION

Thursday, March 1, 2001, 8:30 am. Hearing Room 6.
Executive Session to follow.
To be considered - HB 676

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Monday, March 5, 2001. Hearing Room 6 upon evening adjournment.
To be considered - Executive Session - HB 445, Executive Session - HB 446

HOUSE CALENDAR

THIRTY-FIFTH DAY, THURSDAY, MARCH 1, 2001

HOUSE BILLS FOR SECOND READING

HB 881 through HB 901

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 26, as amended, - Wilson (42)
- 2 HCS HB 194 - Hosmer
- 3 HB 166 - Troupe
- 4 HB 218 - Farnen
- 5 HB 114 - Hickey
- 6 HB 421 - Graham
- 7 HCS HB 265 & 369 - Hosmer
- 8 HCS HB 237, 270, 403 & 442 - Smith
- 9 HCS HB 425 - O'Toole

HOUSE BILL FOR PERFECTION - INFORMAL

HCS HB 113 - Hickey

HOUSE BILLS FOR PERFECTION - CONSENT

(February 26, 2001)

- 1 HB 801 - Liese
- 2 HB 309 - McKenna
- 3 HB 111 - Ladd Baker
- 4 HB 126 - Long
- 5 HB 431 - Barry
- 6 HB 202 - Rizzo
- 7 HB 129 - Van Zandt
- 8 HB 157 - Hosmer

HOUSE BILL FOR THIRD READING - APPROPRIATIONS

HCS HB 15 - Green (73)

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 144 & 46 - Bonner
- 2 HS HCS HB 328 & 88 - Harlan
- 3 HCS HB 207, E.C. - Ross
- 4 HCS HB 567 - Treadway

- 5 HCS HB 241 - Smith
- 6 HB 80, (Fiscal Review 2-27-01) - Ross
- 7 HCS HB 50, E.C. - Relford (Fiscal Review 2-28-01)
- 8 HS HB 381 - Hoppe

SENATE BILLS FOR SECOND READING

- 1 SCS SB 287
- 2 SCS SB 344

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

THIRTY-FIFTH DAY, THURSDAY, MARCH 1, 2001

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Eternal God: You give us minds to reason and hearts to feel. Keep the past from being so precious to us that we set limits on the future. Give to us the courage to change our minds when that is needed. Make us tolerant of the thoughts and words of others.

Protect the men and women of this House from closed minds and hearts. Keep these servants of our state open to Your voice and help them be deaf to the whispers of all who would persuade them from their duty. We know that only in our hearts will we find Your abiding peace and prosperity. Keep us in the joy of Your care this day. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Richard Kenneth Johnson, Jr., Hannah Laeoi, Ashley Walling, Carlas Lowe, Nakeisha Walker, Trevor Peroutka, Michael Smith, Jodi Rinke, Kayla Hylton and Bryndon Hill.

The Journal of the thirty-fourth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 653	-	Representative Linton
House Resolution No. 654		
and		
House Resolution No. 655	-	Representative Bowman
House Resolution No. 656	-	Representative Rizzo
House Resolution No. 657	-	Representative Green (73), et al
House Resolution No. 658		
and		
House Resolution No. 659	-	Representative Hollingsworth, et al
House Resolution No. 660	-	Representative Linton
House Resolution No. 661	-	Representatives Marsh and Hosmer
House Resolution No. 662	-	Representative Thompson
House Resolution No. 663	-	Representatives Froelker and Townley
House Resolution No. 664	-	Representative Froelker
House Resolution No. 665	-	Representative Bartle
House Resolution No. 666	-	Representative Wilson (42)

House Resolution No. 667 - Representative McKenna
House Resolution No. 668 - Representatives King and Hohulin
House Resolution No. 669 - Representative Kelly (144)

SECOND READING OF HOUSE BILLS

HB 881 through **HB 901** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 287 and **SCS SB 344** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules, and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules, and Bills Perfected and Printed, to which was referred **HS HB 287**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

THIRD READING OF HOUSE BILL - APPROPRIATIONS

HCS HB 15, relating to appropriations, was taken up by Representative Green (73).

Representative Green (73) offered **House Perfecting Amendment No. 1**.

House Perfecting Amendment No. 1

AMEND House Committee Substitute for House Bill No. 15, Page 9, Section 15.220, Line 5, by deleting all of said line and inserting in lieu thereof the following:

“From Legal Defense and Defender Fund \$400,000”.

On motion of Representative Green (73), **House Perfecting Amendment No. 1** was adopted.

On motion of Representative Green (73), **HCS HB 15, as amended**, was read the third time and passed by the following vote:

AYES: 125

Abel	Baker	Ballard	Barnett	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bonner	Boucher	Bowman	Boykins
Britt	Brooks	Burton	Byrd	Carnahan
Champion	Cierpiot	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares

Farnen	Ford	Franklin	Fraser	Gaskill
George	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Levin	Liese	Linton
Long	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	McKenna	Miller	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Ransdall	Rector	Reid	Reinhart	Reynolds
Richardson	Roark	Robirds	Ross	Schwab
Scott	Secrest	Selby	Shelton	Shields
Skaggs	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Villa	Vogel	Ward
Wiggins	Willoughby	Wilson 42	Wright	Mr. Speaker

NOES: 029

Barnitz	Boatright	Burcham	Campbell	Clayton
Foley	Froelker	Gambaro	Harding	Harlan
Hohulin	Hollingsworth	Kennedy	Lograsso	Lowe
Mays 50	Merideth	Monaco	Purgason	Relford
Ridgeway	Rizzo	Scheve	Shoemyer	Smith
Van Zandt	Walton	Williams	Wilson 25	

PRESENT: 000

ABSENT WITH LEAVE: 005

Bartelsmeyer	Bray 84	Graham	Seigfreid	Wagner
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VACANCIES: 004

Speaker Kreider declared the bill passed.

THIRD READING OF HOUSE BILLS

HCS HBs 144 & 46, relating to prisoner releases and escapes, was taken up by Representative Bonner.

On motion of Representative Bonner, **HCS HBs 144 & 46** was read the third time and passed by the following vote:

AYES: 154

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Boatright	Bonner	Boucher
Bowman	Boykins	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares

Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Bartelsmeyer	Bray 84	Graham	Seigfreid	Wagner
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VACANCIES: 004

Speaker Kreider declared the bill passed.

HS HCS HBs 328 & 88, relating to regulation of managed care, was taken up by Representative Harlan.

On motion of Representative Harlan, **HS HCS HBs 328 & 88** was read the third time and passed by the following vote:

AYES: 150

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Boatright	Bonner	Boucher
Bowman	Boykins	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood

Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Bartelsmeyer	Bray 84	Graham	Hoppe	Kelly 27
O'Toole	Richardson	Seigfreid	Wagner	

VACANCIES: 004

Speaker Kreider declared the bill passed.

HCS HB 207, relating to veterans' programs, was taken up by Representative Ross.

On motion of Representative Ross, **HCS HB 207** was read the third time and passed by the following vote:

AYES: 152

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Boatright	Bonner	Boucher
Bowman	Boykins	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese

Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Bartelsmeyer	Bray 84	Graham	Hoppe	Kelly 27
Seigfreid	Wagner			

VACANCIES: 004

Speaker Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 150

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Boatright	Bonner	Boucher
Bowman	Boykins	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab

Scott	Secrest	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Troupe	Van Zandt	Villa
Vogel	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Bartelsmeyer	Bray 84	Cunningham	Graham	Hoppe
Kelly 27	Seigfreid	Treadway	Wagner	

VACANCIES: 004

HCS HB 567, relating to professional registration, was taken up by Representative Treadway.

On motion of Representative Treadway, **HCS HB 567** was read the third time and passed by the following vote:

AYES: 147

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Boatright	Bonner	Boucher
Bowman	Boykins	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Moore	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 001

Murphy

PRESENT: 001

Griesheimer

ABSENT WITH LEAVE: 010

Bartelsmeyer	Bray 84	Ford	Graham	Hoppe
Kelly 27	Monaco	Seigfreid	Surface	Wagner

VACANCIES: 004

Speaker Kreider declared the bill passed.

HCS HB 241, relating to trusts, was taken up by Representative Smith.

On motion of Representative Smith, **HCS HB 241** was read the third time and passed by the following vote:

AYES: 145

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bonner	Boucher	Bowman
Boykins	Britt	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	George	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 001

Hohulin

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 012

Bartelsmeyer	Boatright	Bray 84	Cooper	Ford
Gaskill	Graham	Hoppe	Kelly 27	Monaco
Seigfreid	Wagner			

VACANCIES: 004

Speaker Kreider declared the bill passed.

PERFECTION OF HOUSE BILLS

HCS HB 26, as amended, relating to loan repayment assistance for teachers, was taken up by Representative Wilson (42).

Representative Shields offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 26, Page 1, Line 3 of the Title, by adding immediately after the word “**districts**” the following: “, **with a contingent effective date**”; and

Further amend said bill, Page 2, Section 168.610, Line 19, by deleting the word “**Loan**” and inserting in lieu thereof the following:

“Beginning the first fiscal year after any fiscal year in which the appropriation for the critical teacher loan forgiveness program pursuant to section 168.600 reaches six million dollars, loan”; and

Further amend said bill, Page 2, Section 168.610, Line 40, by adding after all of said line the following:

“Section B. The provisions of section A of this act shall take effect immediately upon written notice signed by the governor to the revisor of statutes pursuant to this section. Immediately upon the effective date of the appropriation bill in which the appropriation for the critical teacher loan forgiveness program pursuant to section 168.600 reaches six million dollars, the commissioner of education shall notify the governor to provide official notice to the revisor of statutes that the provisions of this bill have become effective.”; and

Further amend title, enacting clause, and intersectional references accordingly.

Representative Farnen offered **House Amendment No. 1 to House Amendment No. 3**.

*House Amendment No. 1
to
House Amendment No. 3*

AMEND House Amendment No. 3 to House Committee Substitute for House Bill No. 26, Page 1, Line 10 of said amendment, by deleting “**six million**” and replacing it with “**one million**”; and

Further amend said amendment, Page 2, Line 3, by deleting “**six million**” and replacing it with “**one million**”.

On motion of Representative Farnen, **House Amendment No. 1 to House Amendment No. 3** was adopted.

On motion of Representative Shields, **House Amendment No. 3, as amended**, was adopted.

Representative Marble offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 26, Page 1, Section 168.610, Line 10, by adding after the word “**Accredited**” the following:

“, or has enrollment of 8 percent or more of students designated as English as a second language student”.

Representative Marble moved that **House Amendment No. 4** be adopted.

Which motion was defeated.

Representative Holand offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 26, Page 1, Section 2(2), Line 11, by inserting after the word “**teach,**” the following: “**In a district with less than 20,000 students,**”.

Representative Holand moved that **House Amendment No. 5** be adopted.

Which motion was defeated.

On motion of Representative Wilson (42), **HCS HB 26, as amended**, was adopted.

On motion of Representative Wilson (42), **HCS HB 26, as amended**, was ordered perfected and printed.

HCS HB 194, relating to higher education institutions, was taken up by Representative Hosmer.

Representative Wright raised a point of order that the **House Committee Substitute** is not germane to the original bill.

The Chair ruled the point of order not well taken.

Representative Froelker offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 194, Page 2, Section 172.036, Line 17, by inserting after the word "**replacement**" the following: "**within ninety days of the existence of the vacancy**"; and

Further amend said bill, Page 3, Section 174.057, Line 16, by inserting after the word "**replacement**" the following: "**within ninety days of the existence of the vacancy**"; and

Further amend said bill, Page 6, Section 174.622, Line 15, by inserting after the word "**replacement**" the following: "**within ninety days of the existence of the vacancy**"; and

Further amend said bill, Page 7, Section 175.021, Line 14, by inserting after the word "**replacement**" the following: "**within ninety days of the existence of the vacancy**"; and

Further amend said bill, Page 8, Section 175.022, Line 15, by inserting after the word "**replacement**" the following: "**within ninety days of the existence of the vacancy**".

On motion of Representative Froelker, **House Amendment No. 1** was adopted.

Representative Selby offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 194, Page 3, Section 173.035, Line 40, by adding after all of said line the following:

- "173.260. 1. As used in this section, unless the context clearly requires otherwise, the following terms mean:
- (1) "Board", the coordinating board for higher education;
 - (2) "Eligible child", the natural, adopted or stepchild of a public safety officer or employee, as defined in this section, who is less than twenty-four years of age and who is a dependent of a public safety officer or employee or was a dependent at the time of death or permanent and total disability of a public safety officer or employee;
 - (3) "Employee", any full-time employee of the department of transportation engaged in the construction or maintenance of the state's highways, roads and bridges;
 - (4) "Grant", the public safety officer or employee survivor grant as established by this section;
 - (5) "Institution of postsecondary education", any approved public or private institution as defined in section 173.205;
 - (6) "Line of duty", any action of a public safety officer, whose primary function is crime control or reduction, enforcement of the criminal law, or suppression of fires, is authorized or obligated by law, rule, regulation or condition of employment or service to perform;
 - (7) "Public safety officer", any firefighter, **volunteer firefighter**, police officer, capitol police officer, **reserve peace officer**, parole officer, probation officer, state correctional employee, water safety officer, park ranger, conservation officer or highway patrolman employed by the state of Missouri or a political subdivision thereof who is killed or permanently and totally disabled in the line of duty;
 - (8) "Permanent and total disability", a disability which renders a person unable to engage in any gainful work;
 - (9) "Spouse", the husband, wife, widow or widower of a public safety officer or employee at the time of death or permanent and total disability of such public safety officer;
 - (10) "Tuition", any tuition or incidental fee or both charged by an institution of postsecondary education, as defined in this section, for attendance at that institution by a student as a resident of this state.

2. Within the limits of the amounts appropriated therefor, the coordinating board for higher education shall provide, as defined in this section, a grant for either of the following to attend an institution of postsecondary education:

(1) An eligible child of a public safety officer or employee killed or permanently and totally disabled in the line of duty; or

(2) A spouse of a public safety officer killed or permanently and totally disabled in the line of duty.

3. An eligible child or spouse may receive a grant under this section only so long as the child or spouse is enrolled in a program leading to a certificate, or an associate or baccalaureate degree. In no event shall a child or spouse receive a grant beyond the completion of the first baccalaureate degree or, in the case of a child, age twenty-four years, except that the child may receive a grant through the completion of the semester or similar grading period in which the child reaches his **or her** twenty-fourth year. No child or spouse shall receive more than one hundred percent of tuition when combined with similar funds made available to such child or spouse.

4. The coordinating board for higher education shall:

(1) Promulgate all necessary rules and regulations for the implementation of this section;

(2) Determine minimum standards of performance in order for a child or spouse to remain eligible to receive a grant under this program;

(3) Make available on behalf of an eligible child or spouse an amount toward the child's or spouse's tuition which is equal to the grant to which the child or spouse is entitled under the provisions of this section;

(4) Provide the forms and determine the procedures necessary for an eligible child or spouse to apply for and receive a grant under this program.

5. An eligible child or spouse who is enrolled or has been accepted for enrollment as an undergraduate postsecondary student at an approved institution of postsecondary education shall receive a grant in an amount not to exceed the least of the following:

(1) The actual tuition, as defined in this section, charged at an approved institution where the child or spouse is enrolled or accepted for enrollment; or

(2) The amount of tuition charged a Missouri resident at the University of Missouri for attendance as a full-time student, as defined in section 173.205.

6. An eligible child or spouse who is a recipient of a grant may transfer from one approved public or private institution of postsecondary education to another without losing his **or her** entitlement under this section. The board shall make necessary adjustments in the amount of the grant. If a grant recipient at anytime withdraws from the institution of postsecondary education so that under the rules and regulations of that institution [he] **such recipient** is entitled to a refund of any tuition, fees, or other charges, the institution shall pay the portion of the refund to which [he] **the recipient** is entitled attributable to the grant for that semester or similar grading period to the board.

7. If an eligible child or spouse is granted financial assistance under any other student aid program, public or private, the full amount of such aid shall be reported to the board by the institution and the eligible child or spouse.

8. Nothing in this section shall be construed as a promise or guarantee that a person will be admitted to an institution of postsecondary education or to a particular institution of postsecondary education, will be allowed to continue to attend an institution of postsecondary education after having been admitted, or will be graduated from an institution of postsecondary education.

9. A public safety officer who is permanently and totally disabled shall be eligible for a grant pursuant to the provisions of this section.

10. An eligible child of a public safety officer or employee, spouse of a public safety officer or public safety officer shall cease to be eligible for a grant pursuant to this section when such public safety officer or employee is no longer permanently and totally disabled."; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Selby, **House Amendment No. 2** was adopted.

Representative Bonner offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 194, Page 3, Section 173.045, Line 40, by inserting after all of said line the following:

"173.850. No institution of postsecondary education in this state shall prohibit or restrict a faculty member of such institution who resides outside this state from filing for or occupying any public elective office in his or her state of residence."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Williams offered **House Substitute Amendment No. 1 for House Amendment No. 3.**

House Substitute Amendment No. 1 for House Amendment No. 3 was withdrawn.

House Amendment No. 3 was withdrawn.

Representative Green (73) offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 194, Page 8, Section 175.023, Line 9, by adding after all of said section the following:

"Section 1. Members of the general assembly with eight or more years of service in the general assembly shall be considered as qualified to teach government classes in any public institution of higher education."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Green (73), **House Amendment No. 3** was adopted.

Representative Froelker offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 194, Page 1, Section 172.036, Line 10, by deleting the word **"tenured"**; and

Further amend said bill on Page 3, Section 174.057, Line 9, by deleting the word **"tenured"**; and

Further amend said bill on Page 6, Section 174.622, Line 9, by deleting the word **"tenured"**; and

Further amend said bill on Page 7, Section 175.022, Line 9, by deleting the word **"tenured"**.

On motion of Representative Froelker, **House Amendment No. 4** was adopted.

On motion of Representative Hosmer, **HCS HB 194, as amended**, was adopted.

On motion of Representative Hosmer, **HCS HB 194, as amended**, was ordered perfected and printed.

HB 218, relating to public schools, was taken up by Representative Farnen.

Representative Farnen offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 218, Page 2, Section 172.790, Lines 10 to 12, by deleting all of said lines and inserting in lieu thereof the following:

"knowledge in the area of spinal cord injuries and congenital or acquired disease processes."; and

Further amend said bill, Page 2, Section 172.792, Lines 2 to 4, by deleting all of said lines and inserting in lieu thereof the following:

"projects that promote an advancement of knowledge in the area of specified disease processes or injuries. For this purpose, the board of curators may request an appropriation annually. The"; and

Further amend said bill, Page 3, Section 172.794, Line 2, by deleting all of said line and inserting in lieu thereof the following:

"board, shall award funds to selected investigators in accordance"; and

Further amend said bill, Page 3, Section 172.794, Lines 11 to 15, by deleting all of said lines and inserting in lieu thereof the following:

"(4) Awards shall be used to obtain preliminary data to test hypotheses and to"; and

Further amend said bill, Page 3, Section 172.794, Line 18, by deleting from said line the number **"(6)"** and replacing said number with the following: **"(5)";** and

Further amend said bill, Page 3, Section 172.796, Lines 2 and 3, by deleting all of said lines and inserting in lieu thereof the following:

"(1) Two physicians who are active both in research and in caring for patients"; and

Further amend said bill, Page 3, Section 172.796, Line 4, by deleting all of said line and inserting in lieu thereof the following:

"(2) Two nonphysicians engaged in research"; and

Further amend said bill, Page 3, Section 172.796, Line 5, by inserting after all of said line the following: **";";** and

Further amend said bill, Page 3, Section 172.796, Line 6, by deleting all of said line; and

Further amend said bill, Page 3, Section 172.796, Line 7, by deleting all of said line and inserting in lieu thereof the following:

"(4) Two nonresearchers active in an association or organization dealing with disorders, diseases and injuries"; and

Further amend said bill, Page 3, Section 172.796, Line 8, by deleting from said line the semicolon, ";", and insert in lieu thereof a period, "."; and

Further amend said bill, Page 3, Section 172.796, Line 9, by deleting all of said line; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Scheve assumed the Chair.

On motion of Representative Farnen, **House Amendment No. 1** was adopted.

On motion of Representative Farnen, **HB 218, as amended**, was ordered perfected and printed.

HCS HBs 265 & 369, relating to capital punishment, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HCS HBs 265 & 369** was adopted.

On motion of Representative Hosmer, **HCS HBs 265 & 369** was ordered perfected and printed.

HCS HB 425, relating to underground facility safety, was placed on the Informal Calendar.

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 13 - Transportation

HJR 15 - Transportation

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HS HB 381 - Fiscal Review and Government Reform (Fiscal Note)

HB 802 - Environment and Energy

HB 803 - Ways and Means

HB 804 - Local Government and Related Matters

HB 805 - Motor Vehicle and Traffic Regulations

HB 806 - Professional Registration and Licensing

HB 809 - Public Safety, Law Enforcement and Veteran Affairs

HB 810 - Municipal Corporations

HB 811 - Criminal Law

HB 812 - Utilities Regulation

HB 813 - Children, Families and Health

HB 814 - Education-Elementary and Secondary

HB 815 - Judiciary

- HB 816** - Ways and Means
- HB 817** - Professional Registration and Licensing
- HB 818** - Ways and Means
- HB 819** - Criminal Law
- HB 820** - Utilities Regulation
- HB 821** - Children, Families and Health
- HB 822** - Motor Vehicle and Traffic Regulations
- HB 823** - Utilities Regulation
- HB 825** - Ways and Means
- HB 826** - Utilities Regulation
- HB 827** - Commerce and Economic Development
- HB 829** - Criminal Law
- HB 830** - Local Government and Related Matters
- HB 831** - Civil and Administrative Law
- HB 833** - Civil and Administrative Law
- HB 834** - Children, Families and Health
- HB 835** - Criminal Law
- HB 837** - Commerce and Economic Development
- HB 838** - Motor Vehicle and Traffic Regulations
- HB 839** - Workers Compensation and Employment Security
- HB 840** - Workers Compensation and Employment Security
- HB 841** - Workers Compensation and Employment Security
- HB 842** - Workers Compensation and Employment Security
- HB 843** - Local Government and Related Matters
- HB 844** - Tourism, Recreation and Cultural Affairs
- HB 845** - Public Safety, Law Enforcement and Veteran Affairs
- HB 847** - Civil and Administrative Law
- HB 848** - Children, Families and Health
- HB 849** - Administration and Accounts
- HB 850** - Banks and Financial Institutions
- HB 852** - Sportsmanship, Safety and Firearms
- HB 854** - Local Government and Related Matters
- HB 855** - Local Government and Related Matters
- HB 856** - Environment and Energy
- HB 857** - Transportation
- HB 858** - Professional Registration and Licensing
- HB 859** - Education-Elementary and Secondary
- HB 860** - Education-Elementary and Secondary
- HB 861** - Commerce and Economic Development
- HB 862** - Judiciary
- HB 863** - Municipal Corporations
- HB 865** - Education-Elementary and Secondary
- HB 866** - Miscellaneous Bills & Resolutions
- HB 867** - Elections
- HB 868** - Environment and Energy

HB 869 - Education-Elementary and Secondary
HB 870 - Social Services, Medicaid and the Elderly
HB 871 - Children, Families and Health
HB 873 - Environment and Energy
HB 874 - Children, Families and Health
HB 875 - Commerce and Economic Development
HB 876 - Critical Issues, Consumer Protection and Housing
HB 883 - Criminal Law

COMMITTEE REPORTS

Committee on Agriculture, Chairman Wiggins reporting:

Mr. Speaker: Your Committee on Agriculture, to which was referred **HB 473**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**.

House Committee Amendment No. 1

AMEND House Bill No. 473, Page 1, Section 263.232, Lines 6 to 9, by deleting all of said lines and inserting in lieu thereof the following:

"lands:

(1) To control the spread of and eradicate cut-leaved teasel (*Dipsacus laciniatus*) and common teasel (*Dipsacus fullonum*), which are hereby designated as noxious and dangerous weeds to agriculture, by methods recommended by the state department of agriculture; and

(2) To control the spread of kudzu vine (*Pueraria lobata*), which is hereby designated as a noxious and dangerous weed to agriculture, by methods recommended by the department of conservation in conjunction with the University of Missouri extension service."; and

Further amend said title, enacting clause and intersectional references accordingly.

Committee on Banks and Financial Institutions, Chairman Liese reporting:

Mr. Speaker: Your Committee on Banks and Financial Institutions, to which was referred **HB 738**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Children, Families and Health, Chairman Barry reporting:

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **HB 762**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Commerce and Economic Development, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce and Economic Development, to which was referred **HB 327**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Education-Elementary and Secondary, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **HB 754, HB 29, HB 300 and HB 505**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Ethics, Chairman Clayton reporting:

Mr. Speaker: Your Committee on Ethics, to which was referred the addition of Meg Harding to **GREATER DEMOCRATIC KANSAS CITY CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo**.

February 15, 2001

The Honorable Robert Clayton, Chairman
House Committee on Ethics
House Post Office
State Capitol
Jefferson City, MO 65101

Dear Mr. Chairman:

Representative /s/ Meg Harding would like to be added as a member of the Greater Democratic Kansas City Caucus.

Thank you for your attention to this request.

Sincerely,

/s/ Bill Skaggs

Mr. Speaker: Your Committee on Ethics, to which was referred **THE SOUTHWEST CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo**.

TO: Representative Robert Clayton, Chairman
House Ethics Committee

FROM: Representative Chuck Purgason
Southwest Caucus Chairman

DATE: January 30, 2001

RE: Southwest Caucus

Pursuant to Section 105.473.3(2)(c)d RSMo, 1998 and the rules of the Missouri House of Representatives, a listing of the members of the 91st General Assembly's House of Representatives' Southwest Caucus is attached.

Please consider this letter a formal application to the Committee on Ethics to approve this caucus to be recognized as a duly filed and approved caucus of the General Assembly.

I will serve as the designated member to present this request to the Committee. Please contact me at (573)751-1882 if you have any questions concerning this caucus organization.

/s/ Charlie Ballard - 140	/s/ Linda Bartelsmeyer - 132
/s/ Judy Berkstresser - 141	/s/ Lanie Black - 161
/s/ Matt Boatright - 118	/s/ Gary Burton - 128
/s/ Norma Champion - 134	/s/ Shannon Cooper - 120
/s/ Jason Crowell - 158	/s/ Sam Gaskill - 131
/s/ Bubs Hohulin - 126	/s/ Steve Hunter - 127
/s/ Rod Jetton - 156	/s/ Pat Kelley - 47
/s/ Van Kelly - 144	/s/ Jerry King - 125
/s/ Kenneth Legan - 145	/s/ Beth Long - 146
/s/ Gary Marble - 130	/s/ Bob May - 149
/s/ Bob Mayer - 159	/s/ Ronnie Miller - 133
/s/ Peter Myers - 160	/s/ Pat Naeger - 155
/s/ Chuck Purgason - 151	/s/ Annie Reinhart - 34
/s/ Mark Richardson - 154	/s/ Estel Robirds - 143
/s/ David Schwab - 157	/s/ Delbert Scott - 119
/s/ Chuck Surface - 129	/s/ Mark Wright - 137
/s/ Merrill "Doc" Townley - 112	/s/ Rex Rector - 124
/s/ Luann Ridgeway - 35	

Mr. Speaker: Your Committee on Ethics, to which was referred **THE BOOTHEEL CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

TO: State Representative Robert Clayton

FROM: State Representative Rod Jetton

DATE: January 30, 2001

RE: Bootheel Caucus

In accordance with Section 105.473.3(2)(c)d RSMo 2000, we are listing the following members of the General Assembly as members of the Bootheel Caucus.

Representative	District
Black, Lanie	161
Britt, Phillip	163
Jetton, Rod	156
Mayer, Robert	159
Merideth, Denny	162
Myers, Peter	160
Richardson, Mark	154
Coleman, Maida	63

Schwab, David 157
Crowell, Jason 158

Members of the Bootheel Caucus

/s/ Lanie Black - 161
/s/ Phillip Britt - 163
/s/ Mark Richardson - 154
/s/ Robert Mayer - 159
/s/ Denny Merideth - 162
/s/ Peter Myers - 160
/s/ Rod Jetton - 156
/s/ Jason Crowell - 158
/s/ David Schwab - 157
/s/ Maida Coleman - 63

Mr. Speaker: Your Committee on Ethics, to which was referred the **CONSERVATIVE ORGANIZATION FOR WOMEN CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

February 21, 2001

Representative Robert Clayton
Chairman, Ethics Committee
State Capitol, Rm. 413-A

Dear Representative Clayton:

The names on the attached list comprise the Conservative Organization for Women Caucus. We would appreciate approval of Caucus status by the House Ethics Committee.

Thank you for your consideration.

Sincerely,

/s/ Luann Ridgeway

CONSERVATIVE ORGANIZATION FOR WOMEN

Name	District
/s/ Luann Ridgeway	35
/s/ Connie Cierpiot	52
/s/ Danie Moore	20
/s/ Judy Berkstresser	141
/s/ Patricia Secrest	93
/s/ Catherine Enz	99
/s/ Annie Reinhart	34
/s/ Don Lograsso	54
/s/ Susan Phillips	32
/s/ Beth Long	146
/s/ Linda Bartelsmeyer	132
/s/ Pat Naeger	155
/s/ Catherine Hanaway	87

Mr. Speaker: Your Committee on Ethics, to which was referred the **DEMOCRATS WHO SUPPORT 2ND AMENDMENT RIGHTS & CONCEALED CARRY CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

TO: Representative Robert Clayton
 Chairman, Ethics Committee

FROM: Representative W. W. (Bill) Gratz

DATE: February 5, 2001

RE: Democrats Who Support 2nd
 Amendment Rights and Concealed Carry Caucus

In accordance with Section 105.473.3(2)(c)d RSMo 2000, we are listing the following members of the General Assembly as members of the Democrats Who Support 2nd Amendment Rights and Concealed Carry Caucus.

Representative	District	Representative	District
/s/ W.W. (Bill) Gratz	113	/s/ Don Koller	153
/s/ Wayne Crump	152	/s/ Bill Ransdall	148
/s/ Bill Luetkenhaus	12	/s/ Jim Kreider	142
/s/ Mark Abel	103	/s/ Francis Overschmidt	110
/s/ Mark Hampton	147	/s/ Dan Ward	107
/s/ Wes Shoemyer	9	/s/ Harold Selby	105
/s/ Jim Seigfreid	26	/s/ Ryan McKenna	102
/s/ Bruce Holt	17	/s/ D.J. Davis	122
/s/ Wes Wagner	104	/s/ Ted Farnen	21
/s/ Chris Liese	85	/s/ Sam Berkowitz	1
/s/ Robert Clayton	10	/s/ Maurice Lawson	29
/s/ Dennis Bonner	51	/s/ Joseph Treadway	96
/s/ Tom Green	15	/s/ Gary Kelly	36
/s/ Carol Mays	50	/s/ Gary Wiggins	8

Mr. Speaker: Your Committee on Ethics, to which was referred the **HOUSE REPUBLICAN LEADERSHIP CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

February 14, 2001

The Honorable Robert Clayton, III
Chairman, House Ethics Committee
Missouri House of Representatives
Jefferson City, MO 65101

Dear Representative Clayton:

Pursuant to Section 105.473.3(2)(c)d, RSMo of the Revised Statutes of Missouri. The following members of the House of Representatives have expressed their willingness, and signed their names to be members of the House Republican Leadership Caucus.

/s/ Catherine Hanaway, Dist. 87
/s/ Patrick Naeger, Dist. 155
/s/ Blaine Luetkemeyer, Dist. 115
/s/ Charles Shields, Dist. 28
/s/ Annie Reinhart, Dist. 34
/s/ Jason Crowell, Dist. 158
/s/ Gary Marble, Dist. 130
/s/ Chuck Purgason, Dist. 151

/s/ Jon Dolan, Dist. 13
/s/ Connie Cierpiot, Dist. 52
/s/ Matt Bartle, Dist. 56
/s/ Matt Boatright, Dist. 118
/s/ Larry Crawford, Dist. 117
/s/ Peter Myers, Dist. 160
/s/ Jane Cunningham, Dist. 86

Furthermore as leader of the Caucus I am requesting that a hearing be held approving its recognition. Please feel free to contact me with further questions regarding this or any other matter. Thank you very much.

Sincerely,

Catherine L. Hanaway
Minority Floor Leader

Mr. Speaker: Your Committee on Ethics, to which was referred the **HOUSE DEMOCRATIC LEADERSHIP CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

January 24, 2001

The Honorable Robert Clayton, III
Chairman, House Ethics Committee
House Post Office
State Capitol
Jefferson City, Mo. 65101

Dear Representative Clayton:

Pursuant to Section 105.473.3(2)(c)d, RSMo of the Revised Statutes of Missouri. The following members of the House of Representatives have expressed their willingness, and signed their names to be members of the House Democratic Leadership Caucus.

Furthermore as chair of the Caucus I am requesting that a hearing be held approving its recognition.

/s/ Jim Kreider, Dist. 142
/s/ Mark Abel, Dist. 103
/s/ Wayne Crump, Dist. 152
/s/ Jim Foley, Dist. 81
/s/ Tim Green, Dist. 73
/s/ Cathy Jolly, Dist. 45
/s/ John Bowman, Dist. 70

/s/ Betty L. Thompson, Dist. 72
/s/ Joan Barry, Dist. 100
/s/ Amber Boykins, Dist. 60
/s/ Ted Farnen, Dist. 21
/s/ Russ Carnahan, Dist. 59
/s/ Rick Johnson, Dist. 90

Sincerely,

/s/ Jim Kreider
Speaker

Committee on Judiciary, Chairman Monaco reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 454**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Miscellaneous Bills & Resolutions, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HR 152**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Resolution No. 152

WHEREAS, the members of the Missouri House of Representatives deem it both proper and necessary to maintain a cooperative relationship between our state's governmental bodies and the legal system; and

WHEREAS, the General Assembly has a long tradition of granting the use of the House and Senate Chambers for the purposes of official functions:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, hereby grant the Eastern and Western District Federal Courts of Missouri permission to use the House Chamber for the purpose of swearing in newly-licensed members of the Missouri Bar on Friday, April 27, 2001, from 10:00 a.m. until 12:00 p.m. and on Friday, September 28, 2001, from 10:00 a.m. until 12:00 p.m.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HR 223**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Resolution No. 223

WHEREAS, the Missouri House of Representatives has a long tradition of rendering assistance to programs that develop outstanding qualities of both citizenship and leadership; and

WHEREAS, the legislative interns of the Missouri General Assembly are interested in gaining an insight into the democratic process by conducting a mock legislative forum in the House Chamber; and

WHEREAS, one of the purposes of the Missouri General Assembly's intern program is to give college students participating in the program a working knowledge of the operation and function of Missouri's legislative bodies in order to better prepare them to pursue related career goals and to fulfill their roles as active and responsible citizens:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, hereby grant the participants of the Legislative and State Official Intern Program permission to use the House Chamber for the purpose of conducting their 2001 Mock Legislative Session from 10:00 a.m. until 1:00 p.m. on Tuesday, April 17 and Monday, April 23, 2001.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HR 537**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Resolution No. 537

WHEREAS, the Missouri General Assembly has compiled a long tradition of rendering assistance to those programs aimed at developing exemplary qualities of citizenship and leadership within our youth; and

WHEREAS, the Missouri Girls State program of the American Legion Auxiliary has earned considerable recognition for its success in providing young women with a unique and valuable insight into the processes of democratic government through a format of direct role playing experience; and

WHEREAS, from June 24 to June 30, 2001, the American Legion Auxiliary, Department of Missouri, will conduct the 60th Annual Session of Missouri Girls State; and

WHEREAS, an important highlight of this event will be conducting a mock legislative session in the House Chamber at our State Capitol, where participants gather each year to gain a more realistic insight into official governmental and electoral proceedings:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, hereby grant the adult leaders and participants of the 60th Annual Session of the Missouri Girls State permission to use the House Chamber for the purpose of swearing in mock legislative officials on the afternoon of Tuesday, June 26, 2001, from 1:30 p.m. to 3:30 p.m.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HB 444**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Municipal Corporations, Chairman Shelton reporting:

Mr. Speaker: Your Committee on Municipal Corporations, to which was referred **HB 491**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Professional Registration and Licensing, Chairman Treadway reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 607**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Public Safety, Law Enforcement and Veteran Affairs, Chairman Boucher reporting:

Mr. Speaker: Your Committee on Public Safety, Law Enforcement and Veteran Affairs, to which was referred **HB 420**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Transportation, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 470**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 26, introduced by Representative Bonner, requesting the President to impose an embargo on imports from certain countries.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 902, introduced by Representatives Clayton and Crowell, for the purpose of repealing expired provisions of law and sections.

HB 903, introduced by Representatives Bartelsmeyer, Copenhaver, Levin, Williams, Marble and Gaskill, et al, relating to state aid for education of students with limited English proficiency.

HB 904, introduced by Representatives Merideth, Black, Barnitz, Relford, Myers, Mayer, Hegeman and Ransdall, relating to agroforestry.

HB 905, introduced by Representatives Ransdall, Koller, Crump, May (149), Purgason, Hampton, Richardson and Mayer, et al, relating to a tax credit for wood energy producers.

HB 906, introduced by Representatives Cunningham, Portwood, Hanaway, Naeger, Reinhart, Secrest and Shields, et al, relating to tax credits for donations to educational charities and scholar charities.

HB 907, introduced by Representatives Cunningham, Villa, Cierpiot, Luetkenhaus, Hanaway, Holt and Green (15), et al, relating to informed consent to an abortion.

HB 908, introduced by Representative Hollingsworth, relating to permanency in the placement of children.

HB 909, introduced by Representative Davis, to authorize the exchange of property interest owned by the department of natural resources and the City of Lexington.

HB 910, introduced by Representatives Kelley (47) and Portwood, et al, relating to the pharmaceutical tax credit for senior citizens.

HB 911, introduced by Representatives Carnahan, Wagner, Murphy, Hosmer, Green (15) and Boucher, relating to retail energy customer and worker protection.

HB 912, introduced by Representative Nordwald, relating to the titling of certain property abandoned on privately owned real estate.

HB 913, introduced by Representatives Barry, Luetkenhaus, Holt, Green (15), Reid, Phillips, Marble and Gratz, et al, relating to informed consent for abortion.

HB 914, introduced by Representatives Berkstresser, Holand, Wright, Hosmer, Champion and Kreider, et al, relating to the use of fertilizers containing phosphorus in certain counties.

HB 915, introduced by Representatives Graham, Portwood, Hosmer, Ladd Baker, Smith, Carnahan and Coleman, et al, relating to disability discrimination.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 110**, entitled:

An act to repeal sections 421.005, 421.007, 421.011, 421.022, 421.028, 421.031 and 421.034, RSMo 2000, relating to mattresses, and to enact in lieu thereof seven new sections relating to the same subject, with a penalty provision.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 111**, entitled:

An act to repeal section 301.142, RSMo 2000, relating to license plates for the physically disabled, and to enact in lieu thereof one new section relating to the same subject, with a penalty provision.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 295**, entitled:

An act to repeal section 163.191, RSMo 2000, relating to allowable costs for state aid to community colleges, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 303**, entitled:

An act to amend chapter 177, RSMo, by adding thereto one new section relating to school lease purchases.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 321**, entitled:

An act to repeal section 178.930, RSMo 2000, relating to sheltered workshops, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 357**, entitled:

An act to repeal section 337.029 as enacted by conference committee substitute for senate committee substitute for house substitute for house committee substitute for house bills nos. 1601, 1591, 1592, 1479, 1615 and house committee substitute for house bills nos. 1094, 1213, 1311 & 1428, eighty-ninth general assembly, second regular session, section 337.029 as enacted by house committee substitute for senate committee substitute for senate bill no. 732 of the eighty-ninth general assembly, second regular session, and section 337.510, RSMo 2000, relating to professional services, and to enact in lieu thereof two new sections relating to the same subject, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 4:00 p.m., Monday, March 5, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Thirty-fourth Day, Wednesday, February 28, 2001, pages 522 and 523, roll call, by showing Representative Hickey voting "aye" rather than "absent with leave".

Pages 523 and 524, roll call, by showing Representatives Franklin and Hickey voting "aye" rather than "absent with leave".

Pages 524 and 525, roll call, by showing Representative Hickey voting "aye" rather than "absent with leave".

Pages 527 and 528, roll call, by showing Representatives Hickey and Levin voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

APPROPRIATIONS - TRANSPORTATION

Wednesday, March 7, 2001, 8:30 am. Hearing Room 7.
Presentations on funding formulas.

BUDGET

Monday, March 5, 2001, 12:00 pm. Hearing Room 3.
Executive Session. Mark-up House Bills 1 through 12.
To be considered - HB 14

BUDGET

Wednesday, March 7, 2001, 8:00 am. Hearing Room 3.
Executive Session. Mark-up House Bills 1 through 12.

BUDGET

Wednesday, March 7, 2001. Hearing Room 3 upon morning adjournment.
Executive Session. Mark-up House Bills 1 through 12.

COMMERCE AND ECONOMIC DEVELOPMENT

Tuesday, March 6, 2001, 3:00 pm. Hearing Room 6.
Executive Session may follow.
To be considered - HB 387, HB 617, HB 758

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, March 6, 2001, 8:00 pm. Hearing Room 7.
Executive Session will follow.
To be considered - HB 406, HB 439, HB 642, HB 742, HB 808

CRIMINAL LAW

Tuesday, March 6, 2001. Side gallery upon adjournment.
Executive Session.

CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING

Monday, March 5, 2001, 8:00 pm. Hearing Room 3.
To be considered - HB 343, HB 357, HB 458, HB 565

EDUCATION - HIGHER

Wednesday, March 7, 2001, 3:00 pm. Hearing Room 5.
Executive Session.
To be considered - HB 769

ELECTIONS

Tuesday, March 6, 2001, 7:30 pm. Hearing Room 5.
Executive Session to follow.
To be considered - HB 281, HB 282, HB 652, HB 710

FISCAL REVIEW AND GOVERNMENT REFORM

Tuesday, March 6, 2001, 8:30 am. Hearing Room 7.
To be considered - HB 50, HB 80, HB 381

INSURANCE

Tuesday, March 6, 2001. Hearing Room 5 upon morning adjournment.
To be considered - HB 644, HB 664, Executive Session - HB 713, Executive Session - HB 798

JUDICIARY

Tuesday, March 6, 2001, 3:00 pm. Hearing Room 5.
Executive Session may follow.
To be considered - HB 525, HB 589, HB 677, HB 846

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, March 6, 2001, 3:00 pm. Hearing Room 7.

Executive Session may follow.

To be considered - HB 615, HB 618, HB 650, HB 655, HB 698, HB 702, HB 726, HB 730, HB 748, HB 749

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, March 7, 2001, 8:00 am. Hearing Room 6.

Executive Session may follow.

To be considered - HB 86, HCR 24, HJR 11, HR 394, SB 256

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, March 6, 2001, 3:00 pm. Hearing Room 1.

To be considered - HB 517, HB 629, HB 709, HB 755, HB 776, HB 788, HB 797

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Tuesday, March 6, 2001, 8:00 am. Hearing Room 6.

Executive Session may follow.

To be considered - HB 809, HB 845

SPECIAL COMMITTEE ON PUBLIC-PRIVATE PARTNERSHIPS

Monday, March 12, 2001, 11:00 am. Hearing Room 1.

MU Sports Arena.

SPECIAL COMMITTEE ON SPORTSMANSHIP, SAFETY AND FIREARMS

Tuesday, March 6, 2001. Hearing Room 7 upon adjournment.

Executive Session may follow.

To be considered - HB 28, HB 33, HB 258, HB 853

URBAN AFFAIRS

Tuesday, March 6, 2001, 5:00 pm. Hearing Room 1.

To be considered - HB 760, HB 783

WAYS AND MEANS

Tuesday, March 6, 2001, 3:00 pm. Hearing Room 2.

Executive Session will be held first.

To be considered - HB 375, HB 550, HB 643, HB 663, HB 682, HB 741, HB 789, HB 791, HB 803, HB 816, HB 825

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Monday, March 5, 2001. Hearing Room 6 upon evening adjournment.

To be considered - Executive Session - HB 445, Executive Session - HB 446

HOUSE CALENDAR

THIRTY-SIXTH DAY, MONDAY, MARCH 5, 2001

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 26

HOUSE BILLS FOR SECOND READING

HB 902 through HB 915

HOUSE BILLS FOR PERFECTION

- 1 HB 166 - Troupe
- 2 HB 114 - Hickey
- 3 HB 421 - Graham
- 4 HCS HB 237, 270, 403 & 442 - Smith
- 5 HB 185 - Legan
- 6 HCS HB 738 - Liese
- 7 HCS HB 107 - Clayton
- 8 HB 249 - Treadway
- 9 HCS HB 334 - Davis
- 10 HCS HB 762 - Barry
- 11 HCS HB 754, 29, 300 & 505 - Franklin
- 12 HB 444 - Kreider
- 13 HB 473, HCA 1 - Robirds
- 14 HCS HB 327 - Rizzo

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HCS HB 425 - O'Toole

HOUSE BILLS FOR PERFECTION - CONSENT

(February 26, 2001)

- 1 HB 801 - Liese
- 2 HB 309 - McKenna
- 3 HB 111 - Ladd Baker
- 4 HB 126 - Long

- 5 HB 431 - Barry
- 6 HB 202 - Rizzo
- 7 HB 129 - Van Zandt
- 8 HB 157 - Hosmer

(March 5, 2001)

- 1 HB 502 - Ward
- 2 HB 779 - Barnett
- 3 HB 409 - Surface
- 4 HB 452 - Gratz
- 5 HB 242 - Smith
- 6 HB 600 - Hosmer
- 7 HB 607 - Treadway
- 8 HB 470 - Shields
- 9 HB 491 - George

HOUSE BILLS FOR THIRD READING

- 1 HB 80, (Fiscal Review 2-27-01) - Ross
- 2 HCS HB 50, E.C. (Fiscal Review 2-28-01) - Relford
- 3 HS HB 381, (Fiscal Review 3-01-01) - Hoppe
- 4 HS HB 287 - Williams

SENATE BILLS FOR SECOND READING

- 1 SB 110
- 2 SB 111
- 3 SB 295
- 4 SB 303
- 5 SB 321
- 6 SCS SB 357

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

THIRTY-SIXTH DAY, MONDAY, MARCH 5, 2001

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

Heavenly God, help all of the citizens of Missouri build a better society. May we all reflect even more Your compassion, hope, justice. May violence against neighbor be no more, may tolerance of differences be our cry, may the rule of law over both tyranny and anarchy guide us forward.

This legislative assembly is almost half over; which means that our representatives still have half of this session to complete their dreams for our state. We pray a special blessing on them that they continue with strength, endurance, and wisdom. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Ben Makla, Nathan Makla, Kiersten Schad, Melissa Myers, Nick Weber, Luke Turner, Allie McVicar, Taylor Janous, Emily Schad, Ellie Braungardt, Brevin McVicar, Kelli Mae Marshall, Jason Marshall and Emily Wheeler.

COMMUNICATION FROM THE SECRETARY OF THE STATE

TO THE CHIEF CLERK OF THE HOUSE

Mr. Ted Wedel
Jefferson City, MO

Sir:

I, Matt Blunt, Secretary of State of the State of Missouri, hereby certify that at the Special Election held in the 43rd Legislative District in the State of Missouri, on the 27th day of February, 2001, as provided by law, the following named person was elected to the office of State Representative, 43rd Legislative District as shown by the election results certified to this office by the election authority of the 43rd Legislative District.

Name	Office
Craig C. Bland 1642 Bushman Kansas City, MO 64110	State Representative 43 rd Legislative District

IN WITNESS WHEREOF, I have hereunto set
My hand and affixed the seal of my office this 5th
Day of March, 2001.

/s/Matt Blunt
Secretary of State

/s/Daniel S. Ross
Executive Deputy Secretary of State

OATH OF OFFICE

Representative-elect Craig C. Bland advanced to the bar and subscribed to the oath of office, which was administered by the Honorable Jim Kreider, Speaker of the Missouri House of Representatives.

The Journal of the thirty-fifth day was approved as corrected by the following vote:

AYES: 152

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Levin	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Berkstresser	Green 15	Hohulin	Holt	Hoppe
Legan	Naeger	Secrest		

VACANCIES: 003

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 670

through

House Resolution No. 683 - Representative Johnson (90)
House Resolution No. 684 - Representative Vogel
House Resolution No. 685 - Representative Reinhart
House Resolution No. 686 - Representative Richardson, et al
House Resolution No. 687 - Representatives Myers and Black
House Resolution No. 688

through

House Resolution No. 701 - Representatives Murphy and Hendrickson

House Resolution No. 702

through

House Resolution No. 715 - Representatives Murphy, Hendrickson and Barry

House Resolution No. 716

through

House Resolution No. 729 - Representatives Murphy, Enz and Hendrickson

House Resolution No. 730

through

House Resolution No. 739 - Representatives Murphy and Fares

House Resolution No. 740

through

House Resolution No. 753 - Representatives Murphy and Enz

House Resolution No. 754 - Representative Byrd

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 26 was read the second time.

SECOND READING OF HOUSE BILLS

HB 902 through **HB 915** were read the second time.

SECOND READING OF SENATE BILLS

SB 110, SB 111, SB 295, SB 303, SB 321 and **SCS SB 357** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 26, HCS HB 194, HB 218 and HCS HBs 265 & 369**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

PERFECTION OF HOUSE BILLS

HB 166, relating to minority teaching scholarships, was placed on the Informal Calendar.

HB 114, relating to sales/use tax exemption, was placed on the Informal Calendar.

HCS HBs 237, 270, 403 & 442, relating to sunshine law, was taken up by Representative Smith.

Representative Smith offered **HS HCS HBs 237, 270, 403 & 442**.

Representative Relford offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill Nos. 237, 270, 403 & 442, Page 10, Section 610.027, Line 16, by inserting after the following: "[purposely]" the following: "**knowingly**"; and

Further amend said bill, Page 10, Section 610.027, Line 19, by deleting the words "**twenty-five thousand**" and inserting in lieu thereof the following: "**two thousand five hundred**".

Representative Smith offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

House Substitute Amendment No. 1 for House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill Nos. 237, 270, 403 & 442, Section 610.027, Page 10, Lines 16 through 19, by deleting said lines and inserting in lieu thereof the following:

"body, has, **with or without the knowledge of any member**, [purposely] violated sections 610.010 to 610.027, the public governmental body or the member shall be subject to a civil [fine] **penalty** in the amount of not more than [five hundred dollars and] **five thousand dollars, but in no event shall**".

Representative Ridgeway requested a division of the question on **House Substitute Amendment No. 1 for House Amendment No. 1**.

House Substitute Amendment No. 1
for
House Amendment No. 1

PART I

AMEND House Substitute for House Committee Substitute for House Bill Nos. 237, 270, 403 & 442, Section 610.027, Page 10, Line 16, by deleting said line and inserting in lieu thereof the following:

“body, has, **with or without the knowledge of any member**, [purposely] violated sections 610.010 to 610.027, the”.

Representative Smith moved that **Part I of House Substitute Amendment No. 1 for House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 041

Abel	Berkowitz	Bonner	Boucher	Bowman
Bray 84	Brooks	Campbell	Carnahan	Coleman
Copenhaver	Curls	Farnen	Foley	Franklin
Fraser	Gambaro	Hagan-Harrell	Harding	Harlan
Hickey	Hilgemann	Hollingsworth	Hosmer	Johnson 90
Jolly	Kelly 27	Kennedy	Legan	Lowe
Mays 50	Monaco	Murphy	Scheve	Selby
Skaggs	Smith	Van Zandt	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 106

Baker	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Black
Boatright	Boykins	Britt	Burcham	Burton
Byrd	Champion	Cierpiot	Clayton	Cooper
Crawford	Crowell	Crump	Cunningham	Davis
Dempsey	Dolan	Enz	Fares	Ford
Froelker	Gaskill	George	Gratz	Griesheimer
Hampton	Hanaway	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Holand	Hunter	Jetton
Johnson 61	Kelley 47	Kelly 144	Kelly 36	King
Koller	Lawson	Levin	Liese	Linton
Lograsso	Long	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	McKenna	Merideth
Miller	Moore	Myers	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Schwab	Scott
Seigfreid	Shields	Shoemyer	St. Onge	Surface
Townley	Treadway	Troupe	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Willoughby
Wright				

PRESENT: 001

Bland

ABSENT WITH LEAVE: 012

Berkstresser	Graham	Green 15	Green 73	Hohulin
Holt	Hoppe	Naeger	Secrest	Shelton
Thompson	Williams			

VACANCIES: 003

House Substitute Amendment No. 1
for
House Amendment No. 1

PART II

AMEND House Substitute for House Committee Substitute for House Bill Nos. 237, 270, 403 & 442, Section 610.027, Page 10, Lines 17 through 19, by deleting said lines and inserting in lieu thereof the following:

“public governmental body or the member shall be subject to a civil [fine] **penalty** in the amount of not more than [five hundred dollars and] **five thousand dollars, but in no event shall**”.

Representative Smith moved that **Part II of House Substitute Amendment No. 1 for House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 067

Abel	Barnitz	Barry 100	Bartle	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Champion	Clayton	Coleman	Copenhaver	Crump
Curls	Davis	Farnen	Foley	Franklin
Fraser	Gambaro	George	Green 73	Hagan-Harrell
Harding	Harlan	Haywood	Hendrickson	Hickey
Hilgemann	Hollingsworth	Hosmer	Johnson 61	Johnson 90
Jolly	Kelly 27	Kennedy	Legan	Lowe
Mays 50	McKenna	Monaco	Murphy	O'Toole
Overschmidt	Richardson	Scheve	Selby	Shoemyer
Skaggs	Smith	Thompson	Townley	Troupe
Van Zandt	Villa	Walton	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 083

Baker	Ballard	Barnett	Bartelsmeyer	Bearden
Behnen	Black	Boatright	Burcham	Burton
Byrd	Cierpiot	Cooper	Crawford	Crowell
Cunningham	Dempsey	Dolan	Enz	Fares
Ford	Froelker	Gaskill	Gratz	Griesheimer
Hampton	Hanaway	Hartzler	Hegeman	Henderson
Holand	Hunter	Jetton	Kelley 47	Kelly 144
Kelly 36	King	Koller	Lawson	Levin
Liese	Linton	Lograsso	Long	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Merideth	Miller	Moore	Myers	Nordwald
O'Connor	Ostmann	Phillips	Portwood	Purgason

Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Ridgeway	Rizzo	Roark	Robirds
Ross	Schwab	Scott	Seigfreid	Shields
St. Onge	Surface	Treadway	Vogel	Wagner
Ward	Wiggins	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 010

Berkstresser	Graham	Green 15	Hohulin	Holt
Hoppe	Naeger	Secrest	Shelton	Williams

VACANCIES: 003

Representative Monaco requested a division of the question on **House Amendment No. 1**.

House Amendment No. 1

PART I

AMEND House Substitute for House Committee Substitute for House Bill Nos. 237, 270, 403 & 442, Page 10, Section 610.027, Line 16, by inserting after the following: "[purposely]" the following: "**knowingly**".

On motion of Representative Relford, **Part I of House Amendment No. 1** was adopted by the following vote:

AYES: 108

Abel	Baker	Ballard	Barnett	Barnitz
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Boucher	Bowman
Britt	Burcham	Burton	Byrd	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Ford
Froelker	Gaskill	Gratz	Griesheimer	Hampton
Hanaway	Harding	Hartzler	Hegeman	Henderson
Hendrickson	Holand	Hunter	Jetton	Johnson 61
Kelley 47	Kelly 144	Kelly 36	Kennedy	King
Koller	Lawson	Levin	Liese	Lograsso
Long	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	McKenna	Merideth	Miller
Moore	Myers	Nordwald	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Schwab	Scott	Seigfreid	Shields	Shoemyer
St. Onge	Surface	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Willoughby	Wright		

NOES: 039

Barry 100	Bonner	Boykins	Bray 84	Brooks
Campbell	Carnahan	Coleman	Farnen	Foley

Franklin	Fraser	Gambaro	George	Hagan-Harrell
Harlan	Haywood	Hickey	Hilgemann	Hollingsworth
Hosmer	Johnson 90	Jolly	Kelly 27	Legan
Lowe	Mays 50	Monaco	Murphy	O'Connor
Scheve	Selby	Skaggs	Smith	Thompson
Van Zandt	Wilson 25	Wilson 42	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 013

Berkstresser	Graham	Green 15	Green 73	Hohulin
Holt	Hoppe	Linton	Naeger	O'Toole
Secrest	Shelton	Williams		

VACANCIES: 003

House Amendment No. 1

PART II

AMEND House Substitute for House Committee Substitute for House Bill Nos. 237, 270, 403 & 442, Page 10, Section 610.027, Line 19, by deleting the words "**twenty-five thousand**" and inserting in lieu thereof the following: "**two thousand five hundred**".

Representative Griesheimer offered **House Substitute Amendment No. 1 for Part II of House Amendment No. 1**.

Representative Relford raised a point of order that **House Substitute Amendment No. 1 for Part II of House Amendment No. 1** is dilatory.

The Chair ruled the point of order well taken.

On motion of Representative Relford, **Part II of House Amendment No. 1** was adopted by the following vote:

AYES: 106

Baker	Ballard	Barnett	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Black
Bland	Boatright	Bonner	Boykins	Britt
Brooks	Burcham	Burton	Byrd	Champion
Cierpiot	Cooper	Copenhaver	Crawford	Crowell
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Ford	Franklin	Fraser
Froelker	Gaskill	Gratz	Griesheimer	Hampton
Hanaway	Hartzler	Haywood	Hegeman	Henderson
Holand	Hollingsworth	Hunter	Jetton	Johnson 61
Kelley 47	Kelly 144	Kelly 36	Kennedy	King
Koller	Lawson	Levin	Liese	Lograsso
Long	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Merideth	Miller	Moore
Myers	Nordwald	O'Toole	Ostmann	Phillips
Portwood	Purgason	Ransdall	Rector	Reid

Reinhart	Relford	Reynolds	Ridgeway	Rizzo
Roark	Robirds	Ross	Schwab	Scott
Seigfreid	Shields	Shoemyer	St. Onge	Surface
Thompson	Townley	Treadway	Villa	Vogel
Wagner	Ward	Wiggins	Wilson 25	Wilson 42
Wright				

NOES: 039

Abel	Barnitz	Boucher	Bowman	Bray 84
Campbell	Carnahan	Clayton	Coleman	Crump
Farnen	Foley	Gambaro	George	Hagan-Harrell
Harding	Hendrickson	Hickey	Hilgemann	Hosmer
Johnson 90	Jolly	Legan	Lowe	Mays 50
McKenna	Monaco	O'Connor	Overschmidt	Richardson
Scheve	Selby	Skaggs	Smith	Troupe
Van Zandt	Walton	Willoughby	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 015

Berkstresser	Graham	Green 15	Green 73	Harlan
Hohulin	Holt	Hoppe	Kelly 27	Linton
Murphy	Naeger	Secrest	Shelton	Williams

VACANCIES: 003

HCS HBs 237, 270, 403 & 442, with HS, as amended, pending, was laid over.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 26 - Fiscal Review and Government Reform (Fiscal Note)

HB 882 - Miscellaneous Bills & Resolutions

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred (By Consent) **HB 111, HB 126, HB 129, HB 157, HB 202, HB 309, HB 431** and **HB 801**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 916, introduced by Representative Lawson, relating to the establishment of the Missouri tobacco settlement trust fund.

HB 917, introduced by Representatives Gaskill, Secrest, Kennedy, Moore, Luetkenhaus, Griesheimer, Johnson (90), Dolan, Gambaro, Levin, Boucher, Foley, Portwood, Green (15), Froelker, Carnahan and Villa, et al, relating to a veterans memorial bridge.

HB 918, introduced by Representative Hendrickson, relating to privileged communications.

HB 919, introduced by Representatives Kennedy and Gambaro, relating to jury service.

HB 920, introduced by Representative Skaggs, relating to amusement rides.

HB 921, introduced by Representatives Curls, Thompson, Smith, Williams, Coleman, Shelton, Troupe and Bowman, et al, relating to state payroll checks.

HB 922, introduced by Representatives Gaskill and Bartelsmeyer, relating to annexation by certain cities.

HB 923, introduced by Representatives Wiggins, Relford, Hegeman, Mays (50) and Griesheimer, et al, relating to public water supply districts.

HB 924, introduced by Representatives Wiggins, Kreider, Crump, Foley, Koller, Bowman and Relford, relating to transportation and public infrastructure.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Tuesday, March 6, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Thirty-fifth Day, Thursday, March 1, 2001, page 536, line 6, by deleting the number "881" and inserting in lieu thereof the number "891".

Pages 538 and 539, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Pages 539 and 540, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Pages 540 and 541, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Pages 541 and 542, roll call, by showing Representative Surface voting "aye" rather than "absent with leave".

Pages 542 and 543, roll call, by showing Representatives Boatright and Cooper voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, March 7, 2001, 3:00 pm. Hearing Room 7. CORRECTED.

To be considered - HB 522, HB 690, Executive Session - HB 306, Executive Session - HB 308, Executive Session - HB 581

APPROPRIATIONS - TRANSPORTATION

Wednesday, March 7, 2001, 8:30 am. Hearing Room 7.

Presentations on funding formulas. CANCELLED.

BUDGET

Tuesday, March 6, 2001. Hearing Room 3 upon morning adjournment.

This meeting is for public testimony.

To be considered - HB 14

BUDGET

Wednesday, March 7, 2001, 8:00 am. Hearing Room 3. Executive Session.

Mark-up House Bills 1 through 12.

BUDGET

Wednesday, March 7, 2001. Hearing Room 3 upon morning adjournment.

Executive Session. Mark-up House Bills 1 through 12.

CHILDREN, FAMILIES, AND HEALTH

Tuesday, March 6, 2001, 3:00 pm. Hearing Room 4.

To be considered - HB 478, HB 635, HB 824, HB 834, HB 848

CIVIL AND ADMINISTRATIVE LAW

Wednesday, March 7, 2001, 3:00 pm. Hearing Room 1.

To be considered - HB 626, HB 774, HB 831, HB 847, Executive Session - HB 537, Executive Session - HB 693

COMMERCE AND ECONOMIC DEVELOPMENT

Tuesday, March 6, 2001, 3:00 pm. Hearing Room 6.

Executive Session may follow. AMENDED.

To be considered - HB 387, HB 447, HB 617, HB 758

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, March 6, 2001, 8:00 pm. Hearing Room 7.

Executive Session will follow.

To be considered - HB 406, HB 439, HB 642, HB 742, HB 808

CRIMINAL LAW

Tuesday, March 6, 2001. Side gallery upon adjournment.

Executive Session.

CRIMINAL LAW

Wednesday, March 7, 2001, 8:00 pm. Hearing Room 7.

To be considered - HB 354, HB 483, HB 513, HB 516, HB 574, HB 582, HB 632

EDUCATION - ELEMENTARY AND SECONDARY

Wednesday, March 7, 2001, 8:30 am. Hearing Room 1.

To be considered - HB 457, HB 725, HB 865, Executive Session - HB 45,

Executive Session - HB 274, Executive Session - HB 322

EDUCATION - HIGHER

Wednesday, March 7, 2001, 3:00 pm. Hearing Room 5.

Executive Session. To be considered - HB 769

ELECTIONS

Tuesday, March 6, 2001, 7:30 pm. Hearing Room 5.

Executive Session to follow.

To be considered - HB 281, HB 282, HB 652, HB 710

ENVIRONMENT AND ENERGY

Thursday, March 8, 2001, 8:30 am. Hearing Room 5.

To be considered - HB 868

FISCAL REVIEW AND GOVERNMENT REFORM

Tuesday, March 6, 2001, 8:30 am. Hearing Room 7.

To be considered - HB 50, HB 80, HB 381

INSURANCE

Tuesday, March 6, 2001. Hearing Room 5 upon morning adjournment.

To be considered - HB 644, HB 664, Executive Session - HB 713, Executive Session - HB 798

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Thursday, March 8, 2001, 1:00 pm. Senate Lounge.

Hearing will be held at 1:00 pm. or upon adjournment of both Houses.

Department of Economic Development.

JUDICIARY

Tuesday, March 6, 2001, 3:00 pm. Hearing Room 5.

Executive Session may follow.

To be considered - HB 525, HB 589, HB 677, HB 846

LABOR

Tuesday, March 6, 2001, 5:00 pm. Hearing Room 3.

To be considered - HB 587, HB 661, HB 679, Executive Session - HB 63,

Executive Session - HB 64, Executive Session - HB 208, Executive Session - HB 527,

Executive Session - HB 662

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, March 6, 2001, 3:00 pm. Hearing Room 7.

Executive Session may follow.

To be considered - HB 615, HB 618, HB 650, HB 655, HB 698, HB 702, HB 726, HB 730,
HB 748, HB 749

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, March 7, 2001, 8:00 am. Hearing Room 6.

Executive Session may follow.

To be considered - HB 86, HCR 24, HJR 11, HR 394, SB 256

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, March 6, 2001, 3:00 pm. Hearing Room 1. AMENDED.

To be considered - HB 517, HB 629, HB 709, HB 755, HB 776, HB 788

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, March 7, 2001, 5:00 pm. Hearing Room 5.

Presentation by Marilyn Williams.

To be considered - HB 154, HB 396, HB 468, HB 469, HB 858, Executive Session - HB 757

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Tuesday, March 6, 2001, 8:00 am. Hearing Room 6.

Executive Session may follow. AMENDED.

To be considered - HB 809

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, March 6, 2001, 7:00 pm. Hearing Room 6.

Executive Session will follow.

TANF time limit report from subcommittee and whole committee work session

To be considered - HB 680, HB 715, HB 784

SPECIAL COMMITTEE ON PUBLIC-PRIVATE PARTNERSHIPS

Monday, March 12, 2001, 11:00 am. Hearing Room 1.

MU Sports Arena. CANCELLED.

SPECIAL COMMITTEE ON SPORTSMANSHIP, SAFETY AND FIREARMS

Tuesday, March 6, 2001. Hearing Room 7 upon adjournment.

Executive Session may follow.

To be considered - HB 28, HB 33, HB 258, HB 853

SUBCOMMITTEE ON HIGHER EDUCATION

Wednesday, March 7, 2001, 1:00 pm. Hearing Room 4.

To investigate disclosure of certain information about post-secondary students.

URBAN AFFAIRS

Tuesday, March 6, 2001, 5:00 pm. Hearing Room 1.

To be considered - HB 760, HB 783

WAYS AND MEANS

Tuesday, March 6, 2001, 3:00 pm. Hearing Room 2.

Executive Session will be held first.

To be considered - HB 375, HB 550, HB 643, HB 663, HB 682, HB 741, HB 789, HB 791, HB 803, HB 816, HB 825

HOUSE CALENDAR

THIRTY-SEVENTH DAY, TUESDAY, MARCH 6, 2001

HOUSE BILLS FOR SECOND READING

HB 916 through HB 924

HOUSE BILLS FOR PERFECTION

- 1 HB 421 - Hoppe
- 2 HCS HB 237, 270, 403 & 442, with HS, as amended, pending, - Smith
- 3 HB 185 - Legan
- 4 HCS HB 738 - Liese
- 5 HCS HB 107 - Clayton
- 6 HB 249 - Treadway

- 7 HCS HB 334 - Davis
- 8 HCS HB 762 - Barry
- 9 HCS HB 754, 29, 300 & 505 - Franklin
- 10 HB 444 - Kreider
- 11 HB 473, HCA 1 - Robirds
- 12 HCS HB 327 - Rizzo

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HCS HB 425 - O'Toole
- 3 HB 166 - Troupe
- 4 HB 114 - Hickey

HOUSE BILLS FOR PERFECTION - CONSENT

(March 5, 2001)

- 1 HB 502 - Ward
- 2 HB 779 - Barnett
- 3 HB 409 - Surface
- 4 HB 452 - Gratz
- 5 HB 242 - Smith
- 6 HB 600 - Hosmer
- 7 HB 607 - Johnson (90)
- 8 HB 470 - Shields
- 9 HB 491 - George

HOUSE BILLS FOR THIRD READING

- 1 HB 80, (Fiscal Review 2-27-01) - Ross
- 2 HCS HB 50, E.C. (Fiscal Review 2-28-01) - Relford
- 3 HS HB 381, (Fiscal Review 3-01-01) - Hoppe
- 4 HS HB 287 - Williams
- 5 HCS HB 26, (Fiscal Review 3-5-01) - Wilson (42)
- 6 HCS HB 194 - Hosmer
- 7 HB 218 - Farnen
- 8 HCS HB 265 & 369 - Hosmer

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 801, E.C. - Liese
- 2 HB 309 - McKenna
- 3 HB 111 - Ladd Baker
- 4 HB 126 - Long
- 5 HB 431 - Barry
- 6 HB 202 - Rizzo
- 7 HB 129 - Van Zandt
- 8 HB 157 - Hosmer

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

THIRTY-SEVENTH DAY, TUESDAY, MARCH 6, 2001

Speaker Pro Tem Abel in the Chair.

Prayer by Father David Buescher.

Creative renewing God, we gather at the start of another day. As always, we count on Your presence, and rely on Your inspiration. Grant us a greater portion of Your spirit. Let Your advice and counsel speak in the thoughts and deliberations of these men and women, filling up any inadequacies.

In the many duties of this Chamber today, God, hold these representatives in the palm of Your hand, and let them feel Your assurance, that they may continue with You, to build that security into our society. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Molly Dennis, Rachel Timmermann, Claire Mueller, Kayleigh Luther, India Crawford, Ben Powell, Carrie Sleme, Jonathon Foggie, Symone Harris, Terri Counts, Tiffany Cross, Sasha Tyler, Veronica Hightower, Shaleah Gines, Damon Arnold, Kyle Mack, Steven Ledgerwood, Cassie Fulson, Alex George, Rusty Rice, Jessica Ramsey, A.J. Stock, Victoria Hulett, Tyler Higginbotham, Patricia Stuva, Amanda Hudgens, Leslie Gale, Punam Patel, Brittany Kellar, Greg Chauncey, Kevin House, Plessie Ellitt, Meagan Hall, Alston Lee, Lindsey Moody, Veraj Patel, and Samantha Sellers.

The Journal of the thirty-sixth day was approved as corrected.

RESOLUTION

Representative Willoughby, et al, offered House Resolution No. 756.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 755 - Representative Hickey
House Resolution No. 757 - Representative Shoemyer

SECOND READING OF HOUSE BILLS

HB 916 through **HB 924** were read the second time.

THIRD READING OF HOUSE BILLS - CONSENT

HB 801, relating to disclosure of personal information, was taken up by Representative Liese.

On motion of Representative Liese, **HB 801** was read the third time and passed by the following vote:

AYES: 151

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 001

Murphy

ABSENT WITH LEAVE: 008

Berkstresser	Ford	Green 15	Harlan	Holt
Secrest	Shelton	Troupe		

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 150

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Clayton	Coleman	Cooper
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Seigfreid	Selby	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Berkstresser	Cierpiot	Copenhaver	Ford	Green 15
Henderson	Holt	Secrest	Shelton	Troupe

VACANCIES: 003

HB 309, relating to state aid to community colleges, was taken up by Representative McKenna.

On motion of Representative McKenna, **HB 309** was read the third time and passed by the following vote:

AYES: 151

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen

Berkowitz	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambara	Gaskill	George
Graham	Gratz	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Hoppe
Hosmer	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Berkstresser	Ford	Green 15	Holt	Hunter
Miller	Secrest	Shelton	Troupe	

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HB 111, relating to regulation of mattresses, was taken up by Representative Ladd Baker.

On motion of Representative Ladd Baker, **HB 111** was read the third time and passed by the following vote:

AYES: 143

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Black	Bland	Boatright	Bonner
Boucher	Bowman	Bray 84	Britt	Brooks
Burcham	Burton	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crowell

Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Seigfreid	Selby	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Treadway
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 001

Townley

PRESENT: 000

ABSENT WITH LEAVE: 016

Berkstresser	Boykins	Byrd	Coleman	Crawford
Foley	Ford	Franklin	Green 15	Haywood
Holt	Reynolds	Ridgeway	Secrest	Shelton
Troupe				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HB 126, relating to use of headlamps, was taken up by Representative Long.

Representative Long moved that **HB 126** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 069

Abel	Baker	Barnett	Bartelsmeyer	Boucher
Britt	Burcham	Burton	Byrd	Campbell
Cooper	Crowell	Davis	Dolan	Fares
Farnen	Franklin	Fraser	Froelker	Gambaro
Green 73	Hagan-Harrell	Hanaway	Hartzler	Hilgemann
Holand	Hosmer	Jetton	Johnson 90	Jolly
Kelley 47	Kennedy	King	Legan	Levin

Liese	Long	Luetkemeyer	May 149	Mayer
Merideth	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	Ostmann	Overschmidt	Portwood
Reid	Reinhart	Richardson	Robirds	Ross
Scheve	Schwab	Scott	Selby	Skaggs
St. Onge	Surface	Townley	Treadway	Wagner
Ward	Williams	Wilson 25	Mr. Speaker	

NOES: 083

Ballard	Barnitz	Barry 100	Bartle	Bearden
Behnen	Berkowitz	Black	Bland	Boatright
Bonner	Bowman	Boykins	Bray 84	Brooks
Carnahan	Champion	Cierpiot	Clayton	Coleman
Copenhaver	Crawford	Crump	Curls	Dempsey
Enz	Foley	Gaskill	George	Graham
Gratz	Griesheimer	Hampton	Harding	Harlan
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hohulin	Hollingsworth	Hoppe	Hunter	Johnson 61
Kelly 144	Kelly 27	Kelly 36	Koller	Lawson
Linton	Lograsso	Lowe	Luetkenhaus	Marble
Marsh	Mays 50	McKenna	Miller	Monaco
O'Toole	Phillips	Purgason	Ransdall	Rector
Relford	Reynolds	Ridgeway	Rizzo	Roark
Seigfreid	Shields	Shoemyer	Smith	Thompson
Van Zandt	Villa	Vogel	Walton	Wiggins
Willoughby	Wilson 42	Wright		

PRESENT: 001

Cunningham

ABSENT WITH LEAVE: 007

Berkstresser	Ford	Green 15	Holt	Secrest
Shelton	Troupe			

VACANCIES: 003

PERFECTION OF HOUSE BILLS

HB 421, relating to intoxication torts, was placed on the Informal Calendar.

HCS HBs 237, 270, 403 & 442, with HS, as amended, pending, relating to sunshine law, was taken up by Representative Smith.

Representative Britt assumed the Chair

Representative Van Zandt offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill Nos. 237, 270, 403 & 442, Page 9, Section 610.021, Line 2 of said page, by inserting after the word "product" the following:

", but this exception shall not include any completed audit for any public entity or state-supported college or university".

On motion of Representative Van Zandt, **House Amendment No. 2** was adopted.

Speaker Pro Tem Abel resumed the Chair.

Representative Campbell offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill Nos. 237, 270, 403 & 442, Page 1, In the Title, Line 2, by inserting immediately after the word "sections" the following: **"610.010,"**; and

Further amend said bill, Page 1, In the Title, Line 4, by deleting the word "five" and inserting in lieu thereof the word **"six"**; and

Further amend said bill, Page 1, Section A, Line 8, by inserting immediately after the word "Sections" the following: **"610.010,"**; and

Further amend said bill, Page 1, Section A, Lines 9 and 10, by deleting all of said lines and inserting in lieu thereof the following:

"2000, are repealed and six new sections enacted in lieu thereof, to be known as sections 197.150, 197.160, 610.010, 610.015, 610.021 and"; and

Further amend said bill, Page 4, Section 197.160, Line 10, by inserting immediately after said line the following:

"610.010. As used in sections 610.010 to 610.030 and sections 610.100 to 610.150, unless the context otherwise indicates, the following terms mean:

- (1) "Closed meeting", "closed record", or "closed vote", any meeting, record or vote closed to the public;
- (2) "Copying", if requested by a member of the public, copies provided as detailed in section 610.026, if duplication equipment is available;
- (3) "Public business", all matters which relate in any way to the performance of the public governmental body's functions or the conduct of its business;
- (4) "Public governmental body", any legislative, administrative or governmental entity created by the constitution or statutes of this state, by order or ordinance of any political subdivision or district, judicial entities when operating in an administrative capacity, or by executive order, including:
 - (a) Any body, agency, board, bureau, council, commission, committee, board of regents or board of curators or any other governing body of any institution of higher education, including a community college, **and including, but not limited to, the University of Missouri**, which is supported in whole or in part from state funds;
 - (b) Any advisory committee or commission appointed by the governor by executive order;
 - (c) Any department or division of the state, of any political subdivision of the state, of any county or of any municipal government, school district or special purpose district including but not limited to sewer districts, water districts, and other subdistricts of any political subdivision;
 - (d) Any other legislative or administrative governmental deliberative body under the direction of three or more elected or appointed members having rulemaking or quasi-judicial power;
 - (e) Any committee appointed by or at the direction of any of the entities and which is authorized to report to any

of the above-named entities, any advisory committee appointed by or at the direction of any of the named entities for the specific purpose of recommending, directly to the public governmental body's governing board or its chief administrative officer, policy or policy revisions or expenditures of public funds including, but not limited to, entities created to advise bi-state taxing districts regarding the expenditure of public funds, or any policy advisory body, policy advisory committee or policy advisory group appointed by a president, chancellor or chief executive officer of any college or university system or individual institution at the direction of the governing body of such institution which is supported in whole or in part with state funds, **including, but not limited to, the University of Missouri**, for the specific purpose of recommending directly to the public governmental body's governing board or the president, chancellor or chief executive officer policy, policy revisions or expenditures of public funds provided, however, the staff of the college or university president, chancellor or chief executive officer shall not constitute such a policy advisory committee. The custodian of the records of any public governmental body shall maintain a list of the policy advisory committees described in this subdivision; and

(f) Any quasi-public governmental body. The term "quasi-public governmental body" means any person, corporation or partnership organized or authorized to do business in this state pursuant to the provisions of chapter 352, 353, or 355, RSMo, or unincorporated association which either:

a. Has as its primary purpose to enter into contracts with public governmental bodies, or to engage primarily in activities carried out pursuant to an agreement or agreements with public governmental bodies; or

b. Performs a public function as evidenced by a statutorily based capacity to confer or otherwise advance, through approval, recommendation or other means, the allocation or issuance of tax credits, tax abatement, public debt, tax-exempt debt, rights of eminent domain, or the contracting of leaseback agreements on structures whose annualized payments commit public tax revenues; or any association that directly accepts the appropriation of money from a public governmental body, but only to the extent that a meeting, record, or vote relates to such appropriation;

(5) "Public meeting", any meeting of a public governmental body subject to sections 610.010 to 610.030 at which any public business is discussed, decided, or public policy formulated, whether corporeal or by means of communication equipment. The term "public meeting" shall not include an informal gathering of members of a public governmental body for ministerial or social purposes when there is no intent to avoid the purposes of this chapter, but the term shall include a public vote of all or a majority of the members of a public governmental body, by electronic communication or any other means, conducted in lieu of holding a public meeting with the members of the public governmental body gathered at one location in order to conduct public business;

(6) "Public record", any record, whether written or electronically stored, retained by or of any public governmental body including any report, survey, memorandum, or other document or study prepared and presented to the public governmental body by a consultant or other professional service paid for in whole or in part by public funds; provided, however, that personally identifiable student records maintained by public educational institutions shall be open for inspection by the parents, guardian or other custodian of students under the age of eighteen years and by the parents, guardian or other custodian and the student if the student is over the age of eighteen years. The term "public record" shall not include any internal memorandum or letter received or prepared by or on behalf of a member of a public governmental body consisting of advice, opinions and recommendations in connection with the deliberative decision-making process of said body, unless such records are retained by the public governmental body or presented at a public meeting;

(7) "Public vote", any vote cast at any public meeting of any public governmental body."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Campbell, **House Amendment No. 3** was adopted.

Representative Kelly (27) offered **House Amendment No. 4**.

House Amendment No. 4 was withdrawn.

Speaker Kreider assumed the Chair.

Representative Richardson offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill Nos. 237, 270, 403 & 442, Page 1, Section 197.150, Line 12, by deleting all of said section; and

Further amend Page 3, Section 197.160, Line 24 of said page, by deleting all of said section; and

Further amend Section A, Line 9, by deleting after the word “and” [five] and inserting in lieu thereof “**three**”; and

Further amend Section A, Line 10, by deleting after the word “sections” [197.150, 197.160,].

Representative Richardson moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 044

Ballard	Barnett	Bartelsmeyer	Bearden	Boatright
Bray 84	Campbell	Champion	Cooper	Crowell
Cunningham	Davis	Dempsey	Dolan	Enz
Farnen	Gaskill	Hanaway	Hendrickson	Jetton
Kelly 27	Lawson	Legan	Linton	Long
Luetkemeyer	May 149	Mayer	Moore	Murphy
Myers	Naeger	Ostmann	Phillips	Portwood
Reid	Richardson	Roark	Robirds	Schwab
Scott	Townley	Van Zandt	Wright	

NOES: 104

Abel	Baker	Barnitz	Barry 100	Bartle
Behnen	Black	Bland	Bonner	Boucher
Bowman	Britt	Burcham	Burton	Byrd
Carnahan	Cierpiot	Clayton	Coleman	Copenhaver
Crawford	Crump	Curls	Fares	Foley
Franklin	Fraser	Froelker	Gambaro	George
Graham	Gratz	Green 73	Griesheimer	Hagan-Harrell
Hampton	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hilgemann	Hohulin	Holand
Hollingsworth	Hoppe	Hosmer	Hunter	Johnson 61
Johnson 90	Jolly	Kelly 144	Kelly 36	Kennedy
King	Koller	Levin	Liese	Lograsso
Lowe	Luetkenhaus	Marble	Marsh	Mays 50
McKenna	Merideth	Miller	Monaco	Nordwald
O'Connor	O'Toole	Overschmidt	Purgason	Ransdall
Rector	Reinhart	Relford	Reynolds	Ridgeway
Rizzo	Ross	Scheve	Seigfreid	Selby
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Treadway	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 011

Berkowitz	Berkstresser	Boykins	Ford	Green 15
Hickey	Holt	Kelley 47	Secrest	Shelton
Troupe				

VACANCIES: 003

Representative Riback Wilson (25) offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bill Nos. 237, 270, 403 & 442, Page 7, Section 610.015, Line 19 of said page, by adding after the word “years” the following:

“and financially dependent upon his or her parents for tax purposes”.

On motion of Representative Riback Wilson (25), **House Amendment No. 5** was adopted.

Representative Kelly (27) offered **House Amendment No. 6.**

House Amendment No. 6 was withdrawn.

Representative Legan offered **House Amendment No. 6.**

House Amendment No. 6 was withdrawn.

Representative Legan offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for House Bill Nos. 237, 270, 403 & 442, Page 11, Section 610.027, Line 6, by inserting immediately after said line the following:

“; in order to take into account previous violations when imposing a fine upon a member of a public governmental body said member must have been found to have previously violated sections 610.010 to 610.027.”.

On motion of Representative Legan, **House Amendment No. 6** was adopted.

Representative Bartle offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for House Bill Nos. 237, 270, 403 & 442, Page 3, Section 197.160, Line 24 of said page, by inserting after the word “**records**” the following:

“that may be closed pursuant to subdivision 2 of 197.150.”.

Representative Smith raised a point of order that **House Amendment No. 7** is dilatory.

The Chair ruled the point of order not well taken.

Representative Bartle moved that **House Amendment No. 7** be adopted.

Which motion was defeated.

On motion of Representative Smith, **HS HCS HBs 237, 270, 403 & 442, as amended**, was adopted.

On motion of Representative Smith, **HS HCS HBs 237, 270, 403 & 442, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 22 - Agriculture

HCR 26 - Commerce and Economic Development

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 913 - Children, Families and Health

HB 915 - Civil and Administrative Law

HB 924 - Transportation

COMMITTEE REPORTS

Committee on Fiscal Review and Government Reform, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS HB 50** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HB 80** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Insurance, Chairman Luetkenhaus reporting:

Mr. Speaker: Your Committee on Insurance, to which was referred **HB 212**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Insurance, to which was referred **HB 459**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Miscellaneous Bills & Resolutions, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HB 501**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Professional Registration and Licensing, Chairman Treadway reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 314**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Tourism, Recreation and Cultural Affairs, Chairman Overschmidt reporting:

Mr. Speaker: Your Committee on Tourism, Recreation and Cultural Affairs, to which was referred **HB 463**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Tourism, Recreation and Cultural Affairs, to which was referred **HB 488**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 925, introduced by Representatives Walton and Johnson (61), relating to the after-school retreat grant program and fund.

HB 926, introduced by Representatives Walton, Gambaro, Sanders Brooks and Johnson (61), relating to the families in education incentive grant program.

HB 927, introduced by Representative Henderson, et al, relating to insurers.

HB 928, introduced by Representative Levin, relating to death records.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 293**, entitled:

An act to amend chapter 620, RSMo, by adding thereto one new section relating to advisory committee for electronic commerce.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 348**, entitled:

An act to repeal section 475.083, RSMo 2000, relating to guardianship of children, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 352**, entitled:

An act to amend chapter 94, RSMo, by adding thereto one new section relating to capital improvements.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 365**, entitled:

An act to repeal section 67.1360, RSMo 2000, relating to tourism taxes, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 394**, entitled:

An act to authorize the conveyance of certain property between the board of governors of Southwest Missouri State University and the Southwest Missouri Ecumenical Center.

In which the concurrence of the House is respectfully requested.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Bartle is no longer a member of the Joint Committee on Transportation Oversight.

Representative Copenhaver is no longer a member of the Children, Families and Health Committee.

Representative Fraser has been appointed a member of the Children, Families and Health Committee.

COMMITTEE ASSIGNMENTS

JOINT COMMITTEE ON GAMING AND WAGERING

Liese, Chris - Chair

Foley, James

Shelton, O. L.

MISSOURI TOBACCO SETTLEMENT

Scheve, May - Chair

Foley, James - Vice-Chair

Barry, Joan

Boykins, Amber

Hanaway, Catherine

Scott, Delbert

Van Zandt, Tim

The following members' presence was noted: Troupe and Ford.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, March 7, 2001.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Thirty-sixth Day, Monday, March 5, 2001, pages 573 and 574, roll call, by showing Representative Kelly (27) voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, March 7, 2001, 3:00 pm. Hearing Room 7. CORRECTED.

To be considered - HB 522, HB 690, Executive Session - HB 306, Executive Session - HB 308, Executive Session - HB 581

APPROPRIATIONS - TRANSPORTATION

Wednesday, March 7, 2001, 8:30 am. Hearing Room 7.

Presentations on funding formulas. CANCELLED.

BUDGET

Wednesday, March 7, 2001, 8:00 am. Hearing Room 3.

Executive Session. Mark-up House Bills 1 through 12.

BUDGET

Wednesday, March 7, 2001. Hearing Room 3 upon morning adjournment.
Executive Session. Mark-up House Bills 1 through 12.

BUDGET

Thursday, March 8, 2001, 8:00 am. Hearing Room 3.
FY 2002 appropriation mark-up. House Bill 1 through House Bill 12. Executive Session.

BUDGET

Thursday, March 8, 2001. Hearing Room 3 upon morning adjournment.
FY 2002 appropriation mark-up. House Bill 1 through House Bill 12.
Executive Session.

BUDGET

Monday, March 12, 2001, 12:00 pm. Hearing Room 3.
FY 2002 appropriation mark-up. House Bill 1 through House Bill 12.
Executive Session.

CIVIL AND ADMINISTRATIVE LAW

Wednesday, March 7, 2001, 3:00 pm. Hearing Room 1. AMENDED.
To be considered - HB 626, HB 774, HB 831, HB 847, Executive Session - HB 118,
Executive Session - HB 537, Executive Session - HB 693

CRIMINAL LAW

Wednesday, March 7, 2001, 8:00 pm. Hearing Room 7. AMENDED.
To be considered - HB 354, HB 483, HB 513, HB 516, HB 574, HB 582, HB 632, HB 835

EDUCATION - ELEMENTARY AND SECONDARY

Wednesday, March 7, 2001, 8:30 am. Hearing Room 1.
To be considered - HB 457, HB 725, HB 865, Executive Session - HB 45,
Executive Session - HB 274, Executive Session - HB 322

EDUCATION - HIGHER

Wednesday, March 7, 2001, 3:00 pm. Hearing Room 5.
Executive Session. To be considered - HB 769

ENVIRONMENT AND ENERGY

Thursday, March 8, 2001, 8:30 am. Hearing Room 5.
To be considered - HB 868

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Thursday, March 8, 2001, 1:00 pm. Senate Lounge.
Hearing will be held at 1:00 pm or upon adjournment of both Houses.
Department of Economic Development.

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, March 7, 2001, 8:00 am. Hearing Room 6.

Executive Session may follow. AMENDED.

To be considered - HB 86, HB 882, HCR 24, HJR 11, HR 394, SB 256

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, March 7, 2001, 5:00 pm. Hearing Room 5.

Presentation by Marilyn Williams.

To be considered - HB 154, HB 396, HB 468, HB 469, HB 858, Executive Session - HB 757

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Wednesday, March 7, 2001. Side gallery upon adjournment.

Executive Session.

RETIREMENT

Wednesday, March 7, 2001, 8:00 pm. Hearing Room 1.

To be considered - HB 552, Executive Session - HB 318, Executive Session - HB 385,

Executive Session - HB 386, Executive Session - HB 514

SPECIAL COMMITTEE ON PUBLIC-PRIVATE PARTNERSHIPS

Monday, March 12, 2001, 11:00 am. Hearing Room 1.

MU Sports Arena. CANCELLED.

SUBCOMMITTEE ON HIGHER EDUCATION

Wednesday, March 7, 2001, 1:00 pm. Hearing Room 4.

To investigate disclosure of certain information about post-secondary students.

TRANSPORTATION

Wednesday, March 7, 2001, 1:00 pm. Hearing Room 6.

Executive Session may follow.

To be considered - HB 685, HB 734, HB 756, HB 924, HJR 13, HJR 15

HOUSE CALENDAR

THIRTY-EIGHTH DAY, WEDNESDAY, MARCH 7, 2001

HOUSE BILLS FOR SECOND READING

HB 925 through HB 928

HOUSE BILLS FOR PERFECTION

- 1 HB 185 - Legan
- 2 HCS HB 738 - Liese
- 3 HCS HB 107 - Clayton

- 4 HB 249 - Treadway
- 5 HCS HB 334 - Davis
- 6 HCS HB 762 - Barry
- 7 HCS HB 754, 29, 300 & 505 - Franklin
- 8 HB 444 - Kreider
- 9 HB 473, HCA 1 - Robirds
- 10 HCS HB 327 - Rizzo
- 11 HB 321 - Skaggs
- 12 HB 453 - Ransdall
- 13 HB 501 - Bowman
- 14 HB 314 - Nordwald

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HCS HB 425 - O'Toole
- 3 HB 166 - Troupe
- 4 HB 114 - Hickey
- 5 HB 421 - Hoppe

HOUSE BILLS FOR PERFECTION - CONSENT

(March 5, 2001)

- 1 HB 502 - Ward
- 2 HB 779 - Barnett
- 3 HB 409 - Surface
- 4 HB 452 - Gratz
- 5 HB 242 - Smith
- 6 HB 600 - Hosmer
- 7 HB 607 - Johnson (90)
- 8 HB 470 - Shields
- 9 HB 491 - George

HOUSE BILLS FOR THIRD READING

- 1 HB 80 - Ross
- 2 HCS HB 50, E.C. - Relford
- 3 HS HB 381, (Fiscal Review 3-01-01) - Hoppe
- 4 HS HB 287 - Williams
- 5 HCS HB 26, (Fiscal Review 3-5-01) - Wilson (42)
- 6 HCS HB 194 - Hosmer
- 7 HB 218 - Farnen
- 8 HCS HB 265 & 369 - Hosmer

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 431 - Barry
- 2 HB 202 - Rizzo
- 3 HB 129 - Van Zandt
- 4 HB 157 - Hosmer

SENATE BILLS FOR SECOND READING

- 1 SB 293
- 2 SB 348
- 3 SCS SB 352
- 4 SB 365
- 5 SB 394

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

THIRTY-EIGHTH DAY, WEDNESDAY, MARCH 7, 2001

Speaker Pro Tem Abel in the Chair.

Prayer by Reverend Rudy Beard.

O Lord, God of our parents and our God, give us the faith to believe in the ultimate triumph of righteousness, no matter how dark the skies may appear. We pray for the bifocals of faith – that we see the hurts and needs of the hour, but also that we are able to see beyond to the patience of God working out His plan in our world.

Help the men and women of this House interpret for our day the motto inscribed on our coins. Make our faith honest by helping us this day to do one thing because You have said, “Do this”, or to abstain from some act because You have said, “Thou shalt not”.

Bless all who are dealing with illness this day, including Betsy Maher. May our faith be seen in our words and in our works. To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jennie May, Sean Koller, Erin Koller, Rebekkah Rayfield, Daniel Rayfield, Cathy Burgard, Melisa Disney, Caleb Lewis, Amber Richards, Blake Long, Joanna Clark, Andy Doran, Jesse Swafford, Lindsey Hoerath, Michelle Lucy, Trevor Estes, Adam Watson and Darin S. Johnson.

The Journal of the thirty-seventh day was approved as corrected.

RESOLUTION

Representative Linton offered House Resolution No. 773.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 758 - Representatives Portwood and Cunningham
House Resolution No. 759 - Representative Lawson
House Resolution No. 760 - Representative Behnen
House Resolution No. 761
through
House Resolution No. 771 - Representatives Gratz and Vogel
House Resolution No. 772 - Representatives Ross and Lograsso

House Resolution No. 774

through

House Resolution No. 776 - Representative Crawford

House Resolution No. 777

through

House Resolution No. 828 - Representative Murphy

House Resolution No. 829 - Representatives Overschmidt and McKenna, et al

House Resolution No. 830

and

House Resolution No. 831 - Representative Moore

House Resolution No. 832 - Representative Bowman

House Resolution No. 833 - Representative Relford

House Resolution No. 834 - Representatives Gratz and Vogel

House Resolution No. 835 - Representative Harlan

SECOND READING OF HOUSE BILLS

HB 925 through **HB 928** were read the second time.

SECOND READING OF SENATE BILLS

SB 293, **SB 348**, **SCS SB 352**, **SB 365** and **SB 394** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HBs 237, 270, 403 and 442**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

THIRD READING OF HOUSE BILLS - CONSENT

HB 431, relating to health care professionals, was taken up by Representative Barry.

On motion of Representative Barry, **HB 431** was read the third time and passed by the following vote:

AYES: 150

Abel	Baker	Ballard	Barnett	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver

Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 009

Barnitz	Berkstresser	Brooks	George	Harding
Harlan	Hohulin	Reid	Reinhart	

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HB 202, relating to transportation districts, was taken up by Representative Rizzo.

On motion of Representative Rizzo, **HB 202** was read the third time and passed by the following vote:

AYES: 105

Abel	Barry 100	Bartelsmeyer	Behnen	Berkowitz
Black	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burton
Campbell	Carnahan	Champion	Clayton	Coleman
Copenhaver	Crump	Curls	Davis	Dempsey
Dolan	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	George	Graham
Gratz	Green 15	Green 73	Hagan-Harrell	Hampton
Harding	Harlan	Hartzler	Haywood	Hickey

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Hilgemann	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Liese	Lowe	Luetkenhaus	Marsh
Mays 50	McKenna	Merideth	Monaco	Myers
O'Connor	O'Toole	Ostmann	Overschmidt	Ransdall
Relford	Reynolds	Rizzo	Robirds	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Thompson	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 051

Ballard	Barnett	Bartle	Bearden	Boatright
Burcham	Byrd	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Enz	Fares	Gaskill
Griesheimer	Hanaway	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Jetton	Kelly 144	Legan
Levin	Linton	Lograsso	Long	Luetkemeyer
Marble	May 149	Mayer	Miller	Moore
Murphy	Naeger	Nordwald	Phillips	Portwood
Purgason	Rector	Reid	Reinhart	Richardson
Ridgeway	Roark	Ross	Surface	Townley
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 004

Baker	Barnitz	Berkstresser	Williams
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VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HB 129, relating to examination of records, was taken up by Representative Van Zandt.

On motion of Representative Van Zandt, **HB 129** was read the third time and passed by the following vote:

AYES: 151

Abel	Ballard	Barnett	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Black
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood

Hegeman	Henderson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 005

Boatright	Hendrickson	Linton	Long	Townley
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PRESENT: 000

ABSENT WITH LEAVE: 004

Baker	Barnitz	Berkstresser	Lograsso
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VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HB 157, relating to marriage licenses, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HB 157** was read the third time and passed by the following vote:

AYES: 149

Abel	Baker	Ballard	Barnett	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly

Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 005

McKenna	Portwood	Rector	Roark	Smith
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PRESENT: 000

ABSENT WITH LEAVE: 006

Barnitz	Berkstresser	Brooks	Cierpiot	Henderson
Lograsso				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

PERFECTION OF HOUSE BILL - INFORMAL

HCS HB 425, relating to underground facility safety, was taken up by Representative O'Toole.

Representative O'Toole offered **HS HCS HB 425**.

Representative Smith offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 425, Page 10, Section 3 19.024, Line 18, by adding immediately after said line the following:

“3. Every excavator who in a preceding calendar year contacted a Notification Center requesting the location of underground facilities, or contacted an owner or operator of underground facilities, shall in the subsequent year provide in writing to all notification Centers and all owners and operators who the excavator has previously contacted, the excavator’s current business address, phone number, facsimile number, and the name of the primary contact.”.

Representative Smith moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 017

Berkowitz	Britt	Farnen	Hampton	Jetton
Legan	Luetkenhaus	Merideth	Relford	Richardson
Rizzo	Seigfreid	Shoemyer	Smith	Van Zandt
Villa	Williams			

NOES: 133

Abel	Baker	Ballard	Barnett	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Foley	Ford
Fraser	Froelker	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Levin	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Marble
Marsh	May 149	Mayer	McKenna	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Ransdall	Rector	Reid
Reinhart	Reynolds	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secret	Selby
Shelton	Shields	Skaggs	St. Onge	Surface
Thompson	Townley	Treadway	Vogel	Wagner
Walton	Ward	Wiggins	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

PRESENT: 001

Purgason

ABSENT WITH LEAVE: 009

Barnitz	Berkstresser	Copenhaver	Franklin	Gambaro
Kennedy	Mays 50	Ridgeway	Troupe	

VACANCIES: 003

Representative Koller offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 425, Page 6, Section 3 19.022, Lines 17 to 24 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"operators of other underground facilities [may,] **shall be required, on and after January 1, 2003, to participate in [a] the notification center as provided by rule of the commission. Prior to January 1, 2003, owners and operators of underground facilities may continue to participate in existing not-for-profit call centers, or register with the county recorder of deeds as provided in section 319.023.**"; and

Further amend said bill, Page 7, Section 319.022, Lines 1 to 13 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"2. [A] **The** notification center shall file with the recorder of deeds, in every county wherein any of the owners and operators which it represents have underground facilities, the name, address and telephone number of the notification center to which telephonic or written inquiries concerning the location of underground facilities may be addressed and a **current**"; and

Further amend said bill, Page 7, Section 319.022, Line 18 of said page, by inserting immediately after the word "**persons**" the words "**and excavators**"; and

Further amend said bill, Page 7, Section 319.022, Lines 20 to 23 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"3. A notification center may charge excavators a reasonable annual fee for the notification services provided to the excavator and shall notify excavators of the availability of the list of participants in the notification center required in subsection 2 of this section.

4. No notification center shall be entitled to receive a fee from owners or operators of underground facilities for a notification of an excavation, where the owner or operator has no underground facilities at the excavation site, as described in the excavator's notification."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Smith assumed the Chair.

Representative Lograsso offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

*House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for House Bill No. 425, Page 6, Section 319.022, Lines 20 - 24, and Page 7, Lines 1 - 6, by deleting all of said section and by inserting in lieu thereof the following:

"319.022

2. On or before January 1, 2003, all owners and operators of underground facilities located within the state who are not members of the notification center must provide the notification center with the names, address and telephone number of the person in their organization that should be contacted by excavators regarding the location of underground facilities. Failure to provide the notification center with such information shall relieve any contractor from liability to the owner and operator of an underground facility, provided such contractor has made appropriate inquiry of the notification center. The notification center may charge a reasonable fee to non-members for the service of providing such information to excavators."

Speaker Pro Tem Abel resumed the Chair.

Representative Lograsso moved that **House Substitute Amendment No. 1 for House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Monaco assumed the Chair.

Representative Ballard requested a division of the question on **House Amendment No. 2**.

House Amendment No. 2

PART I

AMEND House Substitute for House Committee Substitute for House Bill No. 425, Page 6, Section 319.022, Lines 17 to 24 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"operators of other underground facilities [may,] **shall be required, on and after January 1, 2003, to participate in [a] the notification center as provided by rule of the commission. Prior to January 1, 2003, owners and operators of underground facilities may continue to participate in existing not-for-profit call centers, or register with the county recorder of deeds as provided in section 319.023.**"; and

Further amend said bill, Page 7, Section 319.022, Lines 1 to 13 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"2. [A] **The** notification center shall file with the recorder of deeds, in every county wherein any of the owners and operators which it represents have underground facilities, the name, address and telephone number of the notification center to which telephonic or written inquiries concerning the location of underground facilities may be addressed and a **current**"; and

Further amend said bill, Page 7, Section 319.022, Line 18 of said page, by inserting immediately after the word "**persons**" the words "**and excavators**"; and

Further amend said bill, Page 7, Section 319.022, Lines 20 to 23 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"3. **A notification center may charge excavators a reasonable annual fee for the notification services provided to the excavator and shall notify excavators of the availability of the list of participants in the notification center required in subsection 2 of this section.**".

Representative Koller moved that **Part I of House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 042

Barnett	Bartelsmeyer	Behnen	Berkowitz	Black
Britt	Clayton	Crawford	Crowell	Crump
Davis	Farnen	Gaskill	Hampton	Hegeman
Henderson	Hunter	Jetton	Koller	Legan
Long	Luetkemeyer	May 149	Mayer	Merideth
Miller	Moore	Myers	Naeger	Overschmidt
Portwood	Ransdall	Richardson	Rizzo	Roark

Robirds	Scott	Shoemyer	Smith	Surface
Townley	Wiggins			

NOES: 106

Baker	Ballard	Barry 100	Bartle	Bearden
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Coleman	Cooper	Copenhaver	Cunningham	Curls
Dempsey	Dolan	Enz	Fares	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Graham	Gratz	Green 73	Griesheimer	Hagan-Harrell
Hanaway	Harding	Harlan	Hartzler	Haywood
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Lawson	Levin	Liese
Lowe	Marble	Marsh	Mays 50	McKenna
Monaco	Murphy	Nordwald	O'Connor	O'Toole
Ostmann	Phillips	Purgason	Rector	Reid
Reinhart	Relford	Reynolds	Ridgeway	Ross
Scheve	Schwab	Secrest	Seigfreid	Selby
Shields	Skaggs	St. Onge	Thompson	Treadway
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

PRESENT: 001

Johnson 61

ABSENT WITH LEAVE: 011

Abel	Barnitz	Berkstresser	George	Green 15
Linton	Lograsso	Luetkenhaus	Shelton	Troupe
Williams				

VACANCIES: 003

House Amendment No. 2

PART II

AMEND House Substitute for House Committee Substitute for House Bill No. 425, Page 7, Section 3 19.022, Lines 20 to 23 of said page, by deleting all of said lines and inserting in lieu thereof the following:

“4. No notification center shall be entitled to receive a fee from owners or operators of underground facilities for a notification of an excavation, where the owner or operator has no underground facilities at the excavation site, as described in the excavator's notification.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Koller moved that **Part II of House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 075

Ballard	Barnett	Bartelsmeyer	Bartle	Behnen
Berkowitz	Black	Boatright	Britt	Burcham
Champion	Cierpiot	Clayton	Cooper	Crawford
Crowell	Crump	Dolan	Froelker	Gaskill
Gratz	Hampton	Hartzler	Hegeman	Henderson
Hohulin	Hunter	Jetton	Kelley 47	Kelly 144
King	Koller	Legan	Lograsso	Long
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	Merideth	Miller	Moore
Myers	Naeger	Nordwald	Overschmidt	Phillips
Purgason	Ransdall	Reid	Relford	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Schwab	Scott	Seigfreid	Shelton	Shields
Shoemyer	Smith	Surface	Townley	Vogel
Ward	Wiggins	Williams	Wright	Mr. Speaker

NOES: 080

Abel	Baker	Barry 100	Bearden	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Brooks	Burton	Campbell	Carnahan	Coleman
Copenhaver	Cunningham	Curls	Davis	Dempsey
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Gambaro	George	Graham
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hanaway
Harding	Harlan	Haywood	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 90	Jolly	Kelly 27	Kelly 36
Kennedy	Lawson	Levin	Liese	Linton
Lowe	McKenna	Monaco	Murphy	O'Connor
O'Toole	Ostmann	Portwood	Rector	Reinhart
Reynolds	Scheve	Secrest	Selby	Skaggs
St. Onge	Thompson	Treadway	Van Zandt	Villa
Wagner	Walton	Willoughby	Wilson 25	Wilson 42

PRESENT: 001

Johnson 61

ABSENT WITH LEAVE: 004

Barnitz	Berkstresser	Byrd	Troupe
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VACANCIES: 003

Representative Rizzo offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill No. 425, Page 24, Section 319.041, Line 16, by inserting after the figure “**319.026**” the following:

“and the excavator had no knowledge of any underground facilities. After January 1, 2003, if an excavator has actual knowledge of underground facilities, the excavator shall be liable to the owner or operator of the underground facilities for the actual cost of repairs of such facilities, even if the excavator has provided notice

pursuant to section 319.026 and the owner or operator failed to participate in a notification center. Actual knowledge of underground facilities shall be imputed to the excavator when the owner or operator of underground facilities is the sole provider of a utility service in the land section where the excavation is being conducted”.

Representative Rizzo moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Merideth offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill No. 425, Page 1, In the Title, Line 7, by deleting the word “**twelve**” and inserting in lieu thereof “**thirteen**”; and

Further amend said bill, Page 8, Section 319.023, Lines 16 and 17, by deleting said lines; and

Further amend said bill, Page 27, Line 13, by inserting immediately after said line the following:

“319.051. The provisions of section 319.022 and 319.025 through 319.045 shall not apply to owners and operators of underground facilities, except underground pipeline facilities, to the extent that such facilities are located outside the boundaries of metropolitan statistical areas as defined by the most recent United States Decennial Census.”.

Representative Merideth moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 054

Ballard	Barnett	Bartelsmeyer	Behnen	Berkowitz
Black	Boatright	Britt	Burcham	Clayton
Cooper	Crawford	Crowell	Crump	Davis
Farnen	Gaskill	Gratz	Hampton	Hegeman
Henderson	Hunter	Jetton	Kelly 144	Kelly 36
King	Koller	Legan	Lograsso	Luetkemeyer
Marble	May 149	Mayer	Mays 50	Merideth
Miller	Moore	Myers	Naeger	Purgason
Ransdall	Relford	Richardson	Rizzo	Roark
Robirds	Ross	Scott	Seigfreid	Shoemyer
Smith	Surface	Townley	Williams	

NOES: 092

Baker	Barry 100	Bartle	Bearden	Bland
Bonner	Boucher	Bowman	Bray 84	Brooks
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Coleman	Copenhaver	Cunningham	Curls
Dempsey	Dolan	Enz	Fares	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
George	Graham	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hanaway	Harding	Harlan	Hartzler
Haywood	Hendrickson	Hickey	Hilgemann	Hohulin

Holand	Holt	Johnson 90	Jolly	Kelley 47
Kelly 27	Lawson	Liese	Linton	Lowe
Marsh	McKenna	Monaco	Murphy	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Rector	Reid	Reinhart	Reynolds
Ridgeway	Scheve	Schwab	Secrest	Selby
Shields	Skaggs	St. Onge	Thompson	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 014

Abel	Barnitz	Berkstresser	Boykins	Hollingsworth
Hoppe	Hosmer	Johnson 61	Kennedy	Levin
Long	Luetkenhaus	Shelton	Wiggins	

VACANCIES: 003

HCS HB 425, with HS, pending, was laid over.

COMMITTEE REPORTS

Committee on Commerce and Economic Development, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce and Economic Development, to which was referred **HB 189**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Correctional and State Institutions, Chairman Gratz reporting:

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **HB 361**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **HB 642**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **HB 742**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **HB 808**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Public Safety, Law Enforcement and Veteran Affairs, Chairman Boucher reporting:

Mr. Speaker: Your Committee on Public Safety, Law Enforcement and Veteran Affairs, to which was referred **HB 732**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 929, introduced by Representative Hosmer, relating to DNA evidence.

HB 930, introduced by Representatives Hollingsworth, McKenna, Wagner, Selby and Johnson (90), relating to county planning and zoning.

HB 931, introduced by Representative Sanders Brooks, relating to centralized state employee disqualification list.

HB 932, introduced by Representatives Gratz and Vogel, relating to registration with the selective service system.

HB 933, introduced by Representative Reid, relating to the state sales tax.

HB 934, introduced by Representative Graham, relating to teacher and school employee retirement.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 148**, entitled:

An act to repeal sections 21.250 and 116.050, RSMo 2000, relating to powers of the general assembly, and to enact in lieu thereof three new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 179**, entitled:

An act to repeal section 443.851, RSMo 2000, relating to mortgage brokers, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 223**, entitled:

An act to repeal section 556.046, RSMo 2000, relating to criminal procedure, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 264**, entitled:

An act to repeal sections 104.312 and 104.1051, RSMo 2000, relating to judicial division of benefits, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 270**, entitled:

An act to amend chapter 536, RSMo, by adding thereto one new section relating to administrative law judges, with an effective date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 288**, entitled:

An act to repeal sections 351.120, 351.220, 351.268, 351.410, 351.415, 351.435, 351.440, 351.458, 351.478 and 351.482, RSMo 2000, relating to corporations, and to enact in lieu thereof ten new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 366**, entitled:

An act to repeal sections 288.032, 288.034 and 288.100, RSMo 2000, relating to the correction of certain statutory cross-references in chapter 288 of the revised statutes of Missouri, and to enact in lieu thereof three new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 370**, entitled:

An act to repeal sections 456.012, 456.013, 456.700, 456.710, 456.720, 456.730, 456.740, 456.750, 456.760, 456.770, 456.780, 456.790, 456.800, 456.810, and 456.820, RSMo 2000, relating to trusts and estates, and to enact in lieu thereof thirty-five new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 380**, entitled:

An act to repeal section 288.090, RSMo 2000, relating to the implementation of the industrial classification system for determination of employer unemployment contributions, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 290**, entitled:

An act to repeal sections 86.370, 86.447, 86.450, 86.457, 86.463, 86.483, 86.600, 86.620, 86.675, 86.690, 86.750 and 86.780, RSMo 2000, relating to police relief and pension systems, and to enact in lieu thereof thirteen new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Relford is no longer a member of the Joint Committee on Correctional Institutions.

Representative Koller has been appointed a member of the Joint Committee on Correctional Institutions.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, March 8, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Thirty-seventh Day, Tuesday, March 6, 2001, page 584, roll call, by showing Representatives Copenhaver and Henderson voting "aye" rather than "absent with leave".

Pages 584 and 585, roll call, by showing Representatives Hunter and Miller voting "aye" rather than "absent with leave".

Pages 585 and 586, roll call, by showing Representatives Coleman and Crawford voting "aye" rather than "absent with leave".

Pages 590 and 591, roll call, by showing Representative Kelley (47) voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

BUDGET

Thursday, March 8, 2001, 8:00 am. Hearing Room 3.
FY 2002 appropriation mark-up. House Bill 1 through House Bill 12.
Executive Session.

BUDGET

Thursday, March 8, 2001. Hearing Room 3 upon morning adjournment.
FY 2002 appropriation mark-up. House Bill 1 through House Bill 12.
Executive Session.

BUDGET

Monday, March 12, 2001, 12:00 pm. Hearing Room 3.
FY 2002 appropriation mark-up. House Bill 1 through House Bill 12.
Executive Session.

CHILDREN, FAMILIES, AND HEALTH

Thursday, March 8, 2001. Hearing Room 1 upon adjournment.
Executive Session.
To be considered - HB 106, HB 279, HB 478, HB 824, HB 834, HB 848

COMMERCE AND ECONOMIC DEVELOPMENT

Tuesday, March 13, 2001. Hearing Room 6 upon morning adjournment.
Executive Session may follow.
To be considered - HB 837

CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING

Monday, March 12, 2001, 8:00 pm. Hearing Room 3.
Executive Session may follow.
To be considered - HB 564, HB 610

ENVIRONMENT AND ENERGY

Thursday, March 8, 2001, 8:30 am. Hearing Room 5. AMENDED.
Executive Session may follow.
To be considered - HB 868

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Thursday, March 8, 2001, 1:00 pm. Senate Lounge.
Hearing will be held at 1:00 pm or upon adjournment of both Houses.
Department of Economic Development.

JOINT COMMITTEE ON ECONOMIC DEVELOPMENT

Thursday, March 8, 2001, 9:00 am. Hearing Room 1. AMENDED.

Executive Session may follow. Enterprise zones.

Nevada, part of Vernon Co., Cape/Scott City.

LABOR

Thursday, March 8, 2001. Side gallery upon adjournment.

To be considered - Executive Session - HB 587, Executive Session - HB 661,

Executive Session - HB 679

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Thursday, March 8, 2001, 9:30 am. Side gallery. AMENDED.

To be considered - Executive Session - HB 477, Executive Session - HB 691,

Executive Session - HB 692, Executive Session - HB 709, Executive Session - HB 788

SPECIAL COMMITTEE ON PUBLIC-PRIVATE PARTNERSHIPS

Monday, March 12, 2001, 11:00 am. Hearing Room 1.

MU Sports Arena. CANCELLED.

SPECIAL COMMITTEE ON PUBLIC-PRIVATE PARTNERSHIPS

Monday, March 26, 2001, 1:00 pm. Hearing Room 3.

MU Sports Arena, Jordan Valley Park.

UTILITIES REGULATION

Thursday, March 8, 2001, 8:15 am. Hearing Room 6.

House Bill 676 opponents.

To be considered - HB 102, HB 521

HOUSE CALENDAR

THIRTY-NINTH DAY, THURSDAY, MARCH 8, 2001

HOUSE BILLS FOR SECOND READING

HB 929 through HB 934

HOUSE BILLS FOR PERFECTION

- 1 HB 185 - Legan
- 2 HCS HB 738 - Liese
- 3 HCS HB 107 - Clayton
- 4 HB 249 - Treadway
- 5 HCS HB 334 - Davis
- 6 HCS HB 762 - Barry
- 7 HCS HB 754, 29, 300 & 505 - Franklin

- 8 HB 444 - Kreider
- 9 HB 473, HCA 1 - Robirds
- 10 HCS HB 327 - Rizzo
- 11 HB 321 - Skaggs
- 12 HB 453 - Ransdall
- 13 HB 501 - Bowman
- 14 HB 314 - Nordwald

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HCS HB 425, HS, pending, - O'Toole
- 3 HB 166 - Troupe
- 4 HB 114 - Hickey
- 5 HB 421 - Hoppe

HOUSE BILLS FOR PERFECTION - CONSENT

(March 5, 2001)

- 1 HB 502 - Ward
- 2 HB 779 - Barnett
- 3 HB 409 - Surface
- 4 HB 452 - Gratz
- 5 HB 242 - Smith
- 6 HB 600 - Hosmer
- 7 HB 607 - Johnson (90)
- 8 HB 470 - Shields
- 9 HB 491 - George

HOUSE BILLS FOR THIRD READING

- 1 HB 80 - Ross
- 2 HCS HB 50, E.C. - Relford
- 3 HS HB 381, (Fiscal Review 3-01-01) - Hoppe
- 4 HS HB 287 - Williams
- 5 HCS HB 26, (Fiscal Review 3-5-01) - Wilson (42)
- 6 HCS HB 194 - Hosmer
- 7 HB 218 - Farnen
- 8 HCS HB 265 & 369 - Hosmer
- 9 HS HCS HB 237, 270, 403 & 442 - Smith

SENATE BILLS FOR SECOND READING

- 1 SB 148
- 2 SB 179
- 3 SB 223
- 4 SCS SB 264
- 5 SCS SB 270
- 6 SB 288
- 7 SCS SB 290
- 8 SB 366
- 9 SB 370
- 10 SB 380

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

THIRTY-NINTH DAY, THURSDAY, MARCH 8, 2001

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God: the sky is blue, the air crisp, the earth is warming. Help us use well this day You give. Today let us put right before interest; let us put others before self; let us put things of the spirit before things of the body; let us put principle before reputation; let us put You before all else. Bless this House today. To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Alex Quirk, Jessica McRaven, Tiffany Jennings, Neal Varma, Eddie Hogan, Meghan Kline, Peter Wallach, Susan Rohan, Jessica Wooldridge, Aisha White, William Powell, Alison Stroop, Julie Birsinger, Rachel Kraus, Megan Geeck, Nick Barthelmass, Robert Yancy and Irene Rafael.

The Journal of the thirty-eighth day was approved as corrected by the following vote:

AYES: 151

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Berkowitz
Black	Bland	Bonner	Boucher	Bowman
Bray 84	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood

Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 002

Henderson Ridgeway

PRESENT: 001

Johnson 61

ABSENT WITH LEAVE: 006

Behnen	Berkstresser	Boatright	Boykins	Monaco
Van Zandt				

VACANCIES: 003

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 836 - Representative Graham, et al
House Resolution No. 837
through
House Resolution No. 839 - Representative Vogel
House Resolution No. 840 - Representative Moore
House Resolution No. 841 - Representative O'Toole
House Resolution No. 842 - Representative Clayton
House Resolution No. 843 - Representative Miller
House Resolution No. 844 - Representative Gambaro
House Resolution No. 845
through
House Resolution No. 852 - Representatives Harding and Phillips
House Resolution No. 853 - Representative Cooper
House Resolution No. 854 - Representative Holt
House Resolution No. 855 - Representative Richardson
House Resolution No. 856 - Representatives Harding and Phillips

SECOND READING OF HOUSE BILLS

HB 929 through **HB 934** were read the second time.

SECOND READING OF SENATE BILLS

SB 148, SB 179, SB 223, SCS SB 264, SCS SB 270, SB 288, SCS SB 290, SB 366, SB 370 and **SB 380** were read the second time.

THIRD READING OF HOUSE BILLS

HB 80, relating to antifraud enforcement groups, was taken up by Representative Ross.

On motion of Representative Ross, **HB 80** was read the third time and passed by the following vote:

AYES: 152

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Black	Bland	Boatright	Bonner
Boucher	Bowman	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 001

Troupe

PRESENT: 000

ABSENT WITH LEAVE: 007

Berkstresser	Boykins	Crawford	Levin	Monaco
Robirds	Van Zandt			

VACANCIES: 003

Speaker Kreider declared the bill passed.

HCS HB 50, relating to promotion of students, was taken up by Representative Relford.

On motion of Representative Relford, **HCS HB 50** was read the third time and passed by the following vote:

AYES: 126

Abel	Baker	Barnitz	Barry 100	Bartelsmeyer
Behnen	Berkowitz	Black	Bland	Boatright
Bonner	Boucher	Bowman	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Curls	Davis
Dempsey	Dolan	Fares	Farnen	Foley
Ford	Franklin	Fraser	Gambara	Gaskill
George	Graham	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Harding	Harlan	Hartzler
Haywood	Hegeman	Hendrickson	Hilgemann	Hollingsworth
Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Liese
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	Surface	Thompson	Townley	Treadway
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 030

Ballard	Barnett	Bartle	Bearden	Byrd
Cierpiot	Cunningham	Enz	Froelker	Gratz
Hanaway	Henderson	Hickey	Hohulin	Holand
Holt	Hunter	Kelly 27	Levin	Linton
Marble	Marsh	Murphy	Phillips	Portwood
Ridgeway	Scott	Secrest	St. Onge	Wright

PRESENT: 000

ABSENT WITH LEAVE: 004

Berkstresser Boykins Troupe Van Zandt

VACANCIES: 003

Speaker Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 123

Abel	Baker	Barnitz	Barry 100	Bartelsmeyer
Behnen	Berkowitz	Black	Bland	Boatright
Bonner	Boucher	Bowman	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Curls	Davis
Dempsey	Dolan	Fares	Farnen	Foley
Ford	Franklin	Fraser	Gambaro	Gaskill
George	Graham	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Harding	Harlan	Hartzler
Haywood	Hegeman	Hendrickson	Hilgemann	Holand
Hollingsworth	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Kelly 144	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Liese	Long
Lowe	Luetkemeyer	Luetkenhaus	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Purgason	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Rizzo	Robirds	Ross	Scheve	Schwab
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	Surface	Thompson	Townley
Treadway	Troupe	Villa	Vogel	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 034

Ballard	Barnett	Bartle	Bearden	Byrd
Cierpiot	Cunningham	Enz	Froelker	Gratz
Hanaway	Henderson	Hickey	Hohulin	Holt
Hunter	Jetton	Kelley 47	Kelly 27	Levin
Linton	Lograsso	Marble	Marsh	Murphy
Phillips	Portwood	Rector	Ridgeway	Roark
Scott	Secret	St. Onge	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 003

Berkstresser Boykins Van Zandt

VACANCIES: 003

Speaker Pro Tem Abel assumed the Chair.

HS HB 287, relating to private jails, was taken up by Representative Williams.

On motion of Representative Williams, **HS HB 287** was read the third time and passed by the following vote:

AYES: 151

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Black	Bland	Boatright	Bonner
Boucher	Bowman	Bray 84	Britt	Brooks
Burton	Byrd	Campbell	Carnahan	Cierpiot
Clayton	Coleman	Cooper	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 004

Burcham	Copenhaver	Hendrickson	Troupe
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PRESENT: 000

ABSENT WITH LEAVE: 005

Berkstresser	Boykins	Champion	Scheve	Van Zandt
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VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HCS HB 194, relating to higher education institutions, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HCS HB 194** was read the third time and passed by the following vote:

AYES: 110

Abel	Baker	Barry 100	Bartelsmeyer	Bartle
Behnen	Berkowitz	Bonner	Boucher	Bowman
Bray 84	Britt	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Coleman	Copenhaver
Crawford	Crowell	Crump	Davis	Dolan
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Harding	Harlan	Hartzler
Haywood	Hickey	Hilgemann	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Liese	Lowe
Luetkenhaus	Marsh	Mayer	Mays 50	Merideth
Miller	Monaco	Moore	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Ransdall
Reid	Reinhart	Relford	Reynolds	Ridgeway
Rizzo	Ross	Schwab	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	Surface	Thompson	Treadway	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wright	Mr. Speaker

NOES: 043

Ballard	Barnett	Bearden	Black	Bland
Boatright	Brooks	Burcham	Clayton	Cooper
Cunningham	Curls	Dempsey	Enz	Hanaway
Hegeman	Henderson	Hendrickson	Hohulin	Holand
Kelley 47	Legan	Levin	Linton	Lograsso
Long	Luetkemeyer	Marble	May 149	Murphy
Myers	Phillips	Portwood	Purgason	Rector
Richardson	Roark	Robirds	Scott	St. Onge
Townley	Troupe	Wilson 42		

PRESENT: 001

Barnitz

ABSENT WITH LEAVE: 006

Berkstresser	Boykins	Lawson	McKenna	Scheve
Van Zandt				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HB 218, relating to public schools, was taken up by Representative Farnen.

On motion of Representative Farnen, **HB 218** was read the third time and passed by the following vote:

AYES: 151

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Black	Bland	Boatright	Bonner
Boucher	Bowman	Bray 84	Britt	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 004

Brooks	Hohulin	Lograsso	Murphy
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PRESENT: 000

ABSENT WITH LEAVE: 005

Berkstresser	Boykins	Moore	Scheve	Van Zandt
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VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

Representative Clayton assumed the Chair.

Speaker Pro Tem Abel resumed the Chair.

HCS HBs 265 & 369, relating to first degree murder sentencing procedure, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HCS HBs 265 & 369** was read the third time and passed by the following vote:

AYES: 130

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Black
Bland	Bonner	Boucher	Bowman	Bray 84
Britt	Brooks	Burcham	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	Gaskill	George	Graham
Green 15	Green 73	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Hendrickson	Hickey	Hilgemann	Holand	Holt
Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Levin	Liese
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	O'Connor	O'Toole	Ostmann
Overschmidt	Portwood	Ransdall	Reid	Reinhart
Relford	Reynolds	Ridgeway	Rizzo	Robirds
Ross	Scheve	Schwab	Secrest	Seigfreid
Selby	Shields	Shoemyer	Skaggs	Smith
St. Onge	Thompson	Treadway	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 023

Ballard	Bartelsmeyer	Boatright	Burton	Cooper
Froelker	Gratz	Griesheimer	Henderson	Hohulin
Hunter	Kelly 144	Legan	Linton	Marble
Nordwald	Phillips	Purgason	Rector	Roark
Scott	Surface	Townley		

PRESENT: 000

ABSENT WITH LEAVE: 007

Berkstresser	Boykins	Hollingsworth	Richardson	Shelton
Troupe	Van Zandt			

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HS HCS HBs 237, 270, 403 & 442, relating to sunshine law, was taken up by Representative Smith.

On motion of Representative Smith, **HS HCS HBs 237, 270, 403 & 442** was read the third time and passed by the following vote:

AYES: 145

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Bland	Boatright	Bonner	Boucher
Bray 84	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Murphy	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Treadway	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 004

Champion	Lawson	Nordwald	Townley
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PRESENT: 000

ABSENT WITH LEAVE: 011

Berkstresser	Black	Bowman	Boykins	Franklin
Holand	Moore	Richardson	Shelton	Troupe
Van Zandt				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

PERFECTION OF HOUSE BILL - INFORMAL

HCS HB 425, with HS, pending, relating to underground facility safety, was taken up by Representative O'Toole.

Representative Clayton offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bill No. 425, Page 27, Section 3 19.050, Line 13, by adding the following after said line:

“The state shall appropriate and disburse to its political subdivisions payment for any and all activities imposed by approval of this act pursuant to Article X, Section 21 of the Missouri Constitution.”.

Representative Clayton moved that **House Amendment No. 5** be adopted.

Which motion was defeated.

Representative Miller offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for House Bill No. 425, Page 26, Section 3 19.050, Line 21, by inserting after the word **“apply”** the following:

“to any utility which is repairing or replacing any of its facilities due to damage caused during an unexpected occurrence or”; and

Further amend said bill, Page 27, Section 3 19.050, Line 3, by inserting before the word **“fires,”** the following:

“thunderstorms, high winds, ice or snow storms,”; and

Further amend said bill, Page 27, Section 3 19.050, Line 4, by inserting after the word **“accidents,”** the words **“water pipe breaks”;** and

Further amend said bill, Page 27, Section 3 19.050, Line 5, by inserting before the word **“subsurface”** the words **“surface or”;** and

Further amend said bill, Page 27, Section 3 19.050, Line 6, by inserting after the word **“excavator”** the words **“or utility”;** and

Further amend said bill, Page 27, Section 3 19.050, Line 8, by inserting after the word **“excavator”** the words **“or utility”.**

On motion of Representative Miller, **House Amendment No. 6** was adopted.

Representative Holt offered **House Amendment No. 7.**

House Amendment No. 7 was withdrawn.

Representative Hegeman offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for House Bill No. 425, Page 14, Section 319.026, Line 9, by inserting after the word “**quarter**” the words “**of a quarter**”; and

Further amend said bill, Page 17, Section 319.026, Line 1, by inserting after the word “**shall**” the following:

“be responsible to protect the markings from weather, construction or other causes which may contribute to the degradation of the markings and”; and

Further amend said bill, Page 17, Section 319.026, Lines 4-8, by striking all of said lines and inserting in lieu thereof the following:

“due to the excavator’s failure to protect the markings or exercise reasonable care; or the excavator fails to begin excavation within ten days from the original notice of intent to excavate or if repeated requests for remarking are made by a excavator even though the markings are visible and usable, the excavator shall be liable to the owner or operator for all cost associated with such remarking.”.

Representative Hegeman moved that **House Amendment No. 7** be adopted.

Which motion was defeated.

Representative Ballard offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for House Bill No. 425, Page 22, Section 319.030, Line 16, by placing brackets around “**of record**”.

On motion of Representative Ballard, **House Amendment No. 8** was adopted.

Representative Richardson offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for House Bill No. 425, Page 3, Section 319.015, Line 12, by inserting an opening bracket “[” before the figure “**(4)**”; and

Further amend said bill, Page 3, Section 319.015, Lines 12-23, by deleting all underlined words and removing brackets; and

Further amend said bill, Page 3, Section 319.015, Line 23, by inserting a closing bracket “]” after the word “**group**”; and

Further amend said bill, Page 3, Section 319.015, Line 24, by inserting before all of said line the following:

“(4) “Notification Center”, Prior to January 1, 2003, [an] a statewide organization operating twenty-four hours a day, three hundred sixty-five days a year on a not-for-profit basis, supported by its participants, or by more than one operator of underground facilities[.]. After January 1, 2003, the Notification Center shall be a division of the Missouri Public Service Commission supported the owners and operators of underground facilities and contractors and excavators who request the location of underground facilities in the normal course of business. The Notification Center will have as its principal purpose the statewide receipt and dissemination to participating

owners and operators of underground facilities of information concerning intended excavation activities in the area where such owners and operators have underground facilities. **The Public Service Commission shall have jurisdiction over all owners and operators of underground facilities specifically for the purpose of ensuring compliance with this Chapter. Nothing in this Section shall give the Commission any jurisdiction of the rates or terms of service for any utility which is not regulated by the Public Service Commission under chapters 387, 388, 389, 390, 391, 392, and 393, RSMo. The Public Service Commission shall have the authority to promulgate rules necessary to implement this chapter, including the level of participation for small owners and operators of underground facilities. The level of participation may be, but is not limited to a determination of the financial ability of the owner or operator to comply with the provisions of this Chapter. If the Public Service Commission finds that it would be unduly burdensome for a small owner or operator to comply with all of the provisions of this Chapter, then the Commission shall, by rule establish the locating obligations of small owners or operators and the obligations of excavators in contacting and assisting in the location of underground facilities.”.**

Representative Richardson moved that **House Amendment No. 9** be adopted.

Which motion was defeated by the following vote:

AYES: 047

Ballard	Barnett	Barnitz	Bartelsmeyer	Behnen
Berkowitz	Black	Boatright	Burcham	Clayton
Cooper	Crawford	Crowell	Cunningham	Farnen
Gaskill	Hampton	Hegeman	Henderson	Hohulin
Hunter	Jetton	Kelly 144	Kennedy	King
Koller	Legan	Long	Luetkemeyer	May 149
Mayer	Miller	Moore	Murphy	Myers
Naeger	Overschmidt	Purgason	Richardson	Rizzo
Roark	Robirds	Shoemyer	Smith	Townley
Troupe	Vogel			

NOES: 095

Abel	Baker	Barry 100	Bartle	Bearden
Bland	Bonner	Boucher	Bowman	Britt
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Coleman	Copenhaver	Crump	Curls
Davis	Dempsey	Dolan	Fares	Foley
Ford	Fraser	Froelker	Gambaro	George
Graham	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hanaway	Harding	Harlan	Hartzler	Haywood
Hickey	Hilgemann	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 27	Kelly 36	Lawson	Levin	Liese
Lowe	Luetkenhaus	Marble	Marsh	Mays 50
McKenna	Merideth	Monaco	O'Connor	O'Toole
Ostmann	Phillips	Portwood	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Ridgeway
Ross	Scheve	Schwab	Secret	Seigfreid
Selby	Shelton	Shields	St. Onge	Thompson
Treadway	Villa	Wagner	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Wright

PRESENT: 000

ABSENT WITH LEAVE: 018

Berkstresser	Boykins	Bray 84	Brooks	Enz
Franklin	Gratz	Hendrickson	Holand	Linton
Lograsso	Nordwald	Scott	Skaggs	Surface
Van Zandt	Wiggins	Mr. Speaker		

VACANCIES: 003

Representative Marble offered **House Amendment No. 10.**

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for House Bill No. 425, Page 3, Section 3 19.015, Line 23, by inserting after the word “**group**” the following:

“, including, but not limited to, at least one member representing rural electric cooperatives and one member representing telecommunications companies providing telecommunications service to fewer than 10,000 customers”.

Representative Marble moved that **House Amendment No. 10** be adopted.

Which motion was defeated.

Representative Crawford offered **House Amendment No. 11.**

Representative Monaco raised a point of order that **House Amendment No. 11** is dilatory.

The Chair ruled the point of order well taken.

On motion of Representative O'Toole, **HS HCS HB 425, as amended**, was adopted by the following vote:

AYES: 084

Baker	Barry 100	Bearden	Bland	Bonner
Boucher	Bowman	Burcham	Burton	Campbell
Carnahan	Champion	Coleman	Copenhaver	Crowell
Crump	Cunningham	Curls	Dempsey	Dolan
Fares	Foley	Fraser	Gambaro	George
Graham	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hanaway	Harding	Hartzler	Haywood	Hickey
Hilgemann	Hohulin	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 27	Kelly 36	Kennedy	Lawson	Levin
Liese	Lograsso	Lowe	Luetkenhaus	Marble
Marsh	Mays 50	McKenna	Monaco	Murphy
O'Toole	Ostmann	Phillips	Portwood	Rector
Reid	Secrest	Selby	Shelton	Shields
St. Onge	Thompson	Treadway	Troupe	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	

NOES: 051

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Behnen	Berkowitz	Black	Boatright	Britt
Cierpiot	Clayton	Cooper	Crawford	Davis
Farnen	Froelker	Gaskill	Hampton	Hegeman
Henderson	Hunter	Jetton	Kelly 144	King
Koller	Legan	Long	Luetkemeyer	May 149
Mayer	Merideth	Miller	Moore	Myers
Naeger	Overschmidt	Purgason	Ransdall	Reinhart
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Schwab	Seigfreid	Shoemyer	Smith
Townley				

PRESENT: 000

ABSENT WITH LEAVE: 025

Abel	Berkstresser	Boykins	Bray 84	Brooks
Byrd	Enz	Ford	Franklin	Gratz
Harlan	Hendrickson	Holand	Linton	Nordwald
O'Connor	Relford	Reynolds	Scheve	Scott
Skaggs	Surface	Van Zandt	Wiggins	Mr. Speaker

VACANCIES: 003

On motion of Representative O'Toole, **HS HCS HB 425, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 756 - Urban Affairs

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 17 - Missouri Tobacco Settlement

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 701 - Environment and Energy
HB 877 - Social Services, Medicaid and the Elderly
HB 878 - Education-Elementary and Secondary
HB 879 - Correctional and State Institutions
HB 880 - Correctional and State Institutions
HB 881 - Local Government and Related Matters

HB 884 - Motor Vehicle and Traffic Regulations
HB 885 - Transportation
HB 886 - Ways and Means
HB 887 - Social Services, Medicaid and the Elderly
HB 888 - Missouri Tobacco Settlement
HB 889 - Commerce and Economic Development
HB 891 - Civil and Administrative Law
HB 892 - Children, Families and Health
HB 893 - Motor Vehicle and Traffic Regulations
HB 894 - Children, Families and Health
HB 895 - Judiciary
HB 896 - Insurance
HB 897 - Motor Vehicle and Traffic Regulations
HB 898 - Civil and Administrative Law
HB 899 - Professional Registration and Licensing
HB 900 - Insurance
HB 901 - Criminal Law
HB 902 - Miscellaneous Bills & Resolutions
HB 903 - Education-Elementary and Secondary
HB 904 - Agriculture
HB 905 - Ways and Means
HB 906 - Ways and Means
HB 908 - Civil and Administrative Law
HB 909 - Correctional and State Institutions
HB 910 - Ways and Means
HB 911 - Critical Issues
HB 912 - Motor Vehicle and Traffic Regulations
HB 914 - Agriculture
HB 922 - Local Government and Related Matters
HB 923 - Environment and Energy
HB 930 - Local Government and Related Matters
HB 933 - Ways and Means

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SS SCS SCR 5 - Children, Families and Health

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SB 25 - Education-Higher

COMMITTEE REPORTS

Committee on Agriculture, Chairman Wiggins reporting:

Mr. Speaker: Your Committee on Agriculture, to which was referred **HB 581**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Budget, Chairman Green (73) reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 3**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 4**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 5**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 6**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 7**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 8**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 9**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 10**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 11**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 12**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Civil and Administrative Law, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **HB 537**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **HB 626**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **HB 693**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Education-Elementary and Secondary, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **HB 45**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Education-Higher, Chairman Williams reporting:

Mr. Speaker: Your Committee on Education-Higher, to which was referred **HB 769**, begs leave to report it has examined the same and recommends that it **Do Pass By Consent**.

Committee on Motor Vehicle and Traffic Regulations, Chairman O'Connor reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 477**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 691**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 788**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Professional Registration and Licensing, Chairman Treadway reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 544**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 757**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Retirement, Chairman Hagan-Harrell reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 318**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 385**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Social Services, Medicaid and the Elderly, Chairman Ladd Baker reporting:

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **HB 603**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 18, introduced by Representatives Johnson (90), Hollingsworth, McKenna, Selby, Abel and Wagner, relating to the state board of education.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 935, introduced by Representatives Roark, Marsh, Wright, Portwood, Shields and Moore, et al, relating to income tax revenue from gaming winnings.

HB 936, introduced by Representative Mays (50), relating to drainage districts.

HB 937, introduced by Representative Levin, relating to vital statistics.

HB 938, introduced by Representative Coleman, relating to the technology trust fund.

HB 939, introduced by Representative Green (73), relating to associate circuit judges.

HB 940, introduced by Representative Ballard, relating to scheduling of activities involving public school teachers.

HB 941, introduced by Representative Ballard, relating to pesticide application in public buildings.

HB 942, introduced by Representatives Hanaway, Kreider, Foley, Fraser, Reinhart, Naeger, Overschmidt and Monaco, et al, relating to the tobacco settlement.

HB 943, introduced by Representatives Kreider, Hanaway, Foley, Reinhart, Champion, Monaco, Naeger, Graham, Overschmidt and Fraser, et al, relating to the tobacco settlement.

HB 944, introduced by Representatives Coleman and Kreider, relating to an income tax credit for certain parents.

HB 945, introduced by Representative Hosmer, relating to juror pay.

HB 946, introduced by Representatives Merideth and Mayer, relating to the office of elementary and preschool deaf education.

HB 947, introduced by Representatives Reid, Luetkenhaus, Holt, Selby, Secrest, Phillips, Enz and Bartelsmeyer, et al, relating to human embryos and cloning.

HB 948, introduced by Representative Boucher, relating to safe chemical handling in public school science classrooms.

HB 949, introduced by Representative Barry, relating to hospital whistle-blower protections.

HB 950, introduced by Representative Hosmer, relating to funding for family court services.

HB 951, introduced by Representative Gratz, to authorize the conveyance of certain property in Cole County.

HB 952, introduced by Representatives Haywood, Thompson, Bowman and Wilson (42), et al, relating to student placement.

HB 953, introduced by Representatives Thompson, Selby, Haywood, Bowman, Troupe and Ross, et al, relating to tax relief for veterans.

HB 954, introduced by Representative Hosmer, relating to license suspension and revocation procedures for persons under twenty-one years of age.

HB 955, introduced by Representative Green (73), relating to the hospital federal reimbursement allowance program.

HB 956, introduced by Representatives Harding, Ransdall, Haywood and Copenhaver, et al, relating to Missouri Day.

HB 957, introduced by Representative Harding, relating to tourism taxes in certain cities.

HB 958, introduced by Representatives Kelley (47) and Cierpiot, et al, relating to faith-based and community-based initiatives.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 4**, entitled:

An act to repeal sections 32.056, 84.480 and 84.510, RSMo 2000, relating to certain police officers, and to enact in lieu thereof three new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 149**, entitled:

An act to repeal section 307.366 as enacted by conference committee substitute for senate committee substitute for house committee substitute for house bills nos. 603, 722 and 783, ninetieth general assembly, first regular session, section 307.366 as enacted by conference committee substitute for house substitute for senate substitute for senate committee substitute for senate bill no. 19, ninetieth general assembly, first regular session and section 643.315, RSMo 2000, relating to motor vehicle emissions requirements, and to enact in lieu thereof two new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 234**, entitled:

An act to repeal section 144.010, RSMo 2000, relating to sales tax on telecommunication services, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 316**, entitled:

An act to amend chapter 169, RSMo, by adding thereto one new section relating to certain school retirement systems.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 341**, entitled:

An act to repeal sections 57.010, 590.100, 590.130, 590.170 and 590.175, RSMo 2000, relating to law enforcement agencies, and to enact in lieu thereof three new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 371**, entitled:

An act to repeal sections 104.170, 104.312, 104.330, 104.339, 104.343, 104.372, 104.374, 104.395, 104.401, 104.420, 104.450, 104.515, 104.518, 104.530, 104.600, 104.601, 104.602, 104.620, 104.1003, 104.1024, 104.1030, 104.1051, 104.1072, 104.1078, 104.1093, 226.092, 226.160 and 476.524, RSMo 2000, relating to public retirement systems, and to enact in lieu thereof twenty-seven new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 383**, entitled:

An act to authorize the conveyance of property owned by the state in Platte County to Kansas City International Airport.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 430**, entitled:

An act to repeal section 71.640, RSMo 2000, relating to taxation for band funds in certain municipalities, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 441**, entitled:

An act to repeal section 95.280, RSMo 2000, relating to cities of the third classification, and to enact in lieu thereof one new section relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 10**.

SENATE CONCURRENT RESOLUTION NO. 10

WHEREAS, the Railroad Retirement and Survivors Improvement Act of 2000 was approved in a bipartisan effort by 391 members of the United States House of Representatives in the 106th Congress, including the entire Missouri delegation to Congress; and

WHEREAS, more than 83 United States Senators, including both Missouri Senator Kit Bond and then Missouri Senator John Ashcroft, signed letters of support for this legislation in 2000; and

WHEREAS, the bill now before the 107th Congress modernizes the Railroad Retirement System for its 690,000 beneficiaries nationwide, including over 23,100 in Missouri; and

WHEREAS, railroad management, labor and retiree organizations have agreed to support this legislation; and

WHEREAS, this legislation provides tax relief to freight railroads, Amtrak and commuter lines; and

WHEREAS, this legislation provides benefit improvements for surviving spouses of rail workers, who currently suffer deep cuts in income when the rail retiree dies; and

WHEREAS, no outside contributions from taxpayers are needed to implement the changes called for in this legislation; and

WHEREAS, all changes will be paid for from within the railroad industry, including a full share by active employees:

NOW, THEREFORE, BE IT RESOLVED by the Missouri Senate, Ninety-first General Assembly, First Regular Session, the House of Representatives concurring therein, that the United States Congress are urged to support the Railroad Retirement and Survivors Improvement Act in the 107th Congress; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and all Missouri members of the Missouri Congressional delegation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SS SCR 13**.

SENATE SUBSTITUTE
FOR
SENATE CONCURRENT RESOLUTION NO. 13

WHEREAS, the United States Fish and Wildlife Service has recommended that the United States Army Corps of Engineers implement the so-called "spring rise-split season" plan for operation of the Missouri River mainstem reservoir system; a plan which would result in an increase in the flow of the Missouri River in the spring, and a reduction of the flow in the summer of each year, purportedly to improve habitat for the threatened and endangered pallid sturgeon, least tern and piping plover; and

WHEREAS, additional changes under consideration by the United States Army Corps of Engineers to the Missouri River Master Manual would result in the storage of more water in the upstream reservoirs while decreasing the amount of water available downstream for designated uses, and these changes would shorten the navigation season on the Missouri River by twenty-seven days in November and put at risk Mississippi River navigation as well; and

WHEREAS, analysis of the proposed changes by the state of Missouri and the United States Army Corps of Engineers has indicated these changes will fail to improve and will potentially diminish habitat for the species in question, will increase the risk of flooding along the Missouri River, will result in a decrease in river levels in early summer and fall which will impact navigation and other designated uses on the Missouri and Mississippi Rivers; and

WHEREAS, habitat restoration along the lower Mississippi River has demonstrated great success in aiding the recovery of these species and a similar approach should be given the opportunity to succeed on the Missouri River; and

WHEREAS, these plans have the potential for severe impact on any industry which uses the Missouri River or Mississippi River to transport products and the potential increase risk of flooding in river communities and on farm land in the Missouri and lower Mississippi River basins; and

WHEREAS, these proposals do not adequately address the concerns and needs of states in the lower Missouri and Mississippi River basin, and will not realize the purported benefit of increasing habitat for endangered species; and

WHEREAS, the Missouri departments of natural resources, conservation and transportation have opposed these plans and have informed the Fish and Wildlife Service and the United States Army Corps of Engineers of their concerns regarding the potential impact on the state's river communities, lands, businesses and wildlife habitat:

NOW, THEREFORE, BE IT RESOLVED by the Missouri Senate, Ninety-first General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge the Governor to protest against any proposals that would so negatively impact beneficial uses of the lower Missouri Mississippi Rivers and would not significantly improve conditions for the species of concern; and

BE IT FURTHER RESOLVED that the members of the General Assembly urge the Department of Natural Resources, the Department of Conservation and the Department of Transportation to continue to insist that any plan involving the operations of the Missouri River improve the Missouri River for all beneficial uses and be sure any river management changes consider all based on sound science; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the United States Fish and Wildlife Service, the United States Army Corps of Engineers, the Governor of Missouri, the Director of the Department of Natural Resources, the Director of the Department of Conservation and the Director of Transportation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 16**.

SENATE CONCURRENT RESOLUTION NO. 16

WHEREAS, the members of the Missouri Senate recognize the problems our nation's military personnel experience to exercise their right to vote; and

WHEREAS, for those military personnel living overseas, timely notice of elections back home can be problematic for both those on active duty and their families; and

WHEREAS, as reports from Florida indicate, many military personnel are unable to return their ballots to local election authorities in a timely manner; and

WHEREAS, it is unconscionable that we would disenfranchise the very individuals who put their lives on the line to protect our democratic right to vote:

NOW, THEREFORE, BE IT RESOLVED that the Missouri Senate, Ninety-first General Assembly, First Regular Session, the House of Representatives concurring therein, unanimously recommend to the United States Congress that it review challenges faced by our military personnel and enact a comprehensive Military Voting Rights Act; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the members of the Missouri Congressional Delegation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 18**.

SENATE CONCURRENT RESOLUTION NO. 18

WHEREAS, telecommunications services and energy services and sources are vital to the economic vitality and well-being of the state of Missouri; and

WHEREAS, attempts across the nation to deregulate telecommunications services and energy services and sources have met with both success and failure in the effort to create competitive markets and make available new services and customer choices; and

WHEREAS, the state and political subdivisions have imposed taxes, fees and other assessments on various telecommunications and energy services which vary widely based on locality and, within a locality, may vary widely due to increasingly related and competitive services, such as telephone and cable television; and

WHEREAS, the current nationwide effort to establish competition in the production, distribution and sale of energy, including electricity, natural gas and other energy sources has potential benefits and adverse effects on energy producers, distributors, retailers, customers and the citizens of this state; and

WHEREAS, ensuring adequate and affordable telecommunications services and energy services and sources necessitate a fair and equitable tax structure across different telecommunications and energy services and across different regions of the state; and

WHEREAS, the issue of whether governmental entities should expend public resources to compete with private telecommunications and energy entities should be explored; and

WHEREAS, a Joint Interim Committee on Telecommunications and Energy has studied the above-mentioned issues during the tenure of the Ninetieth General Assembly and recommends that a similar study committee be established to continue the study during the tenure of the Ninety-first General Assembly:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri Senate, Ninety-first General Assembly, First Regular Session, the House of Representatives concurring therein, that a joint legislative committee on Telecommunications and Energy be created to be composed of seven members of the Senate, to be appointed by the President Pro Tem of the Senate, and seven members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, and that said committee be authorized to function throughout the Ninety-first General Assembly; and

BE IT FURTHER RESOLVED that said committee continue and expand the in-depth studies conducted by prior Joint Interim Committees on Telecommunications and Energy and make appropriate recommendations concerning financial, legal, social, taxation, environmental, technological and economic issues of telecommunications, cable television, all Internet services, including asymmetrical digital subscriber lines (ADSL) and service via cable lines, and energy services taxation, competition between governmental entities and private telecommunication entities, and any other issues the committee deems relevant; and

BE IT FURTHER RESOLVED that said committee continue and expand the in-depth studies conducted by prior Joint Interim Committees on Telecommunications and Energy and make appropriate recommendations concerning financial, legal, social, taxation, environmental, technological and economic issues of deregulation and increasing competition in energy production, distribution and sale, including consideration of the effects on residential customers, small and large business customers, utility shareholders and other stakeholders, and any other issues the committee deems relevant; and

BE IT FURTHER RESOLVED that said committee prepare an interim report, together with its recommendations for any legislative action it deems necessary for submission to the General Assembly prior to the commencement of the Second Regular Session of the Ninety-first General Assembly and a final report, together with its recommendations for any legislative action it deems necessary for submission to the General Assembly prior to the commencement of the First Regular Session of the Ninety-second General Assembly; and

BE IT FURTHER RESOLVED that said committee may solicit any input and information necessary to fulfill its obligations from the Missouri Public Service Commission, the Department of Economic Development, the Division of Energy within the Department of Natural Resources, the Office of Public Counsel, political subdivisions of this state, telecommunications and energy service providers, energy utilities and representatives of all telecommunications and energy customer groups; and

BE IT FURTHER RESOLVED that House Research, the Committee on Legislative Research, and Senate Research shall provide such legal, research, clerical, technical and bill drafting services as the committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the actual and necessary expenses of the committee, its members and any staff personnel assigned to the committee incurred in attending meetings of the committee or any subcommittee thereof shall be paid from the Joint Contingent Fund.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 20**.

SENATE CONCURRENT RESOLUTION NO. 20

WHEREAS, the trucking industry is a major part of the Missouri economy with considerable interest in highway safety in our state; and

WHEREAS, the trucking industry employs thousands of commercial truck drivers that necessitates criminal background checks to insure that its drivers are responsible citizens; and

WHEREAS, the Missouri Uniform Law Enforcement System provides access to only criminal background information on criminal records in Missouri; and

WHEREAS, the National Crime Information Center under the Federal Bureau of Investigation is only available to law enforcement agencies for law enforcement purposes:

NOW, THEREFORE BE IT RESOLVED, that the members of the Missouri Senate, Ninety-First General Assembly, First Regular Session, the House of Representatives concurring therein, hereby recognize the need for the trucking industry to have access to such information in the interest of insuring that its drivers are responsible citizens and thus promoting safety on our highways and urges the United States Department of Justice to provide access to such information to the trucking industry; and

BE IT FURTHER RESOLVED, that the Missouri General Assembly urges the United States Congress to enact legislation to cause information contained in the National Online Information Center to be accessible to the trucking industry; and

BE IT FURTHER RESOLVED, that the Secretary of the Senate prepare property inscribed copies to each member of Missouri's Congressional delegation and the United States Department of Justice.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 32**, entitled:

An act to repeal section 162.790, RSMo 2000, relating to state funding for the education of certain disabled students, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 123**, entitled:

An act to repeal section 21.750, RSMo 2000, relating to rights of political subdivisions, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 244**, entitled:

An act to amend chapters 302 and 431, RSMo, by adding thereto two new sections relating to the nonpayment of goods and services.

In which the concurrence of the House is respectfully requested.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Wagner is no longer a member of the Workers Compensation and Employment Security Committee.

Representative Bland has been appointed a member of the Workers Compensation and Employment Security Committee.

Representative Wagner has been appointed a member of the Sportsmanship, Safety and Firearms Committee.

Representative Griesheimer has been appointed a member of the Joint Committee on Gaming and Wagering.

Representative Dolan has been appointed a member of the Joint Committee on Gaming and Wagering.

Representative Roark has been appointed a member of the Joint Committee on Transportation Oversight.

The following member's presence was noted: Van Zandt.

ADJOURNMENT

On motion of Representative Foley, the House adjourned until 3:00 p.m., Monday, March 12, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Thirty-fifth Day, Thursday, March 1, 2001, page 549, line 25, by inserting immediately after said line the following:

HB 807 - Children, Families and Health

Correct House Journal, Thirty-eighth Day, Wednesday, March 7, 2001, pages 601 and 602, roll call, by showing Representatives George and Harding voting "aye" rather than "absent with leave".

Pages 605 and 606, roll call, by showing Representatives Copenhaver and Gambaro voting "no" rather than "absent with leave".

Pages 608 and 609, roll call, by showing Representative George voting "no" rather than "absent with leave".

Pages 611 and 612, roll call, by showing Representative Levin voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, March 12, 2001, 1:00 pm. Hearing Room 7.
Statewide Leasing. Hearing and mark-up.

BUDGET

Monday, March 12, 2001, 12:00 pm. Hearing Room 3.
FY 2002 appropriation mark-up. House Bill 1 through House Bill 12.
Executive Session. CANCELLED.

CIVIL AND ADMINISTRATIVE LAW

Wednesday, March 14, 2001. Hearing Room 1 upon morning adjournment.
Executive Session to follow.
To be considered - HB 833, HB 891, HB 915

COMMERCE AND ECONOMIC DEVELOPMENT

Tuesday, March 13, 2001. Hearing Room 6 upon morning adjournment.
Executive Session may follow. AMENDED.
To be considered - HB 837, HB 875

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, March 13, 2001, 8:00 pm. Hearing Room 7.

Executive Session may follow.

To be considered - HB 147, HB 150, HB 155, HB 231, HB 347, HB 645

CRIMINAL LAW

Wednesday, March 14, 2001, 8:00 pm. Hearing Room 7.

Executive Session will follow.

To be considered - HB 440, HB 777, HB 811, HB 819, HB 829, HB 883

CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING

Monday, March 12, 2001, 8:00 pm. Hearing Room 3.

Executive Session may follow.

To be considered - HB 564, HB 610

ELECTIONS

Tuesday, March 13, 2001, 7:30 pm. Hearing Room 5.

Executive Session may follow.

To be considered - HB 697, HB 772, HB 782

FISCAL REVIEW AND GOVERNMENT REFORM

Tuesday, March 13, 2001, 8:30 am. Hearing Room 7.

To be considered - HB 26, HB 381, Executive Session - HJR 10, Executive Session - HJR 12

INSURANCE

Tuesday, March 13, 2001, 12:00 pm. Side gallery.

Hearing will begin at noon or upon morning adjournment.

To be considered - HB 644, HB 664, HB 793

JUDICIARY

Tuesday, March 13, 2001. Hearing Room 5 upon morning adjournment.

Executive Session may follow.

To be considered - HB 815, HB 862

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, March 13, 2001, 1:00 pm. Hearing Room 1.

Executive Session to follow.

To be considered - HB 648, HB 729, HB 797, HB 805, HB 897

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Wednesday, March 14, 2001, 7:00 pm. Hearing Room 6.

Work session on TANF.

To be considered - HB 870

SPECIAL COMMITTEE ON PUBLIC-PRIVATE PARTNERSHIPS

Monday, March 12, 2001, 11:00 am. Hearing Room 1.

MU Sports Arena. CANCELLED.

SPECIAL COMMITTEE ON PUBLIC-PRIVATE PARTNERSHIPS

Monday, March 26, 2001, 1:00 pm. Hearing Room 3.

MU Sports Arena, Jordan Valley Park.

SUBCOMMITTEE ON LEGISLATIVE RESEARCH & OVERSIGHT

Monday, March 12, 2001, 2:30 pm. Hearing Room 6.

Challenge Fiscal Note.

To be considered - HB 108, HB 285, HB 338, HB 381, SB 97, SB 401

HOUSE CALENDAR

FORTIETH DAY, MONDAY, MARCH 12, 2001

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 18

HOUSE BILLS FOR SECOND READING

HB 935 through HB 958

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

- 1 HB 1 - Bonner
- 2 HCS HB 2 - Graham
- 3 HCS HB 3 - Graham
- 4 HCS HB 4 - Bonner
- 5 HCS HB 5 - Bonner
- 6 HCS HB 6 - Ransdall
- 7 HCS HB 7 - Ransdall
- 8 HCS HB 8 - Kelly (27)
- 9 HCS HB 9 - Kelly (27)
- 10 HCS HB 10 - Riback Wilson (25)
- 11 HCS HB 11 - Troupe
- 12 HCS HB 12 - Bonner

HOUSE BILLS FOR PERFECTION

- 1 HB 185 - Legan
- 2 HCS HB 738 - Liese
- 3 HCS HB 107 - Clayton
- 4 HB 249 - Treadway
- 5 HCS HB 334 - Davis
- 6 HCS HB 762 - Barry
- 7 HCS HB 754, 29, 300 & 505 - Franklin
- 8 HB 444 - Kreider
- 9 HB 473, HCA 1 - Robirds
- 10 HCS HB 327 - Rizzo
- 11 HB 321 - Skaggs
- 12 HB 453 - Ransdall
- 13 HB 501 - Bowman
- 14 HB 314 - Nordwald

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HB 166 - Troupe
- 3 HB 114 - Hickey
- 4 HB 421 - Hoppe

HOUSE BILLS FOR PERFECTION - CONSENT

(March 5, 2001)

- 1 HB 502 - Ward
- 2 HB 779 - Barnett
- 3 HB 409 - Surface
- 4 HB 452 - Gratz
- 5 HB 242 - Smith
- 6 HB 600 - Hosmer
- 7 HB 607 - Johnson (90)
- 8 HB 470 - Shields
- 9 HB 491 - George

(March 12, 2001)

- 1 HB 603 - Hilgemann
- 2 HB 788 - O'Connor
- 3 HB 742 - Harding
- 4 HB 361 - Shoemyer
- 5 HB 808 - Gratz

- 6 HB 691 - Barnett
- 7 HB 454 - Monaco
- 8 HB 212 - Ward
- 9 HB 757 - Shoemyer
- 10 HB 477 - Graham
- 11 HB 45 - Farnen
- 12 HB 459 - Liese
- 13 HB 420 - Williams
- 14 HB 732 - Hosmer
- 15 HB 642 - Relford
- 16 HB 626 - Hosmer
- 17 HB 693 - Smith
- 18 HB 769 - Harlan
- 19 HB 537 - Ostmann
- 20 HB 544 - Holand
- 21 HB 318 - O'Toole
- 22 HB 385 - Franklin

HOUSE BILLS FOR THIRD READING

- 1 HS HB 381, (Fiscal Review 3-01-01) - Hoppe
- 2 HCS HB 26, (Fiscal Review 3-5-01) - Wilson (42)

SENATE CONCURRENT RESOLUTIONS FOR SECOND READING

- 1 SCR 10
- 2 SS SCR 13
- 3 SCR 16
- 4 SCR 18
- 5 SCR 20

SENATE BILLS FOR SECOND READING

- 1 SCS SB 4
- 2 SB 32
- 3 SB 123
- 4 SCS SB 149
- 5 SCS SB 234
- 6 SS SB 244
- 7 SB 316
- 8 SCS SB 341
- 9 SB 371
- 10 SCS SB 383
- 11 SB 430
- 12 SB 441

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

FORTIETH DAY, MONDAY, MARCH 12, 2001

Speaker Kreider in the Chair.

Prayer by Representative Charlie Shields.

Dear Lord,

As we gather in the last week before the spring break, we have before us an important task. The task is to pass the budget of this great State and send it to the Senate before we rest. The people have toiled in their work to provide the resources. It is this body that will decide how to allocate those resources. The people have entrusted this body with this great task. We ask for Your direction and guidance this week as we carry out the work of the people. Amen

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Margo O'Mealey, Abby O'Mealey, Joseph Cleveland, Heather Reed and Leslea Ewing.

The Journal of the thirty-ninth day was approved as corrected by the following vote:

AYES: 156

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Low	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason

Ransdall	Rector	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Bartelsmeyer	Byrd	Kennedy	Reid
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VACANCIES: 003

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 857 - Representative Moore
House Resolution No. 858 - Representative Curls
House Resolution No. 859 - Representative Behnen
House Resolution No. 860 - Representative Farnen
House Resolution No. 861
and
House Resolution No. 862 - Representative Green (73)
House Resolution No. 863 - Representative Williams

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 18 was read the second time.

SECOND READING OF HOUSE BILLS

HB 935 through **HB 958** were read the second time.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

SCR 10, **SS SCR 13**, **SCR 16**, **SCR 18** and **SCR 20** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 4, **SB 32**, **SB 123**, **SCS SB 149**, **SCS SB 234**, **SS SB 244**, **SB 316**, **SCS SB 341**, **SB 371**, **SCS SB 383**, **SB 430** and **SB 441** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HB 425**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

PERFECTION OF HOUSE BILLS

HCS HB 738, relating to small loans, was taken up by Representative Liese.

Representative Monaco assumed the Chair.

On motion of Representative Liese, **HCS HB 738** was adopted.

On motion of Representative Liese, **HCS HB 738** was ordered perfected and printed.

HCS HB 107, relating to tort victims' compensation fund, was taken up by Representative Clayton.

Representative Clayton offered **HS HCS HB 107**.

Representative Clayton offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 107, Page 10, Section 537.681, Line 24 of said page, by deleting the letter "(g)" and inserting in lieu thereof the letter "(f)"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Clayton, **House Amendment No. 1** was adopted.

Representative Froelker offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 107, Section 537.675, Page 5, Line 11, by deleting the word "**thirty-five**" and inserting in lieu thereof the word "**thirty**"; and

Further amend said House Committee Substitute, Section 537.675, Page 6, Line 6, by inserting the following after all of said line:

"6. (1) There is hereby established in the state treasury a special fund, to be known as the "Missouri CASA Fund". Ten percent of all payments received by the tort victims' compensation fund regardless of source or designation shall, upon appropriation, be paid to the credit of the Missouri CASA fund. Additionally, the state treasurer shall credit to and deposit in the Missouri CASA fund all other moneys which may be appropriated to it by the general assembly and also any gifts, contributions, grants, bequests or other aid received from federal, private or other sources. The general assembly may appropriate moneys into the fund to support the court-appointed special advocate (CASA) program throughout the state.

(2) The state treasurer shall invest moneys in the Missouri CASA fund in the same manner as surplus state funds are invested pursuant to section 30.260, RSMo. All earnings resulting from the investment of moneys in the fund shall be credited to the Missouri CASA fund.

(3) The state courts administrator shall administer and disburse moneys in the Missouri CASA fund based on the following requirements:

(a) The office of state courts administrator shall set aside funding for new start-up CASA programs throughout the state;

(b) Every recognized CASA program shall receive a base rate allocation, with availability of additional funding based on the number of children with abuse or neglect cases under the jurisdiction of the court; and

(c) All CASA programs being considered for funding shall be recognized by and affiliated with the state and national CASA associations.

(4) Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the Missouri CASA fund shall not revert to the credit of the general revenue fund at the end of the biennium."; and

Further amend said House Committee Substitute, Section 537.678, Page 6, Line 7, by deleting the word **"sixty-five"** and inserting in lieu thereof the word **"sixty"**; and

Further amend the title, enacting clause and intersectional references accordingly.

Speaker Pro Tem Abel assumed the Chair.

Representative Clayton offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

*House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for House Bill No. 107, Page 1, Section A, Line 12 of said page, by inserting after all of said line the following:

"476.777. 1. There is hereby established in the state treasury a special fund, to be known as the "Missouri CASA Fund". The state treasurer shall credit to and deposit in the Missouri CASA fund all moneys which may be appropriated to it by the general assembly and also any gifts, contributions, grants, bequests or other aid received from federal, private or other sources. The general assembly may appropriate moneys into the fund to support the court-appointed special advocate (CASA) program throughout the state.

2. The state treasurer shall invest moneys in the Missouri CASA fund in the same manner as surplus state funds are invested pursuant to section 30.260, RSMo. All earnings resulting from the investment of moneys in the fund shall be credited to the Missouri CASA fund.

3. The state courts administrator shall administer and disburse moneys in the Missouri CASA fund based on the following requirements:

(1) The office of state courts administrator shall set aside funding for new start-up CASA programs throughout the state;

(2) Every recognized CASA program shall receive a base rate allocation, with availability of additional funding based on the number of children with abuse or neglect cases under the jurisdiction of the court; and

(3) All CASA programs being considered for funding shall be recognized by and affiliated with the state and national CASA associations.

4. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the Missouri CASA fund shall not revert to the credit of the general revenue fund at the end of the biennium."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Clayton, **House Substitute Amendment No. 1 for House Amendment No. 2** was adopted.

On motion of Representative Clayton, **HS HCS HB 107, as amended**, was adopted.

On motion of Representative Clayton, **HS HCS HB 107, as amended**, was ordered perfected and printed.

PERFECTION OF HOUSE BILL - INFORMAL

HB 166, relating to minority teaching scholarships, was taken up by Representative Troupe.

On motion of Representative Troupe, **HB 166** was ordered perfected and printed.

PERFECTION OF HOUSE BILLS

HB 185, relating to building regulations, was taken up by Representative Legan.

Representative Ballard offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 185, Page 3, Section 64.180, Line 49, by placing a period "." after the word "**county**" and inserting an opening bracket before the word "**provided**"; and

Further amend said bill by placing a closing bracket after the word "**approval**" on Line 51.

On motion of Representative Ballard, **House Amendment No. 1** was adopted.

On motion of Representative Legan, **HB 185, as amended**, was ordered perfected and printed.

HB 249, relating to amusement machine operators, was taken up by Representative Treadway.

Representative Boatright offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 249, Page 2, Section 324.1005, Subsection (3), Lines 26-27, by deleting the words "shall not exceed the greater of a single player of the amusement machine or the wholesale value of five dollars."; and inserting in lieu thereof the following: "**Shall not exceed the value of the cost of such single play.**"; and

Further amend said bill, Page 2, Section 324.1005, Subsection (3), Lines 27-29, by deleting the words “The value of an award from an accumulation of successful plays shall not exceed a wholesale value of more than twenty-five dollars.”; and

Insert in lieu thereof the following:

“The value of an award from an accumulation of plays shall not exceed the value of the cost of such plays.”.

Representative Boatright moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

On motion of Representative Treadway, **HB 249** was ordered perfected and printed.

HCS HB 334, relating to calculated levy for school aid, was taken up by Representative Davis.

Representative Marble offered **House Amendment No. 1**.

Representative Coleman raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Davis, **HCS HB 334** was adopted by the following vote:

AYES: 109

Abel	Ballard	Barnett	Barnitz	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Bland
Bonner	Bowman	Boykins	Britt	Brooks
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crump	Cunningham	Curls
Davis	Dolan	Farnen	Foley	Ford
Franklin	Froelker	Gambaro	Gaskill	Graham
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hartzler
Haywood	Hegeman	Henderson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Legan	Liese	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Murphy	Myers	Nordwald	O'Connor
Ostmann	Overschmidt	Purgason	Ransdall	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Roark
Robirds	Ross	Scott	Seigfreid	Selby
Shields	Shoemyer	Smith	Thompson	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 043

Baker	Barry 100	Black	Boatright	Boucher
Bray 84	Burcham	Burton	Byrd	Campbell
Crawford	Crowell	Dempsey	Enz	Fares
Fraser	George	Gratz	Green 15	Hanaway
Harding	Hendrickson	Holt	Jolly	Levin
Linton	Moore	Naeger	Phillips	Portwood
Rector	Reid	Rizzo	Scheve	Schwab
Secrest	Skaggs	St. Onge	Surface	Treadway
Van Zandt	Villa	Vogel		

PRESENT: 000

ABSENT WITH LEAVE: 008

Bartelsmeyer	Harlan	Lawson	Long	O'Toole
Shelton	Townley	Troupe		

VACANCIES: 003

On motion of Representative Davis, **HCS HB 334** was ordered perfected and printed.

HCS HB 762, relating to women's health services, was placed on the Informal Calendar.

HCS HBs 754, 29, 300 & 505, relating to teacher salary supplements, was placed on the Informal Calendar.

HB 444, relating to criminal activity forfeiture act, was placed on the Informal Calendar.

HB 473, with House Committee Amendment No. 1, relating to noxious weeds, was taken up by Representative Robirds.

On motion of Representative Robirds, **House Committee Amendment No. 1** was adopted.

On motion of Representative Robirds, **HB 473, as amended**, was ordered perfected and printed.

HCS HB 327, relating to petroleum storage tank insurance fund, was placed on the Informal Calendar.

HB 321, relating to Kansas City transportation sales tax, was taken up by Representative Skaggs.

Representative Ridgeway offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 321, Page 1, Section 92.402, Line 12, by inserting after the word "**Act.**" the following: "**providing that prior to December 1, 2001, the governing body shall be required to pass an ordinance extending the tax**".

Representative Rector offered **House Substitute Amendment No. 1 for House Amendment No. 1.**

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Bill No. 321, Page 1, Section 92.402, Line 12, by inserting after the word “**Act.**” the following:

“Providing that prior to December 1, 2001, the governing body shall be required to pass an ordinance extending the tax, in excess of seven and one-half percent until December 31, 2003.”.

Representative Rector moved that **House Substitute Amendment No. 1 for House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 070

Ballard	Barnett	Bartle	Bearden	Behnen
Berkstresser	Black	Burcham	Burton	Byrd
Champion	Cierpiot	Cooper	Crawford	Crowell
Cunningham	Dempsey	Enz	Fares	Froelker
Gaskill	Griesheimer	Hanaway	Hartzler	Hegeman
Henderson	Hendrickson	Hohulin	Holand	Hunter
Jetton	Kelley 47	Kelly 144	King	Legan
Levin	Linton	Lograsso	Long	Luetkemeyer
Marble	Marsh	May 149	Mayer	Miller
Moore	Murphy	Myers	Naeger	Nordwald
Ostmann	Phillips	Portwood	Purgason	Rector
Reid	Reinhart	Richardson	Ridgeway	Roark
Robirds	Ross	Schwab	Scott	Secrest
Shields	St. Onge	Surface	Vogel	Wright

NOES: 083

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Dolan	Farnen	Foley	Ford
Franklin	Fraser	Gambaro	George	Graham
Gratz	Green 15	Hagan-Harrell	Hampton	Harding
Haywood	Hickey	Hilgemann	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Kelly 27	Kelly 36	Kennedy	Koller	Lawson
Liese	Lowe	Luetkenhaus	Mays 50	McKenna
Merideth	Monaco	O'Connor	Overschmidt	Ransdall
Relford	Reynolds	Rizzo	Scheve	Seigfreid
Selby	Shoemyer	Skaggs	Smith	Thompson
Treadway	Troupe	Van Zandt	Villa	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 007

Bartelsmeyer
Shelton

Boatright
Townley

Green 73

Harlan

O'Toole

VACANCIES: 003

House Amendment No. 1 was withdrawn.

On motion of Representative Skaggs, **HB 321** was ordered perfected and printed.

PERFECTION OF HOUSE BILLS - INFORMAL

HB 421, relating to intoxication torts, was taken up by Representative Hoppe.

Representative Hoppe offered **HS HB 421**.

Representative Lograsso offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Bill No. 421, Page 1, Section 573.053, Lines 1 - 23, by deleting said lines; and

Further amend on Page 2, Lines 1 - 4, by deleting said lines and by deleting the opening bracket on Page 2, Line 5, and the closing bracket on Page 2, Line 42; and

Further delete Lines 34 - 36, and the word “**conviction**” on Line 37, Page 2, and adding in lieu thereof the word “**if**” and by adding the word “**such**” on Line 37, Page 2, between the words “**of**” and “**intoxicating**”; and

Further amend Page 2, Lines 40 and 41, by deleting the words “**if the sale of such intoxicating liquor**”; and

Further amend Page 2, Line 42, by adding the following at the end of said line: “**The sale of such intoxicating liquor to a person under the age of 21 years or to an obviously intoxicated person must be knowing and must be proven beyond a reasonable doubt.**”.

Representative Smith offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

House Substitute Amendment No. 1 for House Amendment No. 1

AMEND House Substitute for House Bill No. 421, Section 573.053, Page 2, Line 42, by inserting the following:

“**3. Notwithstanding subsections 1 and 2 of this section, a cause of action may be brought by or on behalf of any person who has suffered personal injury or death against either;**

(a) **any person licensed to sell intoxicating liquor by the drink for consumption on the premises who sells, serves, or furnishes intoxicating liquor to an obviously intoxicated person and the sale, service or furnishing of such intoxicating liquor is the proximate cause of such injury or death, or**

(b) any person licensed to sell intoxicating liquor by the drink for consumption on the premises who sells, serves, or furnishes intoxicating liquor to a person the seller knew or should have known is under the age of twenty-one years, and the sale, service, or furnishing of such intoxicating liquor is the proximate cause of such injury or death.”.

HB 421, with House Substitute Amendment No. 1 for House Amendment No. 1, House Amendment No. 1 and HS, pending, was laid over.

HCS HB 113, relating to state building contracts, was taken up and placed back on the Informal Calendar.

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 18 - Education-Elementary and Secondary

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 916 - Missouri Tobacco Settlement
HB 917 - Transportation
HB 918 - Judiciary
HB 919 - Judiciary
HB 920 - Critical Issues, Consumer Protection and Housing
HB 921 - Civil and Administrative Law
HB 925 - Education-Elementary and Secondary
HB 926 - Education-Elementary and Secondary
HB 927 - Judiciary
HB 928 - Children, Families and Health
HB 929 - Criminal Law
HB 931 - Social Services, Medicaid and the Elderly
HB 932 - Motor Vehicle and Traffic Regulations
HB 934 - Education-Elementary and Secondary
HB 935 - Ways and Means
HB 936 - Local Government and Related Matters
HB 937 - Children, Families and Health
HB 938 - Fiscal Review and Government Reform
HB 939 - Judiciary
HB 940 - Education-Elementary and Secondary
HB 941 - Agriculture
HB 942 - Missouri Tobacco Settlement
HB 943 - Missouri Tobacco Settlement
HB 944 - Ways and means
HB 945 - Judiciary

HB 946 - Education-Elementary and Secondary
HB 947 - Critical Issues, Consumer Protection and Housing
HB 948 - Education-Elementary and Secondary
HB 949 - Children, Families and Health
HB 950 - Judiciary
HB 951 - Correctional and State Institutions
HB 952 - Education-Elementary and Secondary
HB 953 - Ways and Means
HB 954 - Criminal Law
HB 955 - Social Services, Medicaid and the Elderly
HB 956 - Tourism, Recreation and Cultural Affairs
HB 957 - Tourism, Recreation and Cultural Affairs
HB 958 - Fiscal Review and Government Reform

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred (By Consent) **HB 242, HB 409, HB 452, HB 470, HB 491, HB 502, HB 600, HB 607** and **HB 779**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

INTRODUCTION OF HOUSE BILL - APPROPRIATIONS

The following House Bill was read the first time and copies ordered printed:

HB 19, introduced by Representative Green (73), to appropriate money for planning, expenses, and for capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions, and to transfer money among certain funds.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 959, introduced by Representative Kreider, relating to limited access highways.

HB 960, introduced by Representative Skaggs, relating to hospitals.

HB 961, introduced by Representative Hosmer, to authorize the exchange of property interests owned by the Missouri national guard and the city of Springfield.

HB 962, introduced by Representative Bartle, relating to repealing provisions of law declared to be unconstitutional.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 151**, entitled:

An act to amend chapter 379, RSMo, by adding thereto three new sections relating to motor vehicle insurance.

In which the concurrence of the House is respectfully requested.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Haywood is no longer a member of the Conservation, State Parks and Mining Committee.

Representative Barnitz has been appointed Vice-chair of the Conservation, State Parks and Mining Committee.

Representative Ridgeway has been appointed a member of the Missouri Tobacco Settlement Committee.

Representative Richardson has been appointed a member of the Missouri Tobacco Settlement Committee.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Tuesday, March 13, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Thirty-ninth Day, Thursday, March 8, 2001, page 635, line 27, by deleting all of said line and inserting in lieu thereof the following:

HB 911 - Critical Issues, Consumer Protection and Housing

Pages 620 and 621, roll call, by showing Representative Behnen voting “aye” rather than “absent with leave”.

Pages 622 and 623, roll call, by showing Representatives Crawford, Levin and Robirds voting “aye” rather than “absent with leave”.

Page 625, roll call, by showing Representative Copenhaver voting “aye” rather than “no”.

Page 625, roll call, by showing Representative Champion voting “aye” rather than “absent with leave”.

Page 626, roll call, by showing Representative Copenhaver voting “no” rather than “aye”.

Page 627, roll call, by showing Representative Moore voting “aye” rather than “absent with leave”.

Page 629, roll call, by showing Representatives Black and Moore voting “aye” rather than “absent with leave”.

Pages 632 and 633, roll call, by showing Representative Surface voting “no” rather than “absent with leave”.

Pages 633 and 634, roll call, by showing Representatives Reynolds and Surface voting “aye” rather than “absent with leave”.

Page 646, line 29, by deleting all of said line and inserting in lieu thereof the following:

The following members’ presence was noted: Van Zandt and Boykins

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, March 14, 2001. Hearing Room 7 upon morning adjournment.

AMENDED.

To be considered - HB 904, HB 914, HCR 22

CHILDREN, FAMILIES, AND HEALTH

Tuesday, March 13, 2001. Hearing Room 4 upon morning adjournment.

Possible Executive Session to follow.

To be considered - HB 796, HB 821, HB 949

CIVIL AND ADMINISTRATIVE LAW

Wednesday, March 14, 2001. Hearing Room 1 upon morning adjournment.

Executive Session to follow.

To be considered - HB 833, HB 891, HB 915

COMMERCE AND ECONOMIC DEVELOPMENT

Tuesday, March 13, 2001. Hearing Room 6 upon morning adjournment.

Executive Session may follow. AMENDED.

To be considered - HB 837, HB 875

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, March 13, 2001, 8:00 pm. Hearing Room 7.

Executive Session may follow.

To be considered - HB 147, HB 150, HB 155, HB 231, HB 347, HB 645

CRIMINAL LAW

Wednesday, March 14, 2001, 8:00 pm. Hearing Room 7.

Executive Session will follow.

To be considered - HB 440, HB 777, HB 811, HB 819, HB 829, HB 883

ELECTIONS

Tuesday, March 13, 2001, 7:30 pm. Hearing Room 5.

Executive Session may follow.

To be considered - HB 697, HB 772, HB 782

FISCAL REVIEW AND GOVERNMENT REFORM

Tuesday, March 13, 2001, 8:30 am. Hearing Room 7.

To be considered - HB 26, HB 381, Executive Session - HJR 10, Executive Session - HJR 12

INSURANCE

Tuesday, March 13, 2001, 12:00 pm. Side gallery.

Hearing will begin at noon or upon morning adjournment.

To be considered - HB 644, HB 664, HB 793

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Tuesday, March 13, 2001, 6:00 pm. Hearing Room 6.

Hearing will begin at 6:00 pm or upon adjournment of both Houses.

Department of Economic Development.

JUDICIARY

Tuesday, March 13, 2001. Hearing Room 5 upon morning adjournment.

Executive Session may follow.

To be considered - HB 815, HB 862

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, March 13, 2001. Hearing Room 7 upon morning adjournment.

Executive Session.

To be considered - HB 227, HB 773, HB 804, HB 830, HB 854, HB 855, HB 881, HB 922, HB 930

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, March 14, 2001, 9:00 am. Hearing Room 6.

To be considered - HB 902, Executive Session - HB 545, Executive Session - HB 882,

Executive Session - HCR 24, Executive Session - HJR 11, Executive Session - HR 394,

Executive Session - SB 256

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, March 13, 2001, 1:00 pm. Hearing Room 1.

Executive Session to follow.

To be considered - HB 648, HB 729, HB 797, HB 805, HB 897

MUNICIPAL CORPORATIONS

Wednesday, March 14, 2001. Hearing Room 4 upon morning adjournment.

To be considered - HB 624, HB 647, HB 770, HB 810, HB 863

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, March 14, 2001, 8:00 am. Hearing Room 7.

To be considered - HB 785

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Wednesday, March 14, 2001, 7:00 pm. Hearing Room 6.

Work session on TANF.

To be considered - HB 870

SPECIAL COMMITTEE ON PUBLIC-PRIVATE PARTNERSHIPS

Monday, March 26, 2001, 1:00 pm. Hearing Room 3.

MU Sports Arena, Jordan Valley Park.

TRANSPORTATION

Wednesday, March 14, 2001. Hearing Room 6 upon morning adjournment.

Executive Session to follow.

To be considered - HB 623

WAYS AND MEANS

Tuesday, March 13, 2001. Hearing Room 3 upon morning adjournment.

Executive Session to be held.

To be considered - HB 362, HB 480, HB 741, HB 933

HOUSE CALENDAR

FORTY-FIRST DAY, TUESDAY, MARCH 13, 2001

HOUSE BILLS FOR SECOND READING

HB 959 through HB 962

HOUSE BILL FOR SECOND READING - APPROPRIATIONS

HB 19

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

- 1 HB 1 - Bonner
- 2 HCS HB 2 - Graham
- 3 HCS HB 3 - Graham
- 4 HCS HB 4 - Bonner
- 5 HCS HB 5 - Bonner
- 6 HCS HB 6 - Ransdall
- 7 HCS HB 7 - Ransdall
- 8 HCS HB 8 - Kelly (27)
- 9 HCS HB 9 - Kelly (27)
- 10 HCS HB 10 - Riback Wilson (25)
- 11 HCS HB 11 - Troupe
- 12 HCS HB 12 - Bonner

HOUSE BILLS FOR PERFECTION

- 1 HB 453 - Ransdall
- 2 HB 501 - Bowman
- 3 HB 314 - Nordwald

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HB 114 - Hickey
- 3 HB 421, HSA 1 for HA 1, HA 1 and HS, pending - Hoppe
- 4 HCS HB 762 - Barry
- 5 HCS HB 754, 29, 300 & 505 - Franklin
- 6 HB 444 - Kreider
- 7 HCS HB 327 - Rizzo

HOUSE BILLS FOR PERFECTION - CONSENT

(March 12, 2001)

- 1 HB 603 - Hilgemann
- 2 HB 788 - O'Connor
- 3 HB 742 - Harding
- 4 HB 361 - Shoemyer
- 5 HB 808 - Gratz
- 6 HB 691 - Barnett
- 7 HB 454 - Monaco
- 8 HB 212 - Ward
- 9 HB 757 - Shoemyer
- 10 HB 477 - Graham

- 11 HB 45 - Farnen
- 12 HB 459 - Liese
- 13 HB 420 - Williams
- 14 HB 732 - Hosmer
- 15 HB 642 - Relford
- 16 HB 626 - Hosmer
- 17 HB 693 - Smith
- 18 HB 769 - Harlan
- 19 HB 537 - Ostmann
- 20 HB 544 - Holand
- 21 HB 318 - O'Toole
- 22 HB 385 - Franklin

HOUSE BILLS FOR THIRD READING

- 1 HS HB 381, (Fiscal Review 3-01-01) - Hoppe
- 2 HCS HB 26, (Fiscal Review 3-5-01) - Wilson (42)
- 3 HS HCS HB 425 - O'Toole

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 502 - Ward
- 2 HB 779 - Barnett
- 3 HB 409 - Surface
- 4 HB 452 - Gratz
- 5 HB 242 - Smith
- 6 HB 600 - Hosmer
- 7 HB 607 - Johnson (90)
- 8 HB 470 - Shields
- 9 HB 491 - George

SENATE BILL FOR SECOND READING

SCS SB 151

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

FORTY-FIRST DAY, TUESDAY, MARCH 13, 2001

Speaker Pro Tem Abel in the Chair.

Prayer by Father David Buescher.

Dear God, in our busy-ness, refresh our lives, that we may be what You have made and do what You would have us do. Shepherd us with Your compassion and love, that we might affirm all that is good and beautiful and challenge all which does not speak of You or lead towards You. Honor this chamber with Your silent and powerful presence today and all days. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Blake Long, Sean Koller, Erin Koller, Josh Saffel, Michelle Hagan, Scott Batchelor, Brittanie Bush, Daniel Rayfield, Rebeccah Rayfield, Brooke Hardin, Katie Noel, Casi Rowe, Brett Willingham, Cody Wilson, Chloe Church, Brynn Holloway, Tanya Nielson, Stacy Schneitter, Joe Pederson, Cristin Pifer, Devon Simpson, Tyson Evans, Kevin Frazer, Barbara Meyer, Matt Roberts, Dereke Frieling and Rebecca Rayfield.

The Journal of the fortieth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 864 - Representative O'Toole
House Resolution No. 865 - Representative Behnen
House Resolution No. 866 - Representative Gratz
House Resolution No. 867 - Representative Smith

SECOND READING OF HOUSE BILLS

HB 959 through **HB 962** were read the second time.

SECOND READING OF HOUSE BILL - APPROPRIATIONS

HB 19 was read the second time.

SECOND READING OF SENATE BILL

SCS SB 151 was read the second time.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HB 107, HB 166, HB 185, HB 249, HB 321, HCS HB 334, HB 473 and HCS HB 738**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Committee on Fiscal Review and Government Reform, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS HB 26** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE BILLS - CONSENT

HB 502, relating to conveyance in St. Francois County, was taken up by Representative Ward.

On motion of Representative Ward, **HB 502** was read the third time and passed by the following vote:

AYES: 155

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambara	Gaskill
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs

Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Fares	Green 73	Luetkenhaus	Reid	Scheve
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VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HB 779, relating to conveyance in Nodaway County, was taken up by Representative Barnett.

On motion of Representative Barnett, **HB 779** was read the third time and passed by the following vote:

AYES: 153

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 006

Fares
Shields

Harlan

Luetkenhaus

Reid

Scheve

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HB 1, relating to appropriations, was taken up by Representative Bonner.

Representative Green (73) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1, Page 1, Section 1.010, Line 8, by deleting all of said line and inserting in lieu thereof the following:

"From General Revenue Fund (Not to exceed 1.4 F.T.E.).....\$124,669"; and

Further amend said bill, Page 4, Section 1.105, by inserting immediately after said section the following:

"Bill Totals

General Revenue Fund.....	\$110,063,279
Federal Funds.....	0
Other Funds.....	0
Total.....	\$110,063,279".

Speaker Kreider assumed the Chair.

On motion of Representative Green (73), **House Amendment No. 1** was adopted.

On motion of Representative Bonner, **HB 1, as amended**, was ordered perfected and printed.

HCS HB 2, relating to appropriations, was taken up by Representative Graham.

Representative Graham offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 2, Page 5, Line 5, by deleting the number "**5,252,657**" and inserting in lieu thereof the number "**5,022,657**"; and

Further amend said section, Line 9, by deleting the number "**14,138,907**" and inserting in lieu thereof the number "**13,908,907**"; and

Further amend said bill, Page 13, Section 2.310, Line 3, by deleting the number “**95,000**” and inserting in lieu thereof the number “**325,000**”.

On motion of Representative Graham, **House Amendment No. 1** was adopted.

Representative Holand offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 2, Page 9, Section 2.195, by deleting the figure “**994,998**” and inserting in lieu thereof the figure “**494,998**”; and

Further amend said bill, Page 7, by adding one new section to read as follows:

“Section 2.126. To the Department of Elementary and Secondary Education
For competitive matching and non-matching grants to successful applicants, including state board operated school programs, and for expenses under the Incentives for School Excellence Program pursuant to the Excellence in Education Act
From Lottery Proceeds Fund (0 F.T.E.) \$500,000”.

Representative Holand moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

On motion of Representative Graham, **HCS HB 2, as amended**, was adopted.

On motion of Representative Graham, **HCS HB 2, as amended**, was ordered perfected and printed.

HCS HB 3, relating to appropriations, was taken up by Representative Graham.

On motion of Representative Graham, **HCS HB 3** was adopted.

On motion of Representative Graham, **HCS HB 3** was ordered perfected and printed.

HCS HB 4, relating to appropriations, was taken up by Representative Bonner.

On motion of Representative Bonner, **HCS HB 4** was adopted.

On motion of Representative Bonner, **HCS HB 4** was ordered perfected and printed.

HCS HB 5, relating to appropriations, was taken up by Representative Bonner.

Representative Bonner offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 5, Page 19, Section 5.435, Line 7, by deleting from said line the figure “**865,677**” and inserting in lieu thereof the figure “**526,271**”; and

Further amend said section, Line 8, by deleting from said line the figure “**958,992**” and inserting in lieu thereof the figure “**619,586**”; and

Further amend said bill, Page 19, Section 5.440, by deleting all of said section and inserting in lieu thereof the following:

“Section 5.440. To the Office of Administration

There is transferred out of the State Treasury,

chargeable to the General Revenue Fund, Five

Hundred Twenty-Six Thousand, Two Hundred

Seventy-one Dollars (\$526,271) to the Missouri

Public Broadcasting Corporation Special Fund

From General Revenue Fund.....\$526,271”; and

adjusting the Bill Totals on Page 21 accordingly.

On motion of Representative Bonner, **House Amendment No. 1** was adopted.

On motion of Representative Bonner, **HCS HB 5, as amended**, was adopted.

On motion of Representative Bonner, **HCS HB 5, as amended**, was ordered perfected and printed.

HCS HB 6, relating to appropriations, was taken up by Representative Ransdall.

Representative Bonner offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 6, Page 16, Section 6.269, by deleting all of said section and inserting in lieu thereof the following:

“Section 6.269. There is transferred out of the State

Treasury, chargeable to the General Revenue Fund,

Five Hundred Twenty-Six Thousand, Two Hundred

Seventy-one Dollars (\$526,271) to the Historic

Preservation Revolving Fund, as authorized by

Section 143.183, RSMo

From General Revenue Fund.....\$526,271”; and

adjusting the Bill Totals on Page 26 accordingly.

On motion of Representative Bonner, **House Amendment No. 1** was adopted.

Representative Griesheimer offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 6, Page 22, Section 6.372, Line 4, by deleting “\$250,000” and adding “0”.

Representative Hunter offered **House Substitute Amendment No. 1 for House Amendment No. 2**.

*House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 6, Page 21, Section 6.372, Line 1, by deleting said section and replacing with the following:

“6.372. Southern Missouri Automobile Beautification Act from General Revenue.....\$250,000”.

Representative Hunter moved that **House Substitute Amendment No. 1 for House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Griesheimer moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 048

Ballard	Barnett	Bartelsmeyer	Behnen	Boatright
Burcham	Byrd	Champion	Cooper	Crawford
Enz	Froelker	Gaskill	Graham	Griesheimer
Hegeman	Henderson	Hendrickson	Hohulin	Holand
Hunter	Kelly 144	King	Linton	Long
Luetkemeyer	Marble	Marsh	Mayer	Miller
Moore	Murphy	Naeger	Nordwald	Phillips
Purgason	Rector	Richardson	Rizzo	Roark
Robirds	Scott	Shields	St. Onge	Surface
Townley	Vogel	Wright		

NOES: 107

Abel	Baker	Barnitz	Barry 100	Bartle
Bearden	Berkowitz	Black	Bland	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Carnahan	Cierpiot
Clayton	Coleman	Copenhaver	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Fares	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	George	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hickey	Hilgemann
Hollingsworth	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 27

Kelly 36	Koller	Lawson	Levin	Liese
Lograsso	Lowe	May 149	Mays 50	McKenna
Merideth	Monaco	Myers	O'Connor	O'Toole
Ostmann	Overschmidt	Portwood	Ransdall	Reid
Reinhart	Relford	Reynolds	Ridgeway	Ross
Schwab	Secrest	Seigfreid	Selby	Shelton
Shoemyer	Skaggs	Smith	Thompson	Treadway
Troupe	Van Zandt	Villa	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 005

Berkstresser	Kennedy	Legan	Luetkenhaus	Scheve
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VACANCIES: 003

On motion of Representative Ransdall, **HCS HB 6, as amended**, was adopted.

On motion of Representative Ransdall, **HCS HB 6, as amended**, was ordered perfected and printed.

HCS HB 7, relating to appropriations, was taken up by Representative Ransdall.

Representative Bonner offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 7, Page 8, Section 7.090, by deleting all of said section and inserting in lieu thereof the following:

“Section 7.090. To the Department of Economic Development
There is transferred out of the State Treasury,
chargeable to the General Revenue Fund, Four
Million, Eight Hundred Fifty-Four Thousand, Six
Hundred Fifty-Three Dollars (\$4,854,653) to the Missouri
Arts Council Trust Fund as authorized by Sections
185.100 and 143.183, RSMo

From General Revenue Fund.....\$4,854,653"; and

Further amend said bill, Page 8, Section 7.095, by deleting all of said section and inserting in lieu thereof the following:

“Section 7.095. To the Department of Economic Development
There is transferred out of the State Treasury,
chargeable to the General Revenue Fund, Five
Hundred Twenty-Six Thousand, Two Hundred
Seventy-one Dollars (\$526,271) to the Missouri
Humanities Council Trust Fund as authorized by
Section 186.065, RSMo

From General Revenue Fund.....\$526,271"; and

adjusting the Bill Totals on Page 23 accordingly.

On motion of Representative Bonner, **House Amendment No. 1** was adopted.

Representative Hegeman offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No.7, Page 2, Section 7.020, Line 4, by deleting the figure “**2,090,557**” and inserting in lieu thereof the figure “**1,841,557**”; and

Further amend said section, Line 6, by deleting the figure “**3,972,213**” and inserting in lieu thereof the figure “**3,723,213**”; and

Further amend said section, Page 3, Line 29, by deleting the figure “**300,000**” and inserting in lieu thereof the figure “**549,000**”; and

Further amend said bill, Section 7.030, Page 4, Lines 1 through 9, by deleting said lines and inserting in lieu thereof the following:

“Section 7.030. To the Department of Economic Development

There is transferred out of the State Treasury, chargeable to the General Revenue Fund, Four Million, Nine Hundred Fourteen Thousand, Six Hundred, Fifty-Two Thousand Dollars (\$4,914,652) to the Missouri Technology Investment Fund, for the Electronic Materials Applied Research Center, National Institute of Standards/Missouri Manufacturing Extension Partnership, Innovation Centers, and Centers for Advanced Technology

From General Revenue Fund.....\$4,914,652”; and

Further amend said section, Line 15, by deleting the figure “**4,865,652**” and inserting in lieu thereof the figure “**5,114,652**”; and

Further amend said section, Line 15, by deleting the figure “**4,865,652**” and inserting in lieu thereof the figure “**5,114,652**”.

On motion of Representative Hegeman, **House Amendment No. 2** was adopted.

On motion of Representative Ransdall, **HCS HB 7, as amended**, was adopted.

On motion of Representative Ransdall, **HCS HB 7, as amended**, was ordered perfected and printed.

On motion of Representative Crump, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Kreider.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 868
through
House Resolution No. 881 - Representative Treadway
House Resolution No. 882
through
House Resolution No. 895 - Representatives Hendrickson and Barry
House Resolution No. 896
through
House Resolution No. 909 - Representatives Hendrickson and Enz
House Resolution No. 910 - Representative Purgason
House Resolution No. 911 - Representatives Champion and Roark
House Resolution No. 912 - Representatives Champion and Wright
House Resolution No. 913 - Representatives Champion and Roark

THIRD READING OF HOUSE BILLS - CONSENT

HB 409, relating to conveyance in Newton County, was taken up by Representative Marble.

On motion of Representative Marble, **HB 409** was read the third time and passed by the following vote:

AYES: 147

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Campbell	Carnahan	Champion
Clayton	Coleman	Cooper	Copenhaver	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Holand
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Rizzo	Roark	Robirds	Ross	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe

Van Zandt	Villa	Vogel	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 001

Wagner

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Ballard	Byrd	Cierpiot	Crawford
Hohulin	Hollingsworth	Levin	Lograsso	Monaco
Ridgeway	Scheve			

VACANCIES: 003

Speaker Kreider declared the bill passed.

HB 452, relating to vocational enterprises, was taken up by Representative Gratz.

On motion of Representative Gratz, **HB 452** was read the third time and passed by the following vote:

AYES: 144

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	Koller
Lawson	Legan	Liese	Linton	Lograsso
Long	Lowe	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Ransdall	Rector	Reid
Relford	Reynolds	Richardson	Rizzo	Roark
Robirds	Ross	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 001

Hollingsworth

PRESENT: 001

Purgason

ABSENT WITH LEAVE: 014

Berkstresser	Byrd	Copenhaver	Crawford	Hohulin
King	Levin	Luetkemeyer	Monaco	Reinhart
Ridgeway	Scheve	Surface	Williams	

VACANCIES: 003

Speaker Kreider declared the bill passed.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HCS HB 8, relating to appropriations, was taken up by Representative Kelly (27).

Representative Kelly (27) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 8, Page 10, Section 8.170, Line 4, by deleting the figure "**418,189**" and inserting in lieu thereof the figure "**445,751**"; and

Further amend said section, Line 6, by deleting the figure "**4,632,774**" and inserting in lieu thereof the figure "**4,660,336**"; and

Further amend said section, Page 11, Line 12, by deleting the figure "**6,177,830**" and inserting in lieu thereof the figure "**6,217,830**".

On motion of Representative Kelly (27), **House Amendment No. 1** was adopted.

Representative Kelly (27) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 8, Page 14, Section 8.255, Line 7, by deleting the number "**20,000**" and inserting in lieu thereof the number "**90,000**".

On motion of Representative Kelly (27), **House Amendment No. 2** was adopted.

Representative Koller offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 8, Page 6, Section 8.125, Line 4, by deleting the number "**5,187,542**" and inserting in lieu thereof the number "**5,683,994**"; and

Further amend said section, Line 5, by deleting the number “**1,364,080**” and inserting in lieu thereof the number “**1,377,665**”; and

Further amend said section, Line 6, by deleting the number “**6,551,622**” and inserting in lieu thereof the number “**7,061,659**”; and

Further amend said section, Page 7, Line 21, by deleting Line 21 and inserting in lieu thereof the following:
“Total (Not to exceed 1,390.00 F.T.E.) \$76,328,198”; and
adjusting the Bill Totals accordingly on Page 19 of the bill.

Representative Koller moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

On motion of Representative Kelly (27), **HCS HB 8, as amended**, was adopted.

On motion of Representative Kelly (27), **HCS HB 8, as amended**, was ordered perfected and printed.

HCS HB 9, relating to appropriations, was taken up by Representative Kelly (27).

Representative Hosmer assumed the Chair.

On motion of Representative Kelly (27), **HCS HB 9** was adopted.

On motion of Representative Kelly (27), **HCS HB 9** was ordered perfected and printed.

HCS HB 10, relating to appropriations, was taken up by Representative Riback Wilson (25).

On motion of Representative Riback Wilson (25), **HCS HB 10** was adopted.

On motion of Representative Riback Wilson (25), **HCS HB 10** was ordered perfected and printed.

HCS HB 11, relating to appropriations, was taken up by Representative Troupe.

Representative Green (73) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 11, Page 20, Section 11.250, Line 5, by deleting the number “**4,400,000**” and inserting in lieu thereof the number “**3,800,000**”; and

Further amend said section, Line 10, by deleting the number “**6,747,534**” and inserting in lieu thereof the number “**6,147,534**”; and

adjusting the Bill Totals on Page 35 accordingly.

On motion of Representative Green (73), **House Amendment No. 1** was adopted.

Representative Troupe offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No.11, Page 10, Section 11.105, Line 5, by deleting the words “**General Revenue**” and inserting in lieu thereof the words “**Intergovernmental Transfer**”; and

Further amend said bill, Page 12, Section 11.130, Line 8, by deleting the number “**3,903.82**” and inserting in lieu thereof the number “**4,075.32**”; and

Further amend said bill, Page 14, Section 11.145, Line 25, by deleting “(0 F.T.E.)” and inserting in lieu thereof “(Not to exceed 1.00 F.T.E.)”; and

Further amend said bill, Page 17, Section 11.210, Line 14, by deleting the number “**47,160**” and inserting in lieu thereof the number “**47,610**”; and

Further amend said bill, Page 19, Section 11.225, Line 4, by deleting the number “**2,502,002**” and inserting in lieu thereof the number “**2,250,000**” and inserting a new line immediately after said line to read as follows:

“From Intergovernmental Transfer Fund (0 F.T.E.).....\$252,002”; and

Further amend said bill, Page 27, Section 11.445, Line 5, by deleting the words “**Intergovernmental Transfer**” and inserting in lieu thereof the word “**Federal**”; and

Further amend said section, Line 6, by deleting the word “**Federal**” and inserting in lieu thereof the words “**Intergovernmental Transfer**”; and

Further amend said bill, Page 35, Bill Totals, Other Funds, by deleting the number “**450,629,270**” and inserting in lieu thereof the number “**446,519,768**”; and

Further amend Bill Totals, Total, by deleting the number “**\$5,310,192,648**” and inserting in lieu thereof the number “**5,306,083,146**”.

Speaker Kreider resumed the Chair.

On motion of Representative Troupe, **House Amendment No. 2** was adopted.

Representative Troupe offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 11, Page 25, Section 11.430, Line 8, by deleting said line and inserting the following:

“For the purpose of funding dental services to Missouri rural counties through the University of Missouri Dental School
From Intergovernmental Transfer Fund \$200,000
Total (0 F.T.E.) \$21,558,384”; and

Further amend said bill, Page 32, Section 11.520, Line 11, by deleting the number “**82,757,967**” and inserting in lieu thereof the number “**82,557,967**”; and

Further amend said section, Line 12, by deleting the number “**134,231,815**” and inserting in lieu thereof the number “**134,031,815**”.

On motion of Representative Troupe, **House Amendment No. 3** was adopted.

Representative Kennedy assumed the Chair.

Representative Myers offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 11, Page 12, Section 11.135, Line 12, by adding “**Scott, Mississippi, Stoddard**”; and

Further amend on Line 19, by deleting “[three]” and inserting in lieu thereof “**six**”.

On motion of Representative Myers, **House Amendment No. 4** was adopted.

Representative Green (73) offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 11, Page 27, Section 11.445, Line 4, by adding after said line the following:

“Of said total amount in Section 11.445, \$3,000,000 shall be targeted and used for pilot projects in nursing homes, developed by the department, for identifying and improving quality of care issues, reducing staff turnovers, and developing enhanced training, health and safety programs for direct caregivers in said nursing homes.”.

On motion of Representative Green (73), **House Amendment No. 5** was adopted.

On motion of Representative Troupe, **HCS HB 11, as amended**, was adopted.

On motion of Representative Troupe, **HCS HB 11, as amended**, was ordered perfected and printed.

HCS HB 12, relating to appropriations, was taken up by Representative Bonner.

Representative Bonner offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 12, Page 4, Section 12.100, Line 3, by deleting from said line the figure “**865,677**” and inserting in lieu thereof the figure “**526,271**”; and

Further amend said bill, Pages 4 and 5, Section 12.102 by deleting all of said section and inserting in lieu thereof the following:

“Section 12.102. There is transferred out of the State
Treasury, chargeable to the General Revenue Fund,
Five Hundred Twenty-Six Thousand, Two Hundred
Seventy-one Dollars (\$526,271) to the Library
Networking Fund as provided in Section 143.183,
RSMo
From General Revenue Fund.....\$526,271”; and
adjusting the Bill Totals on Page 17 accordingly.

Speaker Pro Tem Abel resumed the Chair.

On motion of Representative Bonner, **House Amendment No. 1** was adopted.

Representative Long offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 12, Page 13, Section 12.245, Line 3, by deleting from said line the figure “**106,328,960**” and inserting in lieu thereof the figure “**107,186,180**”; and

Further amend said section, Line 6, by deleting the figure “**108,816,289**” and inserting in lieu thereof the figure “**109,673,509**”; and

Further amend said section, Line 15, by deleting all of said line and inserting in lieu thereof the following:

“Total (Not to exceed 2,927.91 F.T.E.).....\$111,795,118.

Representative Long moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Speaker Kreider resumed the Chair.

Representative Marble offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 12, Page 11, Section 12.210, Line 4, by placing a bracket around the number “**1,019,699**” and placing in lieu thereof the number “**619,699**”; and

Further amend said bill, Page 11, Section 12.210, Line 5, by placing a bracket around the number “**4,419,834**” and placing in lieu thereof the number “**4,019,834**”.

Representative Marble moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

On motion of Representative Bonner, **HCS HB 12, as amended**, was adopted.

On motion of Representative Bonner, **HCS HB 12, as amended**, was ordered perfected and printed.

PERFECTION OF HOUSE BILLS - INFORMAL

HB 421, with House Substitute Amendment No. 1 for House Amendment No. 1, House Amendment No. 1 and HS, pending, relating to intoxication torts, was taken up by Representative Hoppe.

Speaker Pro Tem Abel resumed the Chair.

Representative Smith moved that **House Substitute Amendment No. 1 for House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 019

Bonner	Bray 84	Britt	Carnahan	Clayton
Foley	Franklin	Gaskill	Harding	Harlan
Hosmer	Johnson 90	Jolly	Kelly 36	Monaco
Relford	Smith	Willoughby	Wilson 25	

NOES: 134

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Boucher
Bowman	Boykins	Burcham	Burton	Byrd
Campbell	Champion	Cierpiot	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Ford	Fraser	Froelker
Gambaro	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hunter	Jetton	Kelley 47
Kelly 144	Kelly 27	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Reynolds	Ridgeway
Rizzo	Roark	Robirds	Ross	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	St. Onge	Surface

Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Wilson 42	Wright	Mr. Speaker	

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 006

Baker	Johnson 61	Marsh	Richardson	Scheve
Williams				

VACANCIES: 003

On motion of Representative Lograsso, **House Amendment No. 1** was adopted by the following vote:

AYES: 121

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkstresser
Black	Bland	Boatright	Boucher	Bowman
Boykins	Burton	Byrd	Campbell	Champion
Cierpiot	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Enz	Fares	Farnen	Ford
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hunter	Jetton	Kelley 47
Kelly 27	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Moore	Myers	Naeger	Nordwald	O'Connor
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Ridgeway	Rizzo	Roark	Robirds
Ross	Schwab	Scott	Secrest	Seigfreid
Selby	Shields	Shoemyer	St. Onge	Surface
Thompson	Townley	Treadway	Villa	Vogel
Wagner	Ward	Wiggins	Wilson 42	Wright
Mr. Speaker				

NOES: 025

Berkowitz	Bonner	Bray 84	Britt	Burcham
Carnahan	Clayton	Foley	Franklin	Harding
Harlan	Hilgemann	Hosmer	Johnson 90	Jolly
Kelly 36	Monaco	Murphy	Shelton	Skaggs
Smith	Troupe	Williams	Willoughby	Wilson 25

PRESENT: 002

Brooks	Walton
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ABSENT WITH LEAVE: 012

Baker	Dolan	Green 73	Hickey	Johnson 61
Kelly 144	Kennedy	Marsh	O'Toole	Richardson
Scheve	Van Zandt			

VACANCIES: 003

On motion of Representative Hoppe, **HS HB 421, as amended**, was adopted.

On motion of Representative Hoppe, **HS HB 421, as amended**, was ordered perfected and printed.

HB 444, relating to criminal activity forfeiture act, was taken up by Representative Kreider.

On motion of Representative Kreider, **HB 444** was ordered perfected and printed.

HCS HBs 754, 29, 300 & 505, relating to teacher salary supplements, was taken up by Representative Franklin.

Representative Franklin offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 754, 29, 300 & 505, Page 1, Section 168.700, Lines 1 and 2, by deleting the words “**salary supplements for teachers**” and inserting in lieu thereof the following: “**annual salary supplements for eligible teachers**”; and

Further amend said bill, Page 1, Section 168.700, Line 3, by deleting the words “**An annual**” and inserting in lieu thereof the following: “**A one-time**”; and

Further amend said bill, Page 1, Section 168.700, Line 4, by inserting immediately after the word “**dollars**” the following: “**annually**”; and

Further amend said bill, Page 1, Section 168.700, Line 9, by inserting immediately after the word “**employed**” the following: “**as a teacher**”.

On motion of Representative Franklin, **House Amendment No. 1** was adopted.

HCS HBs 754, 29, 300 & 505, as amended, was laid over.

Representative Johnson (90) assumed the Chair.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HS HCS HB 107 - Fiscal Review and Government Reform (Fiscal Note)
HB 166 - Fiscal Review and Government Reform (Fiscal Note)
HB 960 - Miscellaneous Bills & Resolutions
HB 961 - Correctional and State Institutions

COMMITTEE REPORTS

Committee on Children, Families and Health, Chairman Barry reporting:

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **HB 285**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **HB 796**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **HB 821**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **HB 949**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Critical Issues, Consumer Protection and Housing, Chairman Harlan reporting:

Mr. Speaker: Your Committee on Critical Issues, Consumer Protection and Housing, to which was referred **HB 458**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Motor Vehicle and Traffic Regulations, Chairman O'Connor reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 648**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 805**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 897**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 19, introduced by Representatives Bowman, Coleman, Villa, Sanders Brooks, Bland, Thompson, Rizzo, Kreider, Carnahan and Kennedy, et al, relating to state departments.

HJR 20, introduced by Representatives Kreider, Crump, Davis, Barnitz, Gratz, Hampton and Clayton, et al, relating to the right to hunt, fish and harvest game.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 963, introduced by Representatives Bowman, Coleman, Villa, Sanders Brooks, Bland, Kennedy, Thompson, Rizzo, Kreider, Carnahan and Reid, et al, relating to urban conservation.

HB 964, introduced by Representatives Carnahan, Copenhaver, Johnson (61), Berkowitz, Boykins, Barry, Shoemyer, Relford and Hilgemann, et al, relating to lead poisoning.

HB 965, introduced by Representatives Liese and Walton, relating to the cash value of insurance policies.

HB 966, introduced by Representative Kreider, relating to speed limits on certain roads and highways located in political subdivisions.

HB 967, introduced by Representative Reinhart, relating to compulsory age for school attendance.

HB 968, introduced by Representative Ward, relating to insurance.

HB 969, introduced by Representative Graham, relating to vending facilities on state property.

HB 970, introduced by Representatives Naeger, Secrest, Dempsey, Surface, Nordwald, Ostmann, Bearden and Reinhart, et al, relating to elimination of workers' compensation benefits to employees when the employee was using drugs at the time of the accident.

HB 971, introduced by Representative Secrest, relating to workers' compensation.

HB 972, introduced by Representative Byrd, et al, relating to registration of juvenile sex offenders.

HB 973, introduced by Representative Hollingsworth, relating to offenses against public order.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 436**, entitled:

An act to repeal sections 302.177 and 302.735, RSMo 2000, relating to the issuance of driver's licenses, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 435**, entitled:

An act to repeal section 643.315, RSMo 2000, relating to emission requirements of historic vehicles, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 443**, entitled:

An act to repeal section 306.165, RSMo 2000, relating to water patrol officers, and to enact in lieu thereof one new section relating to the same subject with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 416**, entitled:

An act to repeal sections 294.011, 294.024, 294.030, 294.043, 294.090 and 294.121, RSMo 2000, relating to child labor, and to enact in lieu thereof six new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 407**, entitled:

An act to amend chapter 301, RSMo, by adding thereto four new sections, relating to motor vehicle license plates.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 191**, entitled:

An act to repeal sections 77.370 and 77.450, RSMo 2000, relating to certain municipalities, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 345**, entitled:

An act to repeal section 71.285, RSMo 2000, relating to removal of weeds, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 442**, entitled:

An act to amend chapter 301, RSMo, by adding thereto one new section relating to special license plates for Safari Club International.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 491**, entitled:

An act to repeal section 198.280, RSMo 2000, relating to nursing home districts, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

COMMITTEE CHANGE

The Speaker submitted the following Committee change:

Representative Bland has been appointed a member of the Ways and Means Committee.

ADJOURNMENT

On motion of Representative Foley, the House adjourned until 10:00 a.m., Wednesday, March 14, 2001.

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, March 14, 2001. Hearing Room 7 upon morning adjournment.

AMENDED.

To be considered - HB 904, HB 914, HCR 22

CIVIL AND ADMINISTRATIVE LAW

Wednesday, March 14, 2001. Hearing Room 1 upon morning adjournment.

Executive Session to follow.

To be considered - HB 833, HB 891, HB 915

CRIMINAL LAW

Wednesday, March 14, 2001, 8:00 pm. Hearing Room 7.

Executive Session will follow. AMENDED.

To be considered - HB 148, HB 440, HB 476, HB 777, HB 811, HB 819, HB 829, HB 883, HB 954

EDUCATION - ELEMENTARY AND SECONDARY

Wednesday, March 14, 2001, 8:30 am. Hearing Room 5.

To be considered - HB 637, Executive Session - HB 81, Executive Session - HB 200,

Executive Session - HB 457, Executive Session - HB 725, Executive Session - HB 865

ENVIRONMENT AND ENERGY

Thursday, March 15, 2001, 8:30 am. Hearing Room 5.

Executive Session may follow.

To be considered - HB 802

FISCAL REVIEW AND GOVERNMENT REFORM

Thursday, March 15, 2001, 8:30 am. Hearing Room 3.

(Fiscal Note) To be considered - HB 107, HB 166

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, March 14, 2001, 1:15 pm. Hearing Room 5.

Oversight Division Reports.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 15, 2001, 9:00 am. Hearing Room 1.

JUDICIARY

Thursday, March 15, 2001. Hearing Room 6 upon adjournment.

To be considered - HB 945, HB 950, Executive Session - HB 456, Executive Session - HB 677,

Executive Session - HB 945, Executive Session - HB 950

LOCAL GOVERNMENT AND RELATED MATTERS

Thursday, March 15, 2001, 9:00 am. Hearing Room 2.

Executive Session. To be considered - HB 936

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, March 14, 2001, 8:45 am. Hearing Room 6. AMENDED.

To be considered - HB 902, Executive Session - HB 545, Executive Session - HB 882,

Executive Session - HCR 24, Executive Session - HJR 11, Executive Session - HR 394,

Executive Session - SB 256

MUNICIPAL CORPORATIONS

Wednesday, March 14, 2001. Hearing Room 4 upon morning adjournment.

AMENDED NOTICE. Executive Session may follow.

To be considered - HB 624, HB 647, HB 770, HB 810, HB 863

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, March 14, 2001, 8:00 am. Hearing Room 7.

To be considered - HB 785

RETIREMENT

Wednesday, March 14, 2001, 8:00 pm. Hearing Room 1.

To be considered - HB 552

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Wednesday, March 14, 2001, 7:00 pm. Hearing Room 6.

Work session on TANF. AMENDED NOTICE.

Executive Session will follow.

To be considered - HB 870, HB 887, HB 955

SPECIAL COMMITTEE ON PUBLIC-PRIVATE PARTNERSHIPS

Monday, March 26, 2001, 1:00 pm. Hearing Room 3.

MU Sports Arena, Jordan Valley Park.

TRANSPORTATION

Wednesday, March 14, 2001. Hearing Room 6 upon morning adjournment.

Executive Session to follow.

To be considered - HB 623

URBAN AFFAIRS

Tuesday, March 27, 2001. Hearing Room 1 upon evening adjournment.

Possible Executive Session to follow.

To be considered - HR 756

UTILITIES REGULATION

Thursday, March 15, 2001, 8:15 am. Hearing Room 6.

Executive Session may follow.

To be considered - HB 766, HB 826

HOUSE CALENDAR

FORTY-SECOND DAY, WEDNESDAY, MARCH 14, 2001

HOUSE JOINT RESOLUTIONS FOR SECOND READING

- 1 HJR 19
- 2 HJR 20

HOUSE BILLS FOR SECOND READING

HB 963 through HB 973

HOUSE BILLS FOR PERFECTION

- 1 HB 453 - Ransdall
- 2 HB 501 - Bowman
- 3 HB 314 - Nordwald

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HB 114 - Hickey
- 3 HCS HB 762 - Barry
- 4 HCS HB 754, 29, 300 & 505 - Franklin
- 5 HCS HB 327 - Rizzo

HOUSE BILLS FOR PERFECTION - CONSENT

(March 12, 2001)

- 1 HB 603 - Hilgemann
- 2 HB 788 - O'Connor
- 3 HB 742 - Harding
- 4 HB 361 - Shoemyer
- 5 HB 808 - Gratz
- 6 HB 691 - Barnett
- 7 HB 454 - Monaco
- 8 HB 212 - Ward
- 9 HB 757 - Shoemyer
- 10 HB 477 - Graham
- 11 HB 45 - Farnen
- 12 HB 459 - Liese
- 13 HB 420 - Williams
- 14 HB 732 - Hosmer

- 15 HB 642 - Relford
- 16 HB 626 - Hosmer
- 17 HB 693 - Smith
- 18 HB 769 - Harlan
- 19 HB 537 - Ostmann
- 20 HB 544 - Holand
- 21 HB 318 - O'Toole
- 22 HB 385 - Franklin

HOUSE BILLS FOR THIRD READING

- 1 HS HB 381, (Fiscal Review 3-01-01) - Hoppe
- 2 HCS HB 26 - Wilson (42)
- 3 HS HCS HB 425 - O'Toole
- 4 HCS HB 738 - Liese
- 5 HS HCS HB 107, (Fiscal Review 3-13-01) - Clayton
- 6 HB 166, (Fiscal Review 3-13-01) - Troupe
- 7 HB 185 - Legan
- 8 HB 249 - Treadway
- 9 HCS HB 334 - Davis
- 10 HB 473 - Robirds
- 11 HB 321 - Skaggs

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 242 - Smith
- 2 HB 600 - Hosmer
- 3 HB 607 - Johnson (90)
- 4 HB 470 - Shields
- 5 HB 491 - George

SENATE BILLS FOR SECOND READING

- 1 SB 191
- 2 SB 345
- 3 SCS SB 407
- 4 SB 416
- 5 SB 442
- 6 SB 443
- 7 SB 435
- 8 SB 436
- 9 SCS SB 491

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

FORTY-SECOND DAY, WEDNESDAY, MARCH 14, 2001

Speaker Pro Tem Abel in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God: Our state is made rich by the love in our families, the hard work of our neighbors and the kindness of nature in our field and streams. Keep the men and women of this blessed state and this House in Your care this day. Keep them strong in their commitments to good government. Keep them strong in faith and protect them from being drawn to anything that may brake faith or damage trust. O Lord, let us love mercy, do justice, and desire above all to walk humbly with You. To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Joshua Hey, Joel Hey, Allison Hey, Josh Ehrman, Jessica Smith, Danielle Reinking, April Duncan, Ann Miller, Lovette Jackson, Alicia Howell, Caitlin Knackstedt, Latanya Lewis, Vincent Hamilton, Lauren Hamilton, Josh Boling and Samantha Boling.

The Journal of the forty-first day was approved as corrected.

RESOLUTION

Representative Ladd Baker offered House Resolution No. 922.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 914

and

House Resolution No. 915 - Representative Overschmidt

House Resolution No. 916 - Representative St. Onge

House Resolution No. 917 - Representative Ross

House Resolution No. 918 - Representative Ransdall

House Resolution No. 919

and

House Resolution No. 920 - Representative Wright

House Resolution No. 921 - Representative Hendrickson

House Resolution No. 923

through

House Resolution No. 927 - Representative Skaggs

House Resolution No. 928 - Representatives Seigfreid and Davis
House Resolution No. 929 - Representative Wright, et al

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 19 and **HJR 20** were read the second time.

SECOND READING OF HOUSE BILLS

HB 963 through **HB 973** were read the second time.

SECOND READING OF SENATE BILLS

SB 191, SB 345, SCS SB 407, SB 416, SB 442, SB 443, SB 435, SB 436 and **SCS SB 491** were read the second time.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1, HCS HB 2, HCS HB 3, HCS HB 4, HCS HB 5, HCS HB 6, HCS HB 7, HCS HB 8, HCS HB 9, HCS HB 10, HCS HB 11, HCS HB 12, HS HB 421** and **HB 444**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Committee on Fiscal Review and Government Reform, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HS HB 381** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE BILLS - CONSENT

HB 242, relating to tourism tax, was taken up by Representative Smith.

On motion of Representative Smith, **HB 242** was read the third time and passed by the following vote:

AYES: 147

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd

Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Curls	Davis	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Purgason	Ransdall	Rector
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Scheve	Schwab
Scott	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 010

Cunningham	Dempsey	Hanaway	Hendrickson	Hohulin
Kelly 144	Marble	Myers	Portwood	Roark

PRESENT: 000

ABSENT WITH LEAVE: 003

Lograsso	Reid	Secrest
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VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HB 600, relating to conveyance in Greene County, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HB 600** was read the third time and passed by the following vote:

AYES: 157

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey

Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 001

Smith

PRESENT: 000

ABSENT WITH LEAVE: 002

Lograsso Secrest

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HB 607, relating to dental services, was taken up by Representative Johnson (90).

On motion of Representative Johnson (90), **HB 607** was read the third time and passed by the following vote:

AYES: 156

Abel	Baker	Ballard	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George

Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 001

Hendrickson

PRESENT: 000

ABSENT WITH LEAVE: 003

Barnett	Black	Secrest
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VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HB 470, relating to memorial highway, was taken up by Representative Shields.

On motion of Representative Shields, **HB 470** was read the third time and passed by the following vote:

AYES: 157

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway

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Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Lograsso	Secrest	Wiggins
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VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HB 491, relating to third class cities, was taken up by Representative George.

On motion of Representative George, **HB 491** was read the third time and passed by the following vote:

AYES: 154

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47

Kelly 144	Kelly 27	Kelly 36	Kennedy	Koller
Lawson	Legan	Levin	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Byrd	King	Lograsso	Nordwald	Secrest
Wiggins				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

PERFECTION OF HOUSE BILL - INFORMAL

HCS HBs 754, 29, 300 & 505, as amended, relating to teacher salary supplements, was taken up by Representative Franklin.

Representative Wilson (42) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill Nos. 754, 29, 300 & 505, Page 2, Section 168.700, Line 20, by deleting the words “**to other board certification candidates**”.

On motion of Representative Wilson (42), **House Amendment No. 2** was adopted.

Representative Shields offered **House Amendment No. 3**.

Representative Foley raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Cunningham offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill Nos. 754, 29, 300 & 505, Page 2, Section 168.700, Line 50, by adding after all of said line the following:

“9. The department of elementary and secondary education shall commission a study of the best methods to evaluate teacher performance objectively with the overall purpose to be a determination of the value added to student performance by individual teachers. Such study shall be conducted by a contractor selected through a request for proposal. The department of elementary and secondary education shall reimburse the contractor from funds appropriated by the general assembly for the purpose. The study shall include but not be limited to elements that cover the following issues: (1) the effect of national board certification and any other recognized major professional development experience that could be considered as equivalent to national board certification in comparison with value added by teachers that have not undergone such professional development; (2) teacher performance before and after national board certification and before and after any other major professional development experience; (3) student performance before and after being taught by teachers with national board certification or other major professional development experience. The department of elementary and secondary education shall make the results of the study public, and the study shall be completed no later than December 1, 2005.”.

Representative Hosmer assumed the Chair.

Speaker Pro Tem Abel resumed the Chair.

Representative Shields offered **House Amendment No. 1 to House Amendment No. 3.**

House Amendment No. 1
to
House Amendment No. 3

AMEND House Amendment No. 3 to House Committee Substitute for House Bill Nos. 754, 29, 300 & 505, Page 2, Section 168.700, by inserting after “**December 1, 2005**” the following: “**provisions of this section are subject to appropriation**”.

On motion of Representative Shields, **House Amendment No. 1 to House Amendment No. 3** was adopted by the following vote:

AYES: 146

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144

Kelly 27	Kelly 36	Kennedy	King	Lawson
Legan	Levin	Liese	Linton	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Schwab	Scott	Seigfreid	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Walton	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 004

Hagan-Harrell	Scheve	Selby	Ward
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PRESENT: 000

ABSENT WITH LEAVE: 010

Baker	Bonner	Carnahan	Crawford	Ford
Hohulin	Koller	Long	Secrest	Van Zandt

VACANCIES: 003

Representative Cunningham moved that **House Amendment No. 3, as amended**, be adopted.

Which motion was defeated by the following vote:

AYES: 071

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crowell	Cunningham	Dempsey	Dolan	Enz
Fares	Froelker	Gaskill	Griesheimer	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Hunter	Jetton	Kelley 47	Kelly 144
King	Legan	Levin	Linton	Lograsso
Luetkemeyer	Marble	Marsh	May 149	Mayer
Miller	Moore	Murphy	Myers	Naeger
Nordwald	Phillips	Portwood	Purgason	Rector
Reid	Reinhart	Richardson	Ridgeway	Roark
Robirds	Ross	Schwab	Scott	Shields
St. Onge	Surface	Townley	Vogel	Wright
Mr. Speaker				

NOES: 085

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Coleman	Copenhaver	Crump	Curls

Davis	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Haywood	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Kelly 27	Kelly 36	Kennedy	Lawson
Liese	Lowe	Luetkenhaus	Mays 50	McKenna
Merideth	Monaco	O'Connor	O'Toole	Ostmann
Overschmidt	Ransdall	Relford	Reynolds	Rizzo
Scheve	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Villa	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42

PRESENT: 000

ABSENT WITH LEAVE: 004

Crawford	Koller	Long	Secrest
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VACANCIES: 003

HCS HBs 754, 29, 300 & 505, as amended, was laid over.

On motion of Representative Crump, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Abel.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 930 - Representative Kreider
House Resolution No. 931 - Representatives Curls, Wilson (42), Sanders Brooks
and Bland
House Resolution No. 932
through
House Resolution No. 934 - Representative Dolan

PERFECTION OF HOUSE BILLS - INFORMAL

HCS HBs 754, 29, 300 & 505, as amended, relating to teacher salary supplements, was again taken up by Representative Franklin.

Representative Cunningham offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill Nos. 754, 29, 300 & 505, Page 2, Section 168.700, Line 50, by adding after all of said line the following:

“9. The department of elementary and secondary education shall collect all pertinent studies measuring teacher effectiveness in an objective manner through a value-added approach, including the evaluation presently being incorporated into the National Board for Professional Teaching Standards certification process, with the purpose of identifying objective teacher performance assessment instruments currently available. The department will make these studies publicly available, along with a list of such teacher performance assessment instruments, and distribute them to school districts, for the school districts to use at their discretion.” ; and

Further amend said title, enacting clause, and intersectional references accordingly.

On motion of Representative Cunningham, **House Amendment No. 4** was adopted.

Representative Wright offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill Nos. 754, 29, 300 & 505, Page 2, Section 168.700, Line 50, by adding after all of said line the following:

“9. This section shall expire on June 30, 2009.”.

Representative Franklin raised a point of order that **House Amendment No. 5** amends previously amended material.

The Chair ruled the point of order not well taken.

Representative Gratz offered **House Amendment No. 1 to House Amendment No. 5**.

House Amendment No. 1 to House Amendment No. 5 was withdrawn.

Representative Gratz offered **House Amendment No. 1 to House Amendment No. 5**.

*House Amendment No. 1
to
House Amendment No. 5*

AMEND House Amendment No. 5 to House Committee Substitute for House Bill Nos. 754, 29, 300 & 505, by adding after “**2009**” the following:

“; provided that teachers that are receiving the salary supplement at the time of the expiration of this section may complete the 10-year term of their supplement”.

Speaker Kreider assumed the Chair.

Representative Gratz moved that **House Amendment No. 1 to House Amendment No. 5** be adopted.

Which motion was defeated.

Representative Crowell offered **House Amendment No. 2 to House Amendment No. 5**.

House Amendment No. 2
to
House Amendment No. 5

AMEND House Amendment No. 5 to House Committee Substitute for House Bill Nos. 754, 29, 300 & 505, Page 2, Section 168.700, Line 50, by deleting “**June 30, 2009**” and inserting in lieu thereof “**June 30, 2012.**”.

Representative Crowell moved that **House Amendment No. 2 to House Amendment No. 5** be adopted.

Which motion was defeated.

Representative Wright moved that **House Amendment No. 5** be adopted.

Which motion was defeated by the following vote:

AYES: 070

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Behnen	Berkstresser	Black	Boatright
Burcham	Burton	Byrd	Champion	Cierpiot
Cooper	Crawford	Crowell	Cunningham	Dempsey
Enz	Fares	Froelker	Gaskill	Gratz
Griesheimer	Hanaway	Hartzler	Hegeman	Henderson
Hendrickson	Hohulin	Hunter	Jetton	Kelley 47
Kelly 144	Kennedy	King	Legan	Levin
Linton	Lograsso	Luetkemeyer	Marsh	May 149
Mayer	Miller	Moore	Murphy	Myers
Naeger	Nordwald	Phillips	Portwood	Purgason
Rector	Reid	Reinhart	Richardson	Ridgeway
Roark	Ross	Schwab	Shields	St. Onge
Surface	Townley	Troupe	Vogel	Wright

NOES: 079

Abel	Baker	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Coleman	Copenhaver	Crump	Curls	Davis
Dolan	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	George	Green 15	Hagan-Harrell
Hampton	Harding	Harlan	Haywood	Hilgemann
Hollingsworth	Holt	Hoppe	Johnson 61	Johnson 90
Jolly	Kelly 27	Kelly 36	Koller	Lawson
Liese	Lowe	Mays 50	McKenna	Merideth
Monaco	O'Connor	O'Toole	Ostmann	Overschmidt
Ransdall	Relford	Reynolds	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Thompson	Treadway	Van Zandt	Villa
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 011

Graham	Green 73	Hickey	Holand	Hosmer
Long	Luetkenhaus	Marble	Robirds	Scott
Secrest				

VACANCIES: 003

Representative St. Onge offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for House Bill Nos. 754, 29, 300 & 505, Page 2, Section 168.700, Line 50, by adding after all of said line the following:

“9. Beginning July 1, 2006, the salary supplements provided pursuant to this section shall be based on objective evaluations of teacher performance.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Britt raised a point of order that **House Amendment No. 6** is dilatory.

The Chair ruled the point of order not well taken.

Representative St. Onge moved that **House Amendment No. 6** be adopted.

Which motion was defeated.

Representative Portwood offered **House Amendment No. 7.**

Representative Monaco raised a point of order that **House Amendment No. 7** amends previously amended material.

The Chair ruled the point of order well taken.

On motion of Representative Franklin, **HCS HBs 754, 29, 300 & 505, as amended**, was adopted.

On motion of Representative Franklin, **HCS HBs 754, 29, 300 & 505, as amended**, was ordered perfected and printed.

HCS HB 762, relating to women’s health services, was taken up by Representative Barry.

Representative Barry offered **HS HCS HB 762.**

Representative Barry offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 762, Pages 2 and 3, Section 354.900, Lines 23 and 24 of Page 2 and Lines 1 and 2 of Page 3, by deleting all of said lines and inserting in lieu thereof the following:

"(3) Include coverage for services related to diagnosis, treatment and appropriate management of osteoporosis when such services are provided by a person licensed to practice medicine and surgery in this state, for individuals with a condition or medical history for which bone mass measurement is medically indicated for such individual. In determining whether testing or treatment is medically appropriate, due consideration shall be given to peer reviewed medical literature. A policy, provision, contract, plan or agreement may apply to such services the same deductibles, coinsurance and other limitations as apply to other covered services;"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Barry, **House Amendment No. 1** was adopted.

Representative Barry offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 762, Page 2, Section 354.900, Line 15 of said page, by inserting after the word "**abortion**" the word "**or**"; and

Further amend said bill, Page 3, Section 354.900, Line 15 of said page, by inserting after the word "**contraceptive**" the words "**or abortion**"; and

Further amend said bill, Page 4, Section 354.900, Line 5 of said page, by inserting after the word "**use**" the words "**or provision**"; and

Further amend said bill, Page 4, Section 354.900, Line 7 of said page, by inserting after the word "**beliefs**" the words "**or tenets**"; and

Further amend said bill, Page 4, Section 354.900, Line 8 of said page, by deleting the word "**individual**" and inserting in lieu thereof the word "**enrollee**"; and

Further amend said bill, Page 4, Section 354.900, Line 9 of said page, by deleting the word "**use**" and inserting in lieu thereof the words "**the use or provision**"; and

Further amend said bill, Page 4, Section 354.900, Line 12 of said page, by deleting the words "**the individual**" and inserting in lieu thereof the words "**such enrollee**"; and

Further amend said bill, Page 4, Section 354.900, Line 18 of said page, by deleting the word "**election**" and inserting in lieu thereof the words "**exclusion of coverage**"; and

Further amend said bill, Page 4, Section 354.900, Line 23 of said page, by deleting the words "**religious or moral**" and inserting in lieu thereof the words "**moral, ethical or religious**"; and

Further amend said bill, Page 5, Section 354.900, Line 3 of said page, by deleting the word "**excludes**" and inserting in lieu thereof the words "**is exempted from providing**"; and

Further amend said bill, Page 5, Section 354.900, Line 5 of said page, by deleting the word "**exempted**" and inserting in lieu thereof the words "**that excludes coverage for contraceptives**"; and

Further amend said bill, Page 5, Section 354.900, Lines 8 to 19 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"6. Any health benefit plan issued pursuant to subsection 1 of this section shall provide clear and conspicuous written notice on the enrollment form and the group health benefit plan contract:

- (1) Whether coverage for contraceptives is or is not included;**
- (2) That an enrollee who is a member of a group health benefit plan with coverage for contraceptives has the right to exclude coverage for contraceptives if such coverage is contrary to his or her moral, ethical or religious beliefs; and**
- (3) That an enrollee who is a member of a group health benefit plan without coverage for contraceptives has the right to purchase a rider that includes coverage for contraceptives.**

7. Health carriers shall not disclose to the person or entity who purchased the health benefit plan the names of enrollees who exclude coverage for contraceptives in the health benefit plan or who purchase a rider to the health benefit plan that includes coverage for contraceptives. Health carriers and the person or entity who purchased the health benefit plan shall not discriminate against an enrollee because the enrollee excluded coverage for contraceptives in the health benefit plan or purchased a rider to the health benefit plan that includes coverage for contraceptives."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Barry, **House Amendment No. 2** was adopted.

On motion of Representative Barry, **HS HCS HB 762, as amended**, was adopted.

On motion of Representative Barry, **HS HCS HB 762, as amended**, was ordered perfected and printed.

PERFECTION OF HOUSE BILLS

HB 453, relating to emergency response fees, was taken up by Representative Ransdall.

Representative Coleman offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 453, Page 1, In the Title, Lines 2 and 3, by deleting all of said lines and inserting in lieu thereof the following:

"To repeal sections 292.606, 347.740, 351.127, 355.023, 356.233, 359.653, 400.9-508 and 417.018, RSMo 2000, and to enact in lieu thereof eight new sections relating to the collection of certain fees"; and

Further amend said bill, Page 1, Section A, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Sections 292.606, 347.740, 351.127, 355.023, 356.233, 359.653, 400.9-508 and 417.018, RSMo 2000, are repealed and eight new sections enacted in lieu thereof, to be known as sections 292.606, 347.740, 351.127, 355.023, 356.233, 359.653, 400.9-508 and 417.018, to read as follows:"; and

Further amend said bill, Page 3, Section 292.606, Line 61, by inserting after said line the following:

"347.740. The secretary of state may collect an additional fee of five dollars on each and every fee required in this chapter. All fees collected as provided in this section shall be deposited in the state treasury and credited to the secretary of state's technology trust fund account. **The provisions of this section shall expire on December 31, 2009.**

351.127. The secretary of state may collect an additional fee of five dollars on each and every fee required in this chapter. All fees collected as provided in this section shall be deposited in the state treasury and credited to the secretary of state's technology trust fund account. **The provisions of this section shall expire on December 31, 2009.**

355.023. The secretary of state may collect an additional fee of five dollars on each and every fee required in this chapter. All fees collected as provided in this section shall be deposited in the state treasury and credited to the secretary of state's technology trust fund account. **The provisions of this section shall expire on December 31, 2009.**

356.233. The secretary of state may collect an additional fee of five dollars on each and every fee required in this chapter. All fees collected as provided in this section shall be deposited in the state treasury and credited to the secretary of state's technology trust fund account. **The provisions of this section shall expire on December 31, 2009.**

359.653. The secretary of state may collect an additional fee of five dollars on each and every fee required in this chapter. All fees collected as provided in this section shall be deposited in the state treasury and credited to the secretary of state's technology trust fund account. **The provisions of this section shall expire on December 31, 2009.**

400.9-508. The secretary of state may collect an additional fee of five dollars on each and every fee paid to the secretary of state as required in chapter 400.9. All fees collected as provided in this section shall be deposited in the state treasury and credited to the secretary of state's technology trust fund account. **The provisions of this section shall expire on December 31, 2009.**

417.018. The secretary of state may collect an additional fee of five dollars on each and every fee required in this chapter. All fees collected as provided in this section shall be deposited in the state treasury and credited to the secretary of state's technology trust fund account. **The provisions of this section shall expire on December 31, 2009.**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Coleman, **House Amendment No. 1** was adopted.

Representative Smith offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Bill No. 453, Page 1, Line 1 of the Title, by deleting the words "**the emergency response commission**" and by inserting in lieu thereof the words "**environmental commissions**"; and

Further amend House Bill No. 453, Section 292.606, Page 3, Line 61, by inserting immediately after said line the following:

"444.765. Wherever used or referred to in sections 444.760 to [444.789] **444.790**, unless a different meaning clearly appears from the context, the following terms mean:

(1) "Affected land", the pit area or area from which overburden shall have been removed, or upon which overburden has been deposited after September 28, 1971. When mining is conducted underground, affected land means any excavation or removal of overburden required to create access to mine openings, except that areas of disturbance encompassed by the actual underground openings for air shafts, portals, adits and haul roads in addition to disturbances within fifty feet of any openings for haul roads, portals or adits shall not be considered affected land. Sites which exceed the excluded areas by more than one acre for underground mining operations shall obtain a permit for the total extent of affected lands with no exclusions as required under sections 444.760 to [444.789] **444.790**;

(2) "Commission", the land reclamation commission in the department of natural resources;

(3) "Director", the staff director of the land reclamation commission;

(4) "Mineral", a constituent of the earth in a solid state which, when extracted from the earth, is usable in its natural form or is capable of conversion into a usable form as a chemical, an energy source, or raw material for

manufacturing or construction material. For the purposes of this section, this definition includes barite, tar sands, and oil shales, but does not include iron, lead, zinc, gold, silver, coal, surface or subsurface water, fill dirt, natural oil or gas together with other chemicals recovered therewith;

- (5) "Operator", any person, firm or corporation engaged in and controlling a surface mining operation;
- (6) "Overburden", all of the earth and other materials which lie above natural deposits of minerals; and also means such earth and other materials disturbed from their natural state in the process of surface mining **other than what is defined in subdivision (4) of this section;**
- (7) "Peak", a projecting point of overburden created in the surface mining process;
- (8) "Pit", the place where minerals are being or have been mined by surface mining;
- (9) "Refuse", all waste material directly connected with the cleaning and preparation of substance mined by surface mining;
- (10) "Ridge", a lengthened elevation of overburden created in the surface mining process;
- (11) "Site" or "mining site", any location or group of associated locations where minerals are being surface mined by the same operator;
- (12) "Surface mining", the mining of minerals for commercial purposes by removing the overburden lying above natural deposits thereof, and mining directly from the natural deposits thereby exposed, and shall include mining of exposed natural deposits of such minerals over which no overburden lies and, after August 28, 1990, the surface effects of underground mining operations for such minerals.

444.767. The commission may:

- (1) Adopt and promulgate rules and regulations pursuant to section 444.530 and chapter 536, RSMo, respecting the administration of sections 444.760 to [444.789] **444.790** and in conformity therewith;
- (2) Encourage and conduct investigation, research, experiments and demonstrations, and collect and disseminate information relating to strip mining and reclamation and conservation of lands and waters affected by strip mining;
- (3) Examine and pass on all applications and plans and specifications submitted by the operator for the method of operation and for the reclamation and conservation of the area of land affected by the operation;
- (4) Make investigations and inspections which are necessary to ensure compliance with the provisions of sections 444.760 to [444.789] **444.790**;
- (5) Conduct hearings [under] **pursuant to** sections 444.760 to [444.789] **444.790** and may administer oaths or affirmations and subpoena witnesses to the inquiry;
- (6) Order, after hearing, the revocation of any permit and to cease and desist operations for failure to comply with any of the provisions of sections 444.760 to [444.789] **444.790** or any corrective order of the commission;
- (7) Order forfeiture of any bond for failure to comply with any provisions of sections 444.760 to [444.789] **444.790** or any corrective order of the commission or other order of the commission;
- (8) Cause to be instituted in any court of competent jurisdiction legal proceedings for injunction or other appropriate relief to enforce the provisions of sections 444.760 to [444.789] **444.790** and any order of the commission promulgated thereunder;
- (9) Retain, employ, provide for, and compensate, within the limits of appropriations made for that purpose, such consultants, assistants, deputies, clerks, and other employees on a full- or part-time basis as may be necessary to carry out the provisions of sections 444.760 to [444.789] **444.790** and prescribe the times at which they shall be appointed and their powers and duties;
- (10) Study and develop plans for the reclamation of lands that have been strip mined prior to September 28, 1971;
- (11) Accept, receive and administer grants or other funds or gifts from public and private agencies and individuals, including the federal government, for the purpose of carrying out any of the functions of sections 444.760 to [444.789] **444.790**, including the reclamation of lands strip mined prior to August 28, 1990. The commission may promulgate such rules and regulations or enter into such contracts as it may deem necessary for carrying out the provisions of this subdivision;
- (12) Budget and receive duly appropriated moneys for expenditures to carry out the provisions and purposes of sections 444.760 to [444.789] **444.790**;
- (13) Prepare and file a biennial report with the governor and members of the general assembly;
- (14) Order, after hearing, an operator to adopt such corrective measures as are necessary to comply with the provisions of sections 444.760 to [444.789] **444.790**.

444.770. 1. It shall be unlawful for any operator to engage in surface mining without first obtaining from the commission a permit to do so, in such form as is hereinafter provided, including any operator involved in any gravel

mining operation where the annual tonnage of gravel mined by such operator is less than five thousand tons.

2. Sections 444.760 to [444.789] **444.790** shall apply only to those areas which are opened on or after January 1, 1972, or to the extended portion of affected areas extended after that date. The effective date of this section for minerals not previously covered under the provisions of sections 444.760 to [444.789] **444.790** shall be August 28, 1990.

3. All surface mining operations where land is affected after September 28, 1971, which are under the control of any government agency whose regulations are equal to or greater than those imposed by section 444.774, are not subject to the further provisions of sections 444.760 to [444.789] **444.790**, except that such operations shall be registered with the land reclamation commission.

4. Any portion of a surface mining operation which is subject to the provisions of sections 260.200 to 260.245, RSMo, and the regulations promulgated thereunder, shall not be subject to the provisions of sections 444.760 to [444.789] **444.790**, and any bonds or portions thereof applicable to such operations shall be promptly released by the commission, and the associated permits canceled by the commission upon presentation to it of satisfactory evidence that the operator has received a permit [under] **pursuant to** section 260.205, RSMo, and the regulations promulgated thereunder. Any land reclamation bond associated with such released permits shall be retained by the commission until presentation to the commission of satisfactory evidence that:

(1) The operator has complied with sections 260.226 and 260.227, RSMo, and the regulations promulgated thereunder, pertaining to closure and post-closure plans and financial assurance instruments; and

(2) The operator has commenced operation of the solid waste disposal area or sanitary landfill as those terms are defined in chapter 260, RSMo.

5. Notwithstanding the provisions of subsection 1 of this section, any political subdivision which uses its own personnel and equipment or any private individual for personal use may conduct in-stream gravel operations without obtaining from the commission a permit to conduct such an activity.

444.772. 1. Any operator desiring to engage in surface mining shall make written application to the director for a permit.

2. Application for permit shall be made on a form prescribed by the commission and shall include:

(1) The name of all persons with any interest in the land to be mined;

(2) The source of the applicant's legal right to mine the land affected by the permit;

(3) The permanent and temporary post-office address of the applicant;

(4) Whether the applicant or any person associated with the applicant holds or has held any other permits [under] **pursuant to** sections 444.500 to [444.789] **444.790**, and an identification of such permits;

(5) The written consent of the applicant and any other persons necessary to grant access to the commission or the director to the area of land affected under application from the date of application until the expiration of any permit granted under the application and thereafter for such time as is necessary to assure compliance with all provisions of sections 444.500 to [444.789] **444.790** or any rule or regulation promulgated [under] **pursuant to** them. Permit applications submitted by operators who mine an annual tonnage of less than ten thousand tons shall be required to include written consent from the operator to grant access to the commission or the director to the area of land affected;

(6) A description of the tract or tracts of land and the estimated number of acres thereof to be affected by the surface mining of the applicant for the next succeeding twelve months; and

(7) Such other information that the commission may require as such information applies to land reclamation.

3. The application for a permit shall be accompanied by a map in a scale and form specified by the commission by regulation.

4. The application shall be accompanied by a bond, security or certificate meeting the requirements of section 444.778 and a [basic permit fee of three hundred fifty dollars, plus acreage fee of thirty-five dollars for each acre or fraction thereof of the area of land to be affected by the operation, plus an annual fee of forty dollars for each site listed on the operator's permit application that will be mined during the permit year, which fees shall be paid before the permit required in this section shall be issued. A basic fee of one hundred dollars, plus an acreage fee of thirty-five dollars for each acre or fraction thereof of the area of land to be affected by the gravel mining operation shall be paid to the commission before the permit shall be issued for any operator involved in any gravel mining operation where the annual tonnage of gravel mined by such operator is less than five thousand tons. The commission shall by rule or regulation, pursuant to section 444.530, initially establish the fees as listed in this section. The commission may also raise the permit fee to no more than five hundred dollars. The issued permit shall be valid for a period of one year from the date of its issuance unless sooner revoked or suspended as provided in sections 444.760 to 444.789] **permit fee approved by the commission not to exceed six hundred dollars. The commission may also require a fee for each site listed**

on a permit not to exceed three hundred dollars for each site. If mining operations are not conducted at a site for six months or more during any year, the fee for such site for that year shall be reduced by fifty percent. The commission may also require a fee for each acre bonded by the operator pursuant to section 444.778 not to exceed ten dollars per acre. If such fee is assessed, the per-acre fee on all acres bonded by a single operator that exceed a total of one hundred acres shall be reduced by fifty percent. In no case shall the total fee for any permit be more than two thousand five hundred dollars. Permit and renewal fees shall be established by rule and shall be set at levels that recover the cost of administering and enforcing sections 444.760 to 444.790, making allowances for grants and other sources of funds. The director shall submit a report to the commission and the public each year that describes the number of employees and the activities performed the previous calendar year to administer sections 444.760 to 444.790. For any operator of a gravel mining operation where the annual tonnage of gravel mined by such operator is less than five thousand tons, the total cost of submitting an application shall be three hundred dollars. The issued permit shall be valid from the date of its issuance until the date specified in the mine plan unless sooner revoked or suspended as provided in sections 444.760 to 444.790.

5. An operator desiring to have his **or her** permit amended to cover additional land may file an amended application with the commission. Upon receipt of the amended application, and such additional fee and bond as may be required [under] **pursuant to** the provisions of sections 444.760 to [444.789] **444.790**, the director shall, if the applicant complies with all applicable regulatory requirements, issue an amendment to the original permit covering the additional land described in the amended application.

6. An operation may withdraw any land covered by a permit, excepting affected land, by notifying the commission thereof, in which case the penalty of the bond or security filed by the operator pursuant to the provisions of sections 444.760 to [444.789] **444.790** shall be reduced proportionately.

7. Where mining or reclamation operations on acreage for which a permit has been issued have not been completed [thereon during the permit year, the permit as to such acreage shall be renewed by applying on a permit renewal form furnished by the commission for an additional permit year and payment of a fee of three hundred fifty dollars plus forty dollars for each site listed on the permit renewal application that will be actively surface mined or reclaimed during the permit year], **the permit shall be renewed. The operator shall submit a permit renewal form furnished by the director for an additional permit year and pay a fee equal to an application fee calculated pursuant to subsection 4 of this section, but in no case shall the renewal fee for any operator be more than two thousand five hundred dollars.** For any operator involved in any gravel mining operation where the annual tonnage of gravel mined by such operator is less than five thousand tons, the permit as to such acreage shall be renewed by applying on a permit renewal form furnished by the [commission] **director** for an additional permit year and payment of a fee of [one] **three** hundred dollars. [Such basic permit fee may be increased by the commission by rule or regulation not to exceed five hundred dollars, pursuant to section 444.767 to support the actual cost thereof of administering and enforcing the provisions of sections 444.760 to 444.789, making allowances for grants and other sources of funds and contingencies.] Upon receipt of the **completed** permit renewal [application] **form** and fee[,], from the operator, the director shall [issue a renewal certificate] **approve the renewal. With approval of the director and operator, the permit renewal may be extended for a portion of an additional year with a corresponding prorating of the renewal fee.**

8. Where one operator succeeds another at any uncompleted operation, either by sale, assignment, lease or otherwise, the commission may release the first operator from all liability [under] **pursuant to** sections 444.760 to [444.789] **444.790** as to that particular operation if both operators have been issued a permit and have otherwise complied with the requirements of sections 444.760 to [444.789] **444.790** and the successor operator assumes as part of his **or her** obligation [under] **pursuant to** sections 444.760 to [444.789] **444.790** all liability for the reclamation of the area of land affected by the former operator.

9. The application for a permit shall be accompanied by a plan of reclamation that meets the requirements of sections 444.760 to [444.789] **444.790** and the rules and regulations promulgated pursuant thereto, and shall contain a verified statement by the operator setting forth the proposed method of operation, reclamation, and a conservation plan for the affected area including approximate dates and time of completion, and stating that the operation will meet the requirements of sections 444.760 to [444.789] **444.790**, and any rule or regulation promulgated [under] **pursuant to** them.

10. At the time that a permit [is applied for] **application is deemed complete by the director**, the operator shall publish a notice of intent to operate a surface mine in any newspaper [with a general circulation in the counties] **qualified pursuant to section 493.050, RSMo, to publish legal notices in any county** where the land is located. **If**

the director does not respond to a permit application within forty-five calendar days, the application shall be deemed to be complete. Notice in the newspaper shall be posted once a week for four consecutive weeks beginning no more than ten days after the application is deemed complete. The operator shall also send notice of intent to operate a surface mine by certified mail to the governing body of the counties or cities in which the proposed area is located, and to the last known addresses of all record landowners of contiguous real property or real property located adjacent to the proposed mine plan area. The [notice] notices shall include the name and address of the operator, a legal description consisting of county, section, township and range, the number of acres involved, a statement that the operator plans to mine a specified mineral during a specified time, and the address of the commission. **The notices shall also contain a statement that any person with a direct, personal interest in one or more of the factors the commission [is required to] may consider in issuing a permit may [make] request a public meeting, a public hearing or file written comments to the director [during the fifteen-day public notice period] no later than fifteen days following the final public notice publication date.**

11. The commission may approve a permit application or permit amendment whose operation[, or reclamation [or conservation] plan deviates from the requirements of sections 444.760 to [444.789] **444.790** if it can be demonstrated by the operator that the conditions present at the surface mining location warrant an exception. The criteria accepted for consideration when evaluating the merits of an exception or variance to the requirements of sections 444.760 to [444.789] **444.790** shall be established by regulations.

12. Fees imposed pursuant to this section shall become effective August 28, 2001, and shall expire on December 31, 2007. No other provisions of this section shall expire.

444.773. 1. All applications for a permit shall be filed with the director, who shall promptly investigate the application and make a recommendation to the commission within [fifteen days after the application is received] **four weeks after the public notice period provided in section 444.772 expires** as to whether the permit should be issued or denied. If the director determines that the application has not fully complied with the provisions of section 444.772 or any rule or regulation promulgated [under] **pursuant to** that section, [he] **the director** shall recommend denial of the permit. The director shall consider any written comments when making his **or her** recommendation to the commission on the issuance or denial of the permit.

2. If the recommendation of the director is to deny the permit, a hearing as provided in sections 444.760 to [444.789] **444.790**, if requested by the applicant within fifteen days of the date of notice of recommendation of the director, shall be held by the commission.

3. If the recommendation of the director is for issuance of the permit, the director shall issue the permit without **a public meeting or** a hearing except that upon petition, received prior to the date of the notice of recommendation, from any person whose health, safety or livelihood [is affected by noncompliance with any applicable laws or regulations,] **will be unduly impaired by the issuance of this permit, a public meeting or** a hearing may be held. **If a public meeting is requested pursuant to this chapter and the applicant agrees, the director shall, within thirty days after the time for such request has passed, order that a public meeting be held. The meeting shall be held in a reasonably convenient location for all interested parties. The applicant shall cooperate with the director in making all necessary arrangements for the public meeting. Within thirty days after the close of the public meeting, the director shall recommend to the commission approval or denial of the permit. If the public meeting does not resolve the concerns expressed by the public, any person whose health, safety or livelihood will be unduly impaired by the issuance of such permit may make a written request to the land reclamation commission for a formal public hearing. The land reclamation commission may grant a public hearing to formally resolve concerns of the public. Any public hearing before the commission shall address one or more of the factors set forth in this section.**

4. In any hearing held pursuant to this section the burden of proof shall be on the applicant for a permit. **If the commission finds, based on competent and substantial evidence on the record, that an interested party's health, safety or livelihood will be unduly impaired by the issuance of the permit, the commission may deny such permit. If the commission finds, based on competent and substantial evidence on the record, that the operator has had a history of noncompliance at other locations that suggests a reasonable likelihood of future acts of noncompliance, the commission may deny such permit. In determining whether a reasonable likelihood of noncompliance will exist in the future, the commission may look to past acts of noncompliance, but only to the extent they suggest a reasonable likelihood of future acts of noncompliance. Past acts of noncompliance, in and of themselves, are an insufficient basis to suggest a reasonable likelihood of future acts of noncompliance. If a hearing petitioner demonstrates either present acts of noncompliance or a reasonable likelihood that the permit seeker or associated persons or corporations will be in noncompliance in the future, such a showing will satisfy**

the noncompliance requirement in this subsection. In addition, such basis must be developed by multiple noncompliances at any single facility that resulted in lasting harm to the environment or unduly impaired the health, safety or livelihood of persons outside the facility. Any decision of the commission made pursuant to a hearing held [under] **pursuant to** this section is subject to judicial review as provided in chapter 536, RSMo. No judicial review shall be available, however, until and unless all administrative remedies are exhausted.

444.774. 1. Every operator to whom a permit is issued pursuant to the provisions of sections 444.760 to [444.789] **444.790** may engage in surface mining upon the lands described in the permit upon the performance of and subject to the following requirements with respect to such lands:

(1) All ridges and peaks of overburden created by surface mining, except areas [where lakes may be formed under subdivision (7) of subsection 1 of this section] **meeting the qualifications of subdivision (4) of this subsection**, or where washing, cleaning or retaining ponds and reservoirs may be formed under subdivision (2) of subsection 1 of this section, shall be graded to a rolling topography traversable by farm machinery, but such slopes need not be reduced to less than the original grade of that area prior to mining, and the slope of the ridge of overburden resulting from a box cut need not be reduced to less than twenty-five degrees from horizontal whenever the same cannot be practically incorporated into the land reclaimed for wildlife purposes [under] **pursuant to** subdivision (4) of **this** subsection [1 of this section]. In surface mining the operator shall remove all debris and materials not allowed by the reclamation plan before the bond or any portion thereof may be released;

(2) As a means of controlling damaging [runoff] **erosion**, the [commission] **director** may require the operator to construct terraces or use such other measures and techniques as are necessary to control soil erosion and siltation on reclaimed land. **Such erosion control measures and techniques may also be required on overburden stockpiles if the erosion is causing environmental damage outside the permit area.** In determining the grading requirements to restore barite pit areas, the sidewalls of the excavation shall be graded to a point where it blends with the surrounding countryside, but in no case should the contour be such that erosion and siltation be increased;

(3) In the surface mining of tar sands, the operator shall recover and collect all spent sands and other refuse yielded from the processing of tar sands, whether such spent sands and refuse are produced at the surface mine or elsewhere, in the manner prescribed by the commission as conditions of the permit, and shall finally dispose of such spent sands and refuse in the manner prescribed by the commission as conditions of the permit and in accordance with the provisions of sections 444.760 to [444.789] **444.790**;

(4) Up to and including twenty-five percent of the total acreage to be reclaimed each year need not be graded to a rolling topography if the land is reclaimed for wildlife purposes as required by the commission, except that all peaks and ridges shall be leveled off to a minimum width of thirty feet or one-half the diameter of the base of the pile at the original ground surface whichever is less;

(5) Surface mining operations that remove and do not replace the lateral support shall not, unless mutually agreed upon by the operator and the adjacent property owner, remove the lateral support in the vicinity of any established right-of-way line of any public road, street or highway closer than a distance equal to twenty-five feet plus one and one-half times the depth of the unconsolidated material from such right-of-way line to the beginning of the excavation; except that, unless granted a variance by the commission, the minimum distance is fifty feet. The provisions of this subdivision shall apply to all existing surface mining operations beginning August 28, 1990, except as provided in subsection 2 of section 444.770;

(6) If surface mining is or has been conducted up to the minimum distance as defined in subdivision (5) of **this** subsection [1 of this section] along an established right-of-way line of any public road, street or highway, a barrier or berm of adequate height shall be placed or constructed along the perimeter of the excavation. Adequate height shall mean a height of no less than three feet. Such barriers or berms shall not be required if barriers, berms or guardrails already exist on the adjoining right-of-way. Barriers or berms of adequate height may also be required by the commission when surface mining is or has been conducted up to the minimum distance as defined in subdivision (5) of **this** subsection [1 of this section] along other property lines, but only as necessary to mitigate serious and obvious threats to public safety;

(7) The operator may construct earth dams to form lakes in pits resulting from the final cut in a mining area; except that, the formation of the lakes shall not interfere with underground or other mining operations or damage adjoining property and shall comply with the requirements of subdivision (8) of **this** subsection [1 of this section];

(8) The operator shall cover the exposed face of a mineral seam where acid forming materials are present, to a depth of not less than two feet with earth that will support plant life or with a permanent water impoundment, terraced or otherwise so constructed as to prevent a constant inflow of water from any stream and to prevent surface water from flowing into such impoundment in such amounts as will cause runoff or spillage from said impoundment in a volume

which will cause kills of fish or animals downstream. The operator shall cover an exposed deposit of tar sands, including an exposed face thereof, to a depth of not less than two feet with earth that will support plant life, and in addition may cover such deposit or face with a permanent water impoundment as provided above; however, no water impoundment shall be so constructed as to allow a permanent layer of oil or other hydrocarbon to collect on the surface of such impoundment in an amount which will adversely affect fish, wildfowl and other wildlife in or upon such impoundment;

(9) The operator shall reclaim all affected lands except as otherwise provided in sections 444.760 to [444.789] **444.790**. The operator shall determine on company-owned land, and with the landowners on leased land for leases that are entered into after August 28, 1990, which parts of the affected land shall be reclaimed for forest, pasture, crop, horticultural, homesite, recreational, industrial or other use including food, shelter, and ground cover for wildlife;

(10) The operator, with the approval of the commission, shall sow, set out or plant upon the affected land, seeds, plants, cuttings of trees, shrubs, grasses or legumes. The plantings or seedings shall be appropriate to the type of reclamation designated by the operator on company-owned land and with the owner on leased land for leases entered into after August 28, 1990, and shall be based upon sound agronomic and forestry principles;

(11) Surface mining operations conducted in the flood plains of streams and rivers, and subject to periodic flooding, may be exempt from the grading requirements contained in this section if it can be demonstrated to the commission that such operations will be unsafe to pursue or ineffective in achieving reclamation required in this section because of the periodic flooding;

(12) Such other requirements as the commission may prescribe by rule or regulation to conform with the purposes and requirements of sections 444.760 to [444.789] **444.790**.

2. An operator shall commence the reclamation of the area of land affected by its operation as soon as possible after the [beginning] **completion** of surface mining of [that] **viable mineral reserves in any portion of the permit** area in accordance with the plan of reclamation required by [sections 444.760 to 444.789] **subsection 9 of section 444.772**, the rules and regulations of the commission, and the conditions of the permit[; and shall complete]. Grading **shall be completed** within twelve months after [the expiration date of the permit] **mining of viable mineral reserves is complete in that portion of the permit area based on the operator's prior mining practices at that site. Mining shall not be deemed complete if the operator can provide credible evidence to the director that viable mineral reserves are present.** The seeding and planting of supporting vegetation, **as provided in the reclamation plan**, shall be completed within twenty-four months after [the expiration date of the permit] with **mining has been completed** survival of such supporting vegetation by the second growing season.

3. With the approval of the [commission] **director**, the operator may substitute for all or any part of the affected land to be reclaimed, an equal number of acres of land previously mined and not reclaimed. If any area is so substituted the operator shall submit a map **and reclamation plan** of the substituted area, and this map **and reclamation plan** shall conform to all requirements with respect to other maps **and reclamation plan** required by section 444.772. The operator shall be relieved of all obligations [under] **pursuant to** sections 444.760 to [444.789] **444.790** with respect to the land for which substitution has been permitted. **On leased land, the landowner shall grant written approval to the operator for substitutions made pursuant to this subsection.**

4. The operator shall file a report with the commission within sixty days after the date of expiration of a permit stating the exact number of acres of land affected by the operation, the extent of the reclamation already accomplished, and such other information as may be required by the commission.

5. The operator shall ensure that all affected land where vegetation is to be reestablished is covered with enough topsoil or other approved material in order to provide a proper rooting medium. **No topsoil or other approved material is required to be placed on areas described in subdivision (4) of subsection 1 of this section or on any areas to be reclaimed for industrial uses as specified in the reclamation plan.**

6. The commission may grant such additional time for meeting with the completion dates required by sections 444.760 to [444.789] **444.790** as are necessary due to an act of God, war, strike, riot, catastrophe, or other good cause shown.

444.775. 1. Prior to release of the bond or any portion thereof, application shall be made by the operator to the commission, either with the completion of the report referred to in section 444.774 or subsequent to such report, for release of the bond.

2. The commission shall cause to have investigated the status of reclamation on land for which a release application has been filed.

3. If **the director or** the commission determines that the bond, or any portion thereof, should be released, an order may be so issued without hearing. If an owner of the land that has been affected by surface mining files a petition

in opposition to the release of the bond within thirty days of the receipt date of the application for release, a hearing may be held, if the bond release criteria does not meet permit standards. A hearing may also be held if the [staff of the commission] **director**, within thirty days of the receipt date of the application for release, recommends denial of the application following its investigation. In such cases, the commission may hold a hearing as provided in section 444.789 and enter such order as shall be appropriate.

4. If the commission determines that the bond or any portion thereof should not be released, the commission shall issue an order to that effect with the reasons for the order and shall give notice to the operator. A hearing shall be held by the commission as provided in section 444.789 if requested by the operator within thirty days of the date of notice of the order. At such hearing burden of proof shall be on the operator. After hearing, the commission shall enter such order as shall be appropriate and shall give notice to the operator.

5. All final decisions or orders of the commission shall be subject to judicial review as provided for in chapter 536, RSMo. No judicial review shall be available, however, until and unless all administrative remedies are exhausted.

444.777. Commission members and authorized representatives of the commission may at all reasonable times enter upon any lands that have been or are being surface mined for the purpose of inspection to determine whether the provisions of sections 444.760 to [444.789] **444.790** have been complied with. No person shall refuse entry or access requested for purposes of inspection, to any member of the commission or authorized representative who presents appropriate credentials, nor obstruct or hamper any such person in carrying out the inspection. A suitably restricted search warrant, describing the place to be searched and showing probable cause in writing and upon written oath or affirmation by any member of the commission or authorized representative, shall be issued by any circuit judge or associate circuit judge in the county where the search is to be made.

444.778. 1. Any bond herein provided to be filed with the commission by the operator shall be in such form as the director prescribes, payable to the state of Missouri, conditioned that the operator shall faithfully perform all requirements of sections 444.760 to [444.789] **444.790** and comply with all rules of the commission made in accordance with the provisions of sections 444.760 to [444.789] **444.790**. The bond shall be signed by the operator as principal, and by a good and sufficient corporate surety, licensed to do business in this state, as surety. The operator shall file with the commission a bond payable to the state of Missouri with surety in the penal sum of eight thousand dollars for each permit up to eight acres and five hundred dollars for each acre thereafter that is to be mined. In addition, for each acre or portion thereof where topsoil has been removed from the site, an additional bond of four thousand five hundred dollars per acre shall be posted with the commission for each acre or portion thereof which will be revegetated, conditioned upon the faithful performance of the requirements set forth in sections 444.760 to [444.789] **444.790** and of the rules and regulations of the commission. In lieu of a surety bond, the operator may furnish a bond secured by a personal certificate of deposit or irrevocable letter of credit in an amount equal to that of the required surety bond on conditions as prescribed by the commission. For any operator involved in any gravel mining operation where the annual tonnage of gravel mined by such operator is less than five thousand tons, such operator shall deposit a bond with the commission in the penal sum of five hundred dollars for each acre or portion thereof of land proposed thereafter by the operator to be subjected to surface mining for the mining permit year.

2. The bond shall remain in effect until the mined acreages have been reclaimed, approved and released by the commission. Forfeiture of such bond may be cause for denial of future permit applications.

3. A bond filed as above prescribed shall not be canceled by the surety except after not less than ninety days' notice to the commission and, in any case, not as to the acreage affected prior to the expiration of the notice period.

4. If the license to do business in this state of any surety upon a bond filed with the commission pursuant to sections 444.760 to [444.789] **444.790** shall be suspended, revoked, or canceled, or if the surety should act to cancel the bond, the operator, within sixty days after receiving notice thereof from the commission, shall substitute for such surety a good and sufficient corporate surety licensed to do business in this state or a bond secured by a certificate of deposit. Upon failure of the operator to make substitution of surety as herein provided, the commission shall have the right to suspend the permit of the operator until such substitution has been made.

5. The commission shall give written notice to the operator of any violation of sections 444.760 to [444.789] **444.790** or noncompliance with any of the rules and regulations promulgated by the commission hereunder and if corrective measures, approved by the commission, are not commenced within ninety days, the commission may proceed as provided in section 444.782 to request forfeiture of the bond.

6. The commission shall have the power to reclaim, in keeping with the provisions of sections 444.760 to [444.789] **444.790**, any affected land with respect to which a bond has been forfeited. The commission and any other agency and any contractor under a contract with the commission shall have reasonable right of access to the land affected to carry out such reclamation. The operator shall also have the right of access to the land affected to carry out

such reclamation and shall notify the landowner on lease holdings that such right exists.

7. Whenever an operator shall have completed all requirements [under] **pursuant to** the provisions of sections 444.760 to [444.789] **444.790** as to any affected land, he **or she** shall notify the commission thereof. If the commission determines that the operator has completed the requirements, the commission shall release the operator from further obligations regarding the affected land and the penalty of the bond shall be reduced proportionately.

444.782. The attorney general, upon request of the commission, shall institute proceedings to have the bond of the operator forfeited for violation by the operator of any of the provisions of sections 444.760 to [444.789] **444.790**. Before making such request of the attorney general, the commission shall notify the operator in writing of the alleged violation or noncompliance and shall afford the operator the right to appear before the commission at a hearing to be held not less than thirty days after the receipt of such notice by the operator. At the hearing the operator may present for the consideration of the commission, statements, documents and other information with respect to the alleged violation. After the conclusion of the hearing, the commission shall either withdraw the notice of violation or shall request the attorney general to institute proceedings to have the bond of the operator forfeited as to the land involved.

444.784. The commission may adopt and promulgate reasonable rules and regulations respecting the administration of sections 444.760 to [444.789] **444.790**. Any act authorized to be done by the director may be performed by any employee of the commission when designated by the director. All forfeitures collected after January 1, 1972, as provided in sections 444.760 to [444.789] **444.790**, shall be expended to reclaim and rehabilitate land affected in accordance with the provisions of sections 444.760 to [444.789] **444.790**. Insofar as is reasonably practicable, the funds shall be expended upon the lands for which the permit was issued and for which the bond was given.

444.786. Any person required by sections 444.760 to [444.789] **444.790** to have a permit who engages in the mining of minerals without previously securing a permit to do so as prescribed by sections 444.760 to [444.789] **444.790**, is guilty of a misdemeanor, and upon conviction thereof shall be fined not less than fifty dollars nor more than one thousand dollars. Each day of operation without the permit required by sections 444.760 to [444.789] **444.790** will be deemed a separate violation.

444.787. 1. The commission shall investigate surface mining operations in the state of Missouri. If the investigations show that surface mining is being or is going to be conducted without a permit in violation of sections 444.760 to [444.789] **444.790** or in violation of any revocation order, and the commission has not issued a variance, the commission shall request the attorney general to file suit in the name of the state of Missouri for an injunction and civil penalties not to exceed one thousand dollars per day for each day, or part thereof, the violation has occurred. Suit may be filed either in the county where the violation occurs or in Cole County.

2. If the investigation shows that a surface mining operation for which a permit has been issued is being conducted contrary to or in violation of any provision of sections 444.760 to [444.789] **444.790** or any rule or regulation promulgated by the commission or any condition imposed on the permit or any condition of the bond, the director may by conference, conciliation and persuasion endeavor to eliminate the violation. If the violation is not eliminated, the director shall provide to the operator by registered mail a notice describing the nature of the violation, corrective measures to be taken to abate the violation, and the time period for abatement. Within fifteen days of receipt of this notice the operator may request an informal conference with the director to contest the notice. The director may modify, vacate or enforce the notice and shall provide notice to the operator of his action within thirty days of the informal conference. If the operator fails to comply with the notice, as amended by the director, in the time prescribed within the notice, the director shall file a formal complaint with the commission for suspension or revocation of the permit, and for forfeiture of bond, or for appropriate corrective measures. When the director files a formal complaint, the commission shall cause to have issued and served upon the person complained against a written notice together with a copy of the formal complaint, which shall specify the provision of sections 444.760 to [444.789] **444.790** or the rule or regulation or the condition of the permit or of the bond of which the person is alleged to be in violation, a statement of the manner in, and the extent to which, the person is alleged to be in violation. The person complained against may, within fifteen days of receipt of the complaint, request a hearing before the commission. Such hearing shall be conducted in accordance with the provisions of section 444.789.

3. After due consideration of the hearing record, or upon failure of the operator to request a hearing by the date specified in the complaint, the commission shall issue and enter such final order and make such final determination as it shall deem appropriate under the circumstances. Included in such order and determination may be the revocation of any permit and to cease and desist operations. The commission shall immediately notify the respondent of its decision in writing by certified mail.

4. Any final order or determination or other final action by the commission shall be approved in writing by at

least four members of the commission. The commission shall not issue any permit to any person who has had a permit revoked until the violation that caused the revocation is corrected to the satisfaction of the commission. Any final order of the commission can be appealed in accordance with chapter 536, RSMo.

444.788. In the event the commission determines that any provisions of sections 444.760 to [444.789] **444.790**, rules and regulations promulgated thereunder, permits issued, conditions of the bond, or any final order or determination made by the commission or the director is being violated, the commission may, either after judicial review or simultaneously with judicial review, cause to have instituted a civil action, either in the county where the violation occurs or in Cole County, for injunctive relief, for collection of the civil penalty and for forfeiture of bond. The attorney general shall bring such action, at the request of the commission, in the name of the state of Missouri.

444.789. 1. Any hearing [under] **pursuant to** this section shall be of record and shall be a contested case.

2. Parties to such a hearing may make oral argument, introduce testimony and evidence, and cross-examine witnesses.

3. The hearing shall be before the commission or the chairman of the commission may designate one commission member as hearing officer, or may appoint a member in good standing of the Missouri Bar as hearing officer to hold the hearing and make recommendations to the commission, but the commission shall make the final decision thereon and any member participating in the decision shall review the record before making the decision.

4. In any such hearing any member of the commission may issue in the name of the commission notice of hearing and subpoenas as provided for in section 536.077, RSMo.

5. The rules of discovery that apply to any civil case shall apply to hearings held by the commission.

6. The administrative procedures in this section shall not apply to the public meetings pursuant to section 444.773.”; and

Further amend said bill, by amending the title and enacting clause accordingly.

On motion of Representative Smith, **House Amendment No. 2** was adopted.

On motion of Representative Ransdall, **HB 453, as amended**, was ordered perfected and printed.

HB 501, relating to water pollution bonds, was taken up by Representative Bowman.

Representative Bowman offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 501, Page 1, Section 644.572, Line 1, by striking the word “**2001**” and inserting in lieu thereof the word “**2002**”; and

Further amend said bill, Page 1, Section 644.574, Line 1, by striking the word “**2001**” and inserting in lieu thereof the word “**2002**”; and

Further amend said bill, Page 1, Section 644.576, Line 1, by striking the word “**2001**” and inserting in lieu thereof the word “**2002**”.

On motion of Representative Bowman, **House Amendment No. 1** was adopted.

On motion of Representative Bowman, **HB 501, as amended**, was ordered perfected and printed.

HB 314, relating to social workers, was taken up by Representative Nordwald.

On motion of Representative Nordwald, **HB 314** was ordered perfected and printed.

Representative Merideth assumed the Chair.

THIRD READING OF HOUSE BILL

HS HB 381, relating to sale of tobacco products, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **HS HB 381** was read the third time and passed by the following vote:

AYES: 144

Ballard	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	Ostmann
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Ridgeway
Rizzo	Roark	Ross	Scheve	Schwab
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	Surface	Thompson	Townley
Treadway	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 003

Abel	Reynolds	Troupe
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PRESENT: 000

ABSENT WITH LEAVE: 013

Baker	Black	Burton	Ford	Green 73
Luetkenhaus	Marble	O'Toole	Overschmidt	Robirds
Scott	Secrest	St. Onge		

VACANCIES: 003

Representative Merideth declared the bill passed.

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 20 - Sportsmanship, Safety and Firearms

REFERRAL OF HOUSE BILL - APPROPRIATIONS

The following House Bill was referred to the Committee indicated:

HB 19 - Budget

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 659 - Retirement

HB 671 - Retirement

HB 672 - Retirement

HB 674 - Retirement

COMMITTEE REPORTS

Committee on Education-Elementary and Secondary, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **HB 725**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **HB 865**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Insurance, Chairman Luetkenhaus reporting:

Mr. Speaker: Your Committee on Insurance, to which was referred **HB 644**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Insurance, to which was referred **HB 664**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Miscellaneous Bills & Resolutions, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **SB 256**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**.

House Committee Amendment No. 1

AMEND Senate Bill No. 256, Page 2, Section 644.037, Lines 1- 4, by removing all of said section from the bill; and

Further amend the title, enacting clause and intersectional references accordingly.

Committee on Professional Registration and Licensing, Chairman Treadway reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 716**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Ways and Means, Chairman Kennedy reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 590**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 816**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SB 256 - Fiscal Review and Government Reform (Fiscal Note)

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 200**, entitled:

An act to repeal section 217.015, RSMo 2000, relating to the department of corrections, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 76**, entitled:

An act to repeal section 92.402, RSMo 2000, relating to taxation for public mass transportation systems, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 135**, entitled:

An act to repeal sections 452.440, 452.445, 452.450, 452.455, 452.460, 452.465, 452.470, 452.475, 452.480, 452.485, 452.490, 452.495, 452.500, 452.505, 452.510, 452.515, 452.520, 452.525, 452.530, 452.535, 452.540, 452.545 and 452.550, RSMo 2000, relating to the uniform child custody jurisdiction act, and to enact in lieu thereof forty new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 422**, entitled:

An act to repeal section 292.606, RSMo 2000, relating to the state emergency management agency, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 21, introduced by Representatives Villa and Carnahan, et al, relating to the qualifications of representatives and senators.

INTRODUCTION OF HOUSE BILL - APPROPRIATIONS

The following House Bill was read the first time and copies ordered printed:

HB 18, introduced by Representative Green (15), to appropriate money for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities, including installation, modification, and renovation of facility components, equipment or systems, and to transfer money among certain funds.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 974, introduced by Representatives Levin, Holt, Moore, Foley, Kelly (27), Scott, Reid and Abel, et al, relating to personal information.

HB 975, introduced by Representatives Selby and Kreider, relating to health insurance coverage for maple syrup urine disease.

HB 976, introduced by Representative Troupe, relating to dogs.

HB 977, introduced by Representative Ladd Baker, relating to forensic DNA testing and evidence.

HB 978, introduced by Representatives Merideth, Crowell, Troupe, Myers, Mayer, Coleman, Black, Naeger and Britt, et al, relating to regional child assessment centers.

HB 979, introduced by Representative Bearden, et al, relating to recall elections for school board members.

HB 980, introduced by Representative Kreider, relating to approval of contractors by the department of transportation.

HB 981, introduced by Representatives Willoughby, Shields, Kreider, Levin, Johnson (90), Hanaway and Monaco, relating to tort immunity for teachers reporting violent acts.

HB 982, introduced by Representatives Selby and Ward, relating to a property tax abatement for volunteer firefighters.

HB 983, introduced by Representatives Selby and Ward, relating to wrongful termination of certain employees.

HB 984, introduced by Representatives King, Black and Myers, et al, relating to purple martins.

HB 985, introduced by Representatives Abel, Selby, Green (15), Johnson (90), Hollingsworth, McKenna and Wagner, et al, relating to emission inspections.

HB 986, introduced by Representatives Reid, Lowe, Johnson (61), Selby, Coleman and Hoppe, et al, relating to motor vehicle safety and repair.

HB 987, introduced by Representatives Relford and Legan, relating to the home-delivered meal program.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Bland has been appointed a member of the Commerce and Economic Development Committee and the Education-Higher Committee.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, March 15, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Forty-first Day, Tuesday, March 13, 2001, pages 670 and 671, roll call, by showing Representative Fares voting “aye” rather than “absent with leave”.

Pages 670 and 671, roll call, by showing Representative Fares voting “aye” rather than “absent with leave”.

Pages 671 and 672, roll call, by showing Representative Fares voting “aye” rather than “absent with leave”.

Pages 678 and 679, roll call, by showing Representative Levin voting “aye” rather than “absent with leave”.

Pages 679 and 680, roll call, by showing Representatives Copenhaver, Crawford, Levin and Reinhart voting “aye” rather than “absent with leave”.

Pages 685 and 686, roll call, by showing Representative Marsh voting “no” rather than “absent with leave”.

Pages 686 and 687, roll call, by showing Representatives Hickey and Marsh voting “aye” rather than “absent with leave”.

COMMITTEE MEETINGS

AGRICULTURE

Thursday, March 15, 2001, 9:00 am. Hearing Room 4.

To be considered - Executive Session - HB 904

CIVIL AND ADMINISTRATIVE LAW

Thursday, March 15, 2001. Side gallery upon morning adjournment.

To be considered - Executive Session - HB 891

CORRECTIONAL & STATE INSTITUTIONS

Thursday, March 15, 2001, 9:30 am. Hearing Room 7.

Executive Session will follow.

To be considered - HB 879, HB 909, HB 951, HB 961

CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING

Monday, March 26, 2001, 8:00 pm. Hearing Room 3.

To be considered - HB 703, HB 920, Executive Session - HB 357, Executive Session - HB 511

ENVIRONMENT AND ENERGY

Thursday, March 15, 2001, 8:30 am. Hearing Room 5.

Executive Session may follow.

To be considered - HB 802

FISCAL REVIEW AND GOVERNMENT REFORM

Thursday, March 15, 2001, 8:30 am. Hearing Room 3. (Fiscal Note).

To be considered - HB 107, HB 166

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 15, 2001, 9:00 am. Hearing Room 1.

JUDICIARY

Thursday, March 15, 2001. Hearing Room 6 upon adjournment.

To be considered - HB 945, HB 950, Executive Session - HB 456, Executive Session - HB 677,

Executive Session - HB 945, Executive Session - HB 950

LOCAL GOVERNMENT AND RELATED MATTERS

Thursday, March 15, 2001, 9:00 am. Hearing Room 2.

Executive Session. To be considered - HB 936

SPECIAL COMMITTEE ON PUBLIC-PRIVATE PARTNERSHIPS

Monday, March 26, 2001, 1:00 pm. Hearing Room 3.

MU Sports Arena, Jordan Valley Park.

SUBCOMMITTEE ON TOBACCO SETTLEMENT

Thursday, March 15, 2001. Hearing Room 3 upon adjournment.

House Bill 14 tobacco settlement. Public testimony.

TOURISM, RECREATION AND CULTURAL AFFAIRS

Monday, March 26, 2001, 8:00 pm. Hearing Room 7.

Executive Session may follow.

To be considered - HB 844, HB 956, HB 957

URBAN AFFAIRS

Tuesday, March 27, 2001. Hearing Room 1 upon evening adjournment.

Possible Executive Session to follow.

To be considered - HR 756

UTILITIES REGULATION

Thursday, March 15, 2001, 8:15 am. Hearing Room 6.

Executive Session may follow.

To be considered - HB 766, HB 826

WAYS AND MEANS

Thursday, March 15, 2001, 9:30 am. Side gallery.

To be considered - Executive Session - HB 362, Executive Session - HB 825,
Executive Session - HB 933

HOUSE CALENDAR

FORTY-THIRD DAY, THURSDAY, MARCH 15, 2001

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 21

HOUSE BILLS FOR SECOND READING

HB 974 through HB 987

HOUSE BILL FOR SECOND READING - APPROPRIATIONS

HB 18

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HB 114 - Hickey
- 3 HCS HB 327 - Rizzo

HOUSE BILLS FOR PERFECTION - CONSENT

(March 12, 2001)

- 1 HB 603 - Hilgemann
- 2 HB 788 - O'Connor
- 3 HB 742 - Harding
- 4 HB 361 - Shoemyer
- 5 HB 808 - Gratz
- 6 HB 691 - Barnett
- 7 HB 454 - Monaco
- 8 HB 212 - Ward
- 9 HB 757 - Shoemyer
- 10 HB 477 - Graham
- 11 HB 45 - Farnen
- 12 HB 459 - Liese
- 13 HB 420 - Williams
- 14 HB 732 - Hosmer

- 15 HB 642 - Relford
- 16 HB 626 - Hosmer
- 17 HB 693 - Smith
- 18 HB 769 - Harlan
- 19 HB 537 - Ostmann
- 20 HB 544 - Holand
- 21 HB 318 - O'Toole
- 22 HB 385 - Franklin

(March 15, 2001)

- 1 HB 949 - Barry
- 2 HB 725 - Britt
- 3 HB 590 - Graham
- 4 HB 648 - Ostmann
- 5 HB 664 - Skaggs
- 6 HB 897 - Kreider
- 7 HB 716 - Burton
- 8 HB 796 - Hosmer
- 9 HB 865 - Davis
- 10 HB 458 - Lawson
- 11 HB 805 - Mayer
- 12 HB 821 - Hosmer
- 13 HB 285 - Riback Wilson (25)
- 14 HB 816 - Kennedy
- 15 HB 644 - Burton

HOUSE BILLS FOR THIRD READING - APPROPRIATIONS

- 1 HB 1 - Bonner
- 2 HCS HB 2 - Graham
- 3 HCS HB 3 - Graham
- 4 HCS HB 4 - Bonner
- 5 HCS HB 5 - Bonner
- 6 HCS HB 6 - Ransdall
- 7 HCS HB 7 - Ransdall
- 8 HCS HB 8 - Kelly (27)
- 9 HCS HB 9 - Kelly (27)
- 10 HCS HB 10 - Riback Wilson (25)
- 11 HCS HB 11 - Troupe
- 12 HCS HB 12 - Bonner

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 26 - Wilson (42)
- 2 HS HCS HB 425 - O'Toole
- 3 HCS HB 738 - Liese
- 4 HS HCS HB 107, (Fiscal Review 3-13-01) - Clayton
- 5 HB 166, (Fiscal Review 3-13-01) - Troupe
- 6 HB 185 - Legan
- 7 HB 249 - Treadway
- 8 HCS HB 334 - Davis
- 9 HB 473 - Robirds
- 10 HB 321 - Skaggs
- 11 HS HB 421 - Hoppe
- 12 HB 444 - Kreider
- 13 HCS HB 754, 29, 300 & 505 - Franklin
- 14 HS HCS HB 762 - Barry
- 15 HB 453 - Ransdall
- 16 HB 501 - Bowman
- 17 HB 314 - Nordwald

SENATE BILLS FOR SECOND READING

- 1 SB 76
- 2 SB 135
- 3 SB 200
- 4 SB 422

SENATE BILL FOR THIRD READING

SB 256, HCA 1, (Fiscal Review 3-14-01) - O'Toole

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

FORTY-THIRD DAY, THURSDAY, MARCH 15, 2001

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God, as our heads are bowed, may our hearts and minds be open to Your Spirit. Forgive us for worrying so often and praying so seldom. Forgive us, so helpless without You, yet so unwilling to seek Your help. Bless the men and women of this House, grant to them renewal and rest in the coming week and safe travel home. Keep their families in Your love, and bless the Irish in us all. To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jennifer Edgington, Jocelyn Nebel, Ryan Koch, Leslie Hughes, Michelle Woledge, Sam Brotherton, Melton Williams, Susie Becher, Paige Pryor, Brooke Pryor, Erica Pryor, and Kelsey Aldrich Freebing.

The Journal of the forty-second day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 935 - Representative Bray
House Resolution No. 936
and
House Resolution No. 937 - Representative Relford
House Resolution No. 938 - Representative Rizzo
House Resolution No. 939
and
House Resolution No. 940 - Representative Hollingsworth
House Resolution No. 941 - Representative Williams
House Resolution No. 942 - Representative Jolly
House Resolution No. 943
and
House Resolution No. 944 - Representatives Phillips and Harding
House Resolution No. 945 - Representative Bartle
House Resolution No. 946 - Representative Scott
House Resolution No. 947
and
House Resolution No. 948 - Representative McKenna

House Resolution No. 949 - Representative Crawford
House Resolution No. 950
through
House Resolution No. 952 - Representative Hosmer
House Resolution No. 953 - Representative Smith
House Resolution No. 954 - Representative Green (73)
House Resolution No. 955 - Representative Hosmer
House Resolution No. 956 - Representative Vogel
House Resolution No. 957 - Representatives Vogel and Gratz
House Resolution No. 958 - Representative Boucher

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 21 was read the second time.

SECOND READING OF HOUSE BILLS

HB 974 through **HB 987** were read the second time.

SECOND READING OF HOUSE BILL - APPROPRIATIONS

HB 18 was read the second time.

SECOND READING OF SENATE BILLS

SB 76, SB 135, SB 200 and **SB 422** were read the second time.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 314, HB 453, HB 501, HCS HBs 754, 29, 300 & 505** and **HS HCS HB 762**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Committee on Fiscal Review and Government Reform, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HS HCS HB 107** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HB 166** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE BILLS - APPROPRIATIONS

HB 1, relating to appropriations, was taken up by Representative Bonner.

On motion of Representative Bonner, **HB 1** was read the third time and passed by the following vote:

AYES: 152

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Byrd	Campbell
Carnahan	Champion	Cierpiot	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Jetton	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 001

Hunter

PRESENT: 000

ABSENT WITH LEAVE: 007

Burton	Clayton	Johnson 61	Kelly 36	Luetkenhaus
Reynolds	Richardson			

VACANCIES: 003

Speaker Kreider declared the bill passed.

HCS HB 2, relating to appropriations, was taken up by Representative Green (73).

On motion of Representative Green (73), **HCS HB 2** was read the third time and passed by the following vote:

AYES: 144

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Byrd	Campbell	Carnahan	Champion
Cierpiot	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Gambara	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Jetton	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Lograsso	Long	Lowe	Luetkemeyer
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 011

Bartelsmeyer	Boatright	Cunningham	Froelker	Hanaway
Hohulin	Hunter	Linton	Murphy	Scheve
St. Onge				

PRESENT: 000

ABSENT WITH LEAVE: 005

Burton	Clayton	Johnson 61	Luetkenhaus	Reynolds
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VACANCIES: 003

Speaker Kreider declared the bill passed.

Representative Legan assumed the Chair.

HCS HB 3, relating to appropriations, was taken up by Representative Green (73).

On motion of Representative Green (73), **HCS HB 3** was read the third time and passed by the following vote:

AYES: 141

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Byrd	Campbell	Carnahan	Champion	Cierpiot
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Gambara	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Jetton	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Liese	Lograsso	Long	Lowe
Luetkemeyer	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 009

Boatright	Cunningham	Froelker	Hanaway	Hohulin
Hunter	Linton	Murphy	St. Onge	

PRESENT: 000

ABSENT WITH LEAVE: 010

Ballard	Berkstresser	Burton	Clayton	Harlan
Johnson 61	Kelly 27	Levin	Luetkenhaus	Reynolds

VACANCIES: 003

Representative Legan declared the bill passed.

HCS HB 4, relating to appropriations, was taken up by Representative Bonner.

On motion of Representative Bonner, **HCS HB 4** was read the third time and passed by the following vote:

AYES: 139

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Byrd	Campbell	Carnahan	Champion
Cierpiot	Coleman	Copenhaver	Crawford	Crowell
Crump	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Harding	Harlan	Hartzler
Haywood	Hegeman	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Jetton	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Ransdall	Reid	Reinhart
Relford	Richardson	Ridgeway	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 016

Bartelsmeyer	Boatright	Cooper	Cunningham	Froelker
Hanaway	Henderson	Hohulin	Hunter	Murphy
Nordwald	Purgason	Rector	Roark	Townley
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 005

Burton	Clayton	Johnson 61	Luetkenhaus	Reynolds
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VACANCIES: 003

Representative Legan declared the bill passed.

HCS HB 5, relating to appropriations, was taken up by Representative Bonner.

On motion of Representative Bonner, **HCS HB 5** was read the third time and passed by the following vote:

AYES: 110

Abel	Baker	Barnett	Barry 100	Bartle
Berkowitz	Berkstresser	Black	Bland	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Campbell	Carnahan	Champion	Coleman
Copenhaver	Crump	Curls	Davis	Dolan
Fares	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Harding	Harlan	Hartzler	Haywood	Hegeman
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 90	Jolly	Kelley 47
Kelly 27	Kelly 36	Kennedy	Koller	Lawson
Legan	Levin	Liese	Long	Lowe
Luetkemeyer	Marsh	Mayer	Mays 50	McKenna
Merideth	Monaco	Myers	O'Connor	O'Toole
Ostmann	Overschmidt	Portwood	Ransdall	Relford
Richardson	Rizzo	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Surface
Thompson	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 043

Ballard	Barnitz	Bartelsmeyer	Bearden	Behnen
Boatright	Burcham	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Enz	Froelker
Gaskill	Hanaway	Henderson	Hendrickson	Hohulin
Hunter	Jetton	Kelly 144	King	Linton
Lograsso	Marble	May 149	Miller	Moore
Naeger	Nordwald	Phillips	Purgason	Rector
Reid	Reinhart	Ridgeway	Roark	Smith
St. Onge	Townley	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 007

Burton	Byrd	Clayton	Johnson 61	Luetkenhaus
Murphy	Reynolds			

VACANCIES: 003

Representative Legan declared the bill passed.

HCS HB 6, relating to appropriations, was taken up by Representative Ransdall.

On motion of Representative Ransdall, **HCS HB 6** was read the third time and passed by the following vote:

AYES: 135

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Campbell	Carnahan	Champion
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Curls	Davis	Dolan	Fares
Farnen	Foley	Ford	Franklin	Fraser
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Hartzler	Haywood	Hegeman	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Jetton	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Ridgeway	Rizzo
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	Surface	Thompson
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 020

Bartelsmeyer	Byrd	Cierpiot	Cunningham	Dempsey
Enz	Froelker	Griesheimer	Hanaway	Henderson
Hendrickson	Hohulin	Hunter	Murphy	Phillips
Portwood	Purgason	Roark	St. Onge	Townley

PRESENT: 000

ABSENT WITH LEAVE: 005

Burton	Clayton	Johnson 61	Luetkenhaus	Reynolds
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VACANCIES: 003

Representative Legan declared the bill passed.

THIRD READING OF HOUSE BILLS

HCS HB 26, relating to loan repayment assistance for teachers, was taken up by Representative Wilson (42).

On motion of Representative Wilson (42), **HCS HB 26** was read the third time and passed by the following vote:

AYES: 117

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Behnen	Berkowitz	Berkstresser
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burcham	Campbell
Carnahan	Champion	Coleman	Copenhaver	Crawford
Crump	Curls	Davis	Dolan	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Hickey	Hilgemann	Hollingsworth	Hoppe
Jetton	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Levin	Liese	Lograsso	Long
Lowe	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
O'Connor	O'Toole	Overschmidt	Purgason	Ransdall
Reid	Reinhart	Relford	Richardson	Rizzo
Ross	Scheve	Schwab	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	Surface	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 035

Ballard	Bearden	Black	Boatright	Byrd
Cierpiot	Cooper	Crowell	Cunningham	Dempsey
Enz	Gaskill	Henderson	Hendrickson	Hohulin
Holand	Holt	Hosmer	Hunter	Legan
Linton	Luetkemeyer	Marble	Murphy	Myers
Nordwald	Phillips	Portwood	Rector	Ridgeway
Roark	Robirds	Scott	St. Onge	Townley

PRESENT: 000

ABSENT WITH LEAVE: 008

Burton	Clayton	Johnson 61	Luetkenhaus	Naeger
Ostmann	Reynolds	Thompson		

VACANCIES: 003

Representative Legan declared the bill passed.

HS HCS HB 425, relating to underground facility safety, was taken up by Representative O'Toole.

On motion of Representative O'Toole, **HS HCS HB 425** was read the third time and passed by the following vote:

AYES: 099

Abel	Baker	Barry 100	Bartle	Bearden
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Brooks	Burcham	Byrd	Campbell
Carnahan	Champion	Coleman	Cunningham	Curls
Dempsey	Dolan	Enz	Fares	Foley
Ford	Franklin	Fraser	Gambaro	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hanaway	Harding	Harlan	Hartzler
Haywood	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 90	Jolly
Kelley 47	Kelly 27	Kennedy	Lawson	Levin
Liese	Linton	Lograsso	Long	Lowe
Marsh	Mays 50	McKenna	Monaco	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Rector	Reid	Reinhart	Ridgeway
Ross	Scheve	Schwab	Secrest	Selby
Shelton	Shields	Skaggs	St. Onge	Thompson
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 053

Ballard	Barnett	Barnitz	Bartelsmeyer	Behnen
Berkowitz	Berkstresser	Black	Boatright	Britt
Cooper	Copenhaver	Crawford	Crowell	Crump
Davis	Farnen	Froelker	Gaskill	Hampton
Hegeman	Henderson	Hohulin	Hunter	Jetton
Kelly 144	Kelly 36	King	Koller	Legan
Luetkemeyer	May 149	Mayer	Merideth	Miller
Moore	Murphy	Myers	Naeger	Purgason
Ransdall	Relford	Richardson	Rizzo	Roark
Robirds	Scott	Seigfreid	Shoemyer	Smith
Surface	Townley	Wiggins		

PRESENT: 002

Hendrickson Marble

ABSENT WITH LEAVE: 006

Burton	Cierpiot	Clayton	Johnson 61	Luetkenhaus
Reynolds				

VACANCIES: 003

Representative Legan declared the bill passed.

Speaker Kreider resumed the Chair.

HCS HB 738, relating to small loans, was taken up by Representative Liese.

On motion of Representative Liese, **HCS HB 738** was read the third time and passed by the following vote:

AYES: 153

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Byrd	Campbell
Carnahan	Champion	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Burton	Cierpiot	Clayton	Hohulin	Johnson 61
Luetkenhaus	Reynolds			

VACANCIES: 003

Speaker Kreider declared the bill passed.

HS HCS HB 107, relating to tort victims' compensation fund, was taken up by Representative Monaco.

On motion of Representative Monaco, **HS HCS HB 107** was read the third time and passed by the following vote:

AYES: 151

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Byrd	Campbell
Carnahan	Champion	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 002

Nordwald St. Onge

PRESENT: 000

ABSENT WITH LEAVE: 007

Burton	Cierpiot	Clayton	Dolan	Johnson 61
Luetkenhaus	Reynolds			

VACANCIES: 003

Speaker Kreider declared the bill passed.

HB 166, relating to minority teaching scholarships, was taken up by Representative Troupe.

On motion of Representative Troupe, **HB 166** was read the third time and passed by the following vote:

AYES: 141

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Byrd	Campbell	Carnahan
Champion	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Jetton
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Long	Lowe
Luetkemeyer	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Reid	Reinhart	Relford	Richardson
Rizzo	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	Surface
Thompson	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 013

Ballard	Henderson	Hohulin	Hunter	Linton
Lograsso	Marble	Nordwald	Rector	Ridgeway
Roark	St. Onge	Townley		

PRESENT: 000

ABSENT WITH LEAVE: 006

Burton	Cierpiot	Clayton	Johnson 61	Luetkenhaus
Reynolds				

VACANCIES: 003

Speaker Kreider declared the bill passed.

HB 185, relating to building regulations, was taken up by Representative Legan.

On motion of Representative Legan, **HB 185** was read the third time and passed by the following vote:

AYES: 147

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Byrd	Campbell
Carnahan	Champion	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambara	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 90	Jolly
Kelley 47	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Schwab	Scott	Secrest	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 004

Hohulin	Kelly 144	Marble	Purgason
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PRESENT: 000

ABSENT WITH LEAVE: 009

Burton	Cierpiot	Holand	Johnson 61	Luetkenhaus
Reynolds	Scheve	Seigfreid	Van Zandt	

VACANCIES: 003

Speaker Kreider declared the bill passed.

HB 249, relating to amusement machine operators, was taken up by Representative Treadway.

On motion of Representative Treadway, **HB 249** was read the third time and passed by the following vote:

AYES: 117

Abel	Baker	Barnett	Barnitz	Barry 100
Behnen	Berkowitz	Berkstresser	Black	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Campbell	Carnahan
Champion	Coleman	Copenhaver	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Fares	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Harding	Harlan	Hartzler	Haywood	Hegeman
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Jetton	Johnson 90
Jolly	Kelley 47	Kelly 27	Kelly 36	Kennedy
Koller	Lawson	Legan	Liese	Linton
Long	Lowe	Luetkemeyer	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Monaco
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Portwood	Ransdall
Reid	Relford	Richardson	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Selby	Shelton	Shields	Shoemyer	Thompson
Treadway	Troupe	Villa	Vogel	Wagner
Walton	Ward	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 032

Ballard	Bartelsmeyer	Bartle	Bearden	Boatright
Cooper	Crawford	Enz	Froelker	Gaskill
Hanaway	Henderson	Hendrickson	Hunter	Kelly 144
King	Levin	Marble	Miller	Moore
Phillips	Purgason	Rector	Reinhart	Ridgeway
Roark	Seigfreid	Skaggs	Smith	Surface
Townley	Williams			

PRESENT: 000

ABSENT WITH LEAVE: 011

Burton	Byrd	Cierpiot	Clayton	Johnson 61
Lograsso	Luetkenhaus	Reynolds	St. Onge	Van Zandt
Wiggins				

VACANCIES: 003

Speaker Kreider declared the bill passed.

HCS HB 334, relating to calculated levy for school aid, was taken up by Representative Davis.

On motion of Representative Davis, **HCS HB 334** was read the third time and passed by the following vote:

AYES: 135

Abel	Baker	Ballard	Barnett	Barnitz
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Byrd	Campbell	Carnahan
Champion	Coleman	Cooper	Copenhaver	Crawford
Crump	Curls	Davis	Dolan	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Long	Lowe	Luetkemeyer
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	Surface
Thompson	Townley	Troupe	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 015

Crowell	Cunningham	Dempsey	Enz	Gambaro
Hanaway	Hendrickson	Hohulin	Jetton	Linton
Murphy	Portwood	Scheve	Secrest	Treadway

PRESENT: 000

ABSENT WITH LEAVE: 010

Barry 100	Burton	Cierpiot	Clayton	Johnson 61
Lograsso	Luetkenhaus	Reynolds	St. Onge	Van Zandt

VACANCIES: 003

Speaker Kreider declared the bill passed.

HB 473, relating to noxious weeds, was taken up by Representative Robirds.

On motion of Representative Robirds, **HB 473** was read the third time and passed by the following vote:

AYES: 150

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Burcham	Campbell	Carnahan	Champion
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 009

Burton	Byrd	Cierpiot	Clayton	Dolan
Ford	Johnson 61	Luetkenhaus	Reynolds	

VACANCIES: 003

Speaker Kreider declared the bill passed.

Representative Green (73) assumed the Chair.

HB 321, relating to taxation for public mass transportation, was taken up by Representative Skaggs.

On motion of Representative Skaggs, **HB 321** was read the third time and passed by the following vote:

AYES: 121

Abel	Baker	Barnett	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Campbell
Carnahan	Champion	Coleman	Copenhaver	Crawford
Crump	Cunningham	Curls	Davis	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 73	Griesheimer	Hagan-Harrell
Hampton	Harding	Harlan	Hartzler	Haywood
Hegeman	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 90	Jolly
Kelley 47	Kelly 27	Kelly 36	Kennedy	Koller
Lawson	Legan	Levin	Liese	Long
Lowe	Luetkemeyer	Marsh	May 149	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Myers	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Ransdall	Rector	Reinhart
Relford	Rizzo	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	Surface
Thompson	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 031

Ballard	Barnitz	Boatright	Burcham	Byrd
Cooper	Crowell	Dempsey	Hanaway	Henderson
Hendrickson	Hohulin	Hunter	Jetton	Kelly 144
King	Linton	Lograsso	Marble	Mayer
Murphy	Naeger	Portwood	Purgason	Reid
Richardson	Ridgeway	Roark	Secrest	St. Onge
Townley				

PRESENT: 001

Green 15

ABSENT WITH LEAVE: 007

Burton	Cierpiot	Clayton	Ford	Johnson 61
Luetkenhaus	Reynolds			

VACANCIES: 003

Representative Green (73) declared the bill passed.

HS HB 421, relating to intoxication torts, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **HS HB 421** was read the third time and passed by the following vote:

AYES: 126

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bowman
Boykins	Burcham	Campbell	Carnahan	Champion
Cierpiot	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Holt	Hoppe	Hunter
Jetton	Kelley 47	Kelly 144	Kennedy	King
Koller	Legan	Levin	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Marble
Marsh	May 149	Mays 50	McKenna	Merideth
Miller	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Schwab	Scott
Secrest	Seigfreid	Selby	Shields	Shoemyer
Skaggs	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Wright
Mr. Speaker				

NOES: 024

Baker	Bonner	Boucher	Bray 84	Britt
Foley	Franklin	Harding	Harlan	Hollingsworth
Hosmer	Johnson 90	Jolly	Kelly 27	Kelly 36
Monaco	Relford	Scheve	Shelton	Smith
Williams	Willoughby	Wilson 25	Wilson 42	

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 009

Burton	Byrd	Clayton	Ford	Johnson 61
Lawson	Luetkenhaus	Mayer	Reynolds	

VACANCIES: 003

Representative Green (73) declared the bill passed.

HB 444, relating to criminal activity forfeiture act, was taken up by Representative Kreider.

On motion of Representative Kreider, **HB 444** was read the third time and passed by the following vote:

AYES: 138

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Byrd	Campbell	Carnahan
Champion	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Jetton	Johnson 90	Jolly	Kelley 47
Kelly 144	Kennedy	King	Koller	Legan
Levin	Liese	Lograsso	Lowe	Luetkemeyer
Marble	Marsh	May 149	Mayer	McKenna
Merideth	Miller	Monaco	Moore	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 008

Gratz	Hohulin	Hosmer	Hunter	Kelly 27
Kelly 36	Murphy	Smith		

PRESENT: 000

ABSENT WITH LEAVE: 014

Berkstresser	Burton	Cierpiot	Clayton	Ford
Green 73	Johnson 61	Lawson	Linton	Long
Luetkenhaus	Mays 50	Portwood	Reynolds	

VACANCIES: 003

Representative Green (73) declared the bill passed.

Speaker Kreider resumed the Chair.

Representative Villa assumed the Chair.

HB 453, relating to environmental commissions, was taken up by Representative Ransdall.

On motion of Representative Ransdall, **HB 453** was read the third time and passed by the following vote:

AYES: 129

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Burcham	Byrd	Campbell	Carnahan	Champion
Coleman	Copenhaver	Crawford	Crowell	Crump
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hosmer	Jetton	Johnson 90
Jolly	Kelley 47	Kelly 27	Kelly 36	Kennedy
King	Koller	Legan	Liese	Linton
Long	Lowe	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Portwood	Ransdall	Reid
Reinhart	Relford	Richardson	Ridgeway	Rizzo
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	Surface	Thompson	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 019

Bearden	Cooper	Henderson	Hendrickson	Hohulin
Hunter	Kelly 144	Levin	Luetkemeyer	Moore
Murphy	Nordwald	Phillips	Purgason	Rector
Roark	Robirds	St. Onge	Townley	

PRESENT: 002

Brooks	Cunningham
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ABSENT WITH LEAVE: 010

Burton	Cierpiot	Clayton	Ford	Hoppe
Johnson 61	Lawson	Lograsso	Luetkenhaus	Reynolds

VACANCIES: 003

Representative Villa declared the bill passed.

THIRD READING OF HOUSE BILLS - APPROPRIATIONS

HCS HB 7, relating to appropriations, was taken up by Representative Ransdall.

On motion of Representative Ransdall, **HCS HB 7** was read the third time and passed by the following vote:

AYES: 145

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Byrd	Campbell	Carnahan
Champion	Cierpiot	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hosmer	Jetton	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Legan	Levin	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 006

Cunningham	Froelker	Hanaway	Hohulin	Hunter
Roark				

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker	Burton	Clayton	Ford	Hoppe
Johnson 61	Lawson	Luetkenhaus	Reynolds	

VACANCIES: 003

Representative Villa declared the bill passed.

HCS HB 8, relating to appropriations, was taken up by Representative Kelly (27).

On motion of Representative Kelly (27), **HCS HB 8** was read the third time and passed by the following vote:

AYES: 144

Abel	Ballard	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Byrd	Campbell	Carnahan	Champion
Cierpiot	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambara	Gaskill
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hosmer
Jetton	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Reid	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 005

Barnett	Cunningham	Hanaway	Hunter	Rector
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PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Burton	Clayton	Ford	George
Hohulin	Hoppe	Johnson 61	Luetkenhaus	Reynolds
Skaggs				

VACANCIES: 003

Representative Villa declared the bill passed.

HCS HB 9, relating to appropriations, was taken up by Representative Kelly (27).

On motion of Representative Kelly (27), **HCS HB 9** was read the third time and passed by the following vote:

AYES: 135

Abel	Ballard	Barnett	Barry 100	Bartelsmeyer
Bartle	Behnen	Berkowitz	Berkstresser	Black
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burcham	Byrd
Campbell	Carnahan	Champion	Cierpiot	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Curls	Davis	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hilgemann	Holand	Holt	Hosmer
Jetton	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Ridgeway
Rizzo	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Wiggins
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 012

Barnitz	Bearden	Boatright	Cunningham	Dempsey
Froelker	Hanaway	Hohulin	Hunter	Marble
Roark	Ward			

PRESENT: 000

ABSENT WITH LEAVE: 013

Baker	Burton	Clayton	Ford	Hickey
Hollingsworth	Hoppe	Johnson 61	Luetkenhaus	Monaco
Reynolds	Skaggs	Williams		

VACANCIES: 003

Representative Villa declared the bill passed.

HCS HB 10, relating to appropriations, was taken up by Representative Riback Wilson (25).

On motion of Representative Riback Wilson (25), **HCS HB 10** was read the third time and passed by the following vote:

AYES: 137

Abel	Baker	Ballard	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Campbell	Carnahan	Champion	Cierpiot
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Farnen	Foley	Franklin
Fraser	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Harding	Harlan	Hartzler	Haywood
Hegeman	Hendrickson	Hilgemann	Hohulin	Holand
Holt	Hoppe	Hosmer	Jetton	Johnson 90
Jolly	Kelley 47	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Reid	Reinhart	Relford	Richardson	Ridgeway
Rizzo	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 009

Boatright	Byrd	Froelker	Hanaway	Hunter
Kelly 144	Marble	Rector	Roark	

PRESENT: 000

ABSENT WITH LEAVE: 014

Barnett	Burton	Clayton	Fares	Ford
Henderson	Hickey	Hollingsworth	Johnson 61	Luetkenhaus
Miller	Monaco	Reynolds	Skaggs	

VACANCIES: 003

Representative Villa declared the bill passed.

HCS HB 11, relating to appropriations, was taken up by Representative Troupe.

On motion of Representative Troupe, **HCS HB 11** was read the third time and passed by the following vote:

AYES: 123

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Behnen	Berkowitz	Berkstresser
Black	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Campbell	Carnahan	Champion	Cierpiot	Coleman
Copenhaver	Crawford	Crowell	Crump	Curls
Davis	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Gambaro	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Harding	Harlan	Hartzler
Haywood	Hegeman	Hendrickson	Hickey	Hilgemann
Holand	Holt	Hoppe	Hosmer	Jetton
Johnson 90	Jolly	Kelley 47	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Lograsso	Long	Lowe
Luetkemeyer	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Moore	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Portwood	Ransdall	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Seigfreid	Selby
Shelton	Shields	Smith	Thompson	Townley
Treadway	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 026

Bartle	Bearden	Boatright	Byrd	Cooper
Cunningham	Dempsey	Froelker	Gaskill	Hanaway
Henderson	Hohulin	Hunter	Kelly 144	Linton
Marble	Murphy	Phillips	Purgason	Rector
Reid	Roark	Secrest	St. Onge	Surface
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 011

Burton	Clayton	Ford	Hollingsworth	Johnson 61
Luetkenhaus	Monaco	Reynolds	Shoemyer	Skaggs
Troupe				

VACANCIES: 003

Representative Villa declared the bill passed.

HCS HB 12, relating to appropriations, was taken up by Representative Bonner.

On motion of Representative Bonner, **HCS HB 12** was read the third time and passed by the following vote:

AYES: 094

Abel	Baker	Barnett	Barry 100	Bearden
Berkowitz	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Campbell
Carnahan	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Curls	Davis	Fares
Farnen	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 73
Griesheimer	Hagan-Harrell	Hampton	Harlan	Hartzler
Haywood	Hegeman	Hickey	Hilgemann	Holand
Hollingsworth	Hoppe	Jetton	Johnson 90	Jolly
Kelley 47	Kelly 27	Kelly 36	Kennedy	Koller
Lawson	Legan	Liese	Lowe	Luetkemeyer
May 149	Mayer	McKenna	Moore	Myers
O'Connor	O'Toole	Ostmann	Overschmidt	Ransdall
Relford	Rizzo	Ross	Scheve	Schwab
Scott	Seigfreid	Selby	Shelton	Shields
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Wagner	Walton	Ward	Wiggins
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 060

Ballard	Barnitz	Bartelsmeyer	Bartle	Behnen
Berkstresser	Black	Boatright	Burcham	Byrd
Champion	Cierpiot	Cunningham	Dempsey	Dolan
Enz	Froelker	Gaskill	Green 15	Hanaway
Harding	Henderson	Hendrickson	Hohulin	Holt
Hosmer	Hunter	Kelly 144	King	Levin
Linton	Lograsso	Long	Marble	Marsh
Mays 50	Merideth	Miller	Monaco	Murphy
Naeger	Nordwald	Phillips	Portwood	Purgason
Rector	Reid	Reinhart	Richardson	Ridgeway
Roark	Robirds	Secrest	Shoemyer	Smith
St. Onge	Surface	Vogel	Williams	Willoughby

PRESENT: 000

ABSENT WITH LEAVE: 006

Burton	Clayton	Johnson 61	Luetkenhaus	Reynolds
Skaggs				

VACANCIES: 003

Representative Villa declared the bill passed.

REFERRAL OF HOUSE BILL - APPROPRIATIONS

The following House Bill was referred to the Committee indicated:

HB 18 - Budget

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 314 - Fiscal Review and Government Reform (Fiscal Note)

HB 501 - Fiscal Review and Government Reform (Fiscal Note)

HCS HBs 754, 29, 300 & 505 - Fiscal Review and Government Reform (Fiscal Note)

HS HCS HB 762 - Fiscal Review and Government Reform (Fiscal Note)

HB 981 - Judiciary

COMMITTEE REPORTS

Committee on Agriculture, Chairman Wiggins reporting:

Mr. Speaker: Your Committee on Agriculture, to which was referred **HB 904**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Banks and Financial Institutions, Chairman Liese reporting:

Mr. Speaker: Your Committee on Banks and Financial Institutions, to which was referred **HB 736**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Children, Families and Health, Chairman Barry reporting:

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **HB 106**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **HB 824**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Civil and Administrative Law, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **HB 891**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **HB 915**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Correctional and State Institutions, Chairman Gratz reporting:

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **HB 402**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **HB 909**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **HB 951**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Criminal Law, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Criminal Law, to which was referred **HB 349**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Criminal Law, to which was referred **HB 471**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Criminal Law, to which was referred **HB 533** and **HB 724**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Criminal Law, to which was referred **HB 835**, **HB 90**, **HB 707**, **HB 373**, **HB 641**, **HB 510**, **HB 516** and **HB 572**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Criminal Law, to which was referred **HB 954**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Education-Elementary and Secondary, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **HB 274**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **HB 457**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Elections, Chairman Seigfreid reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 678**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Fiscal Review and Government Reform, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HB 592**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Judiciary, Chairman Monaco reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 945**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Labor, Chairman Hickey reporting:

Mr. Speaker: Your Committee on Labor, to which was referred **HB 527**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Labor, to which was referred **HB 662**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Labor, to which was referred **HB 679**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Local Government and Related Matters, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 52**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 84**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 280**, **HB 69**, **HB 497** and **HB 689**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 408**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 410**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 436**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 498**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 606**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 745**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 881**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 922**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Miscellaneous Bills & Resolutions, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HJR 11**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HB 882**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Municipal Corporations, Chairman Shelton reporting:

Mr. Speaker: Your Committee on Municipal Corporations, to which was referred **HB 596**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Municipal Corporations, to which was referred **HB 704**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Social Services, Medicaid and the Elderly, Chairman Ladd Baker reporting:

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **HB 612**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**.

House Committee Amendment No. 1

AMEND House Bill No. 612, Page 2, Section 208.813, Line 48, by inserting after the word “**group**,” the following:

“6. The Community First Commission shall be reauthorized by the General Assembly every four years.”.

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **HB 955**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Transportation, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HJR 15** and **HJR 13**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 924**, **HB 714**, **HB 685**, **HB 756**, **HB 734** and **HB 518**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Utilities Regulation, Chairman Mays (50) reporting:

Mr. Speaker: Your Committee on Utilities Regulation, to which was referred **HB 472**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Ways and Means, Chairman Kennedy reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 286**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment Nos. 1 and 2**.

House Committee Amendment No. 1

AMEND House Bill No. 286, Page 2, Section 144.190, Line 26, by inserting after the word “**purchasers.**” the following:

“Any person legally obligated to remit the tax who is permitted to file annual or quarterly sales tax returns pursuant to section 144.655, shall not be required to demonstrate to the satisfaction of the director that any amount requested to be refunded was or will be refunded or credited to every purchaser that originally paid the tax.”.

House Committee Amendment No. 2

AMEND House Bill No. 286, Page 2, Section 144.190, Line 26, by inserting after the word “**purchasers.**” the following:

“Any funds collected but not refunded under this subsection shall be deposited in the Mental Health Trust Fund, pursuant to section 630.330, RSMo, for the purpose of funding programs for the mentally retarded or developmentally disabled.”.

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 366**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 825**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 933**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were read the first time and copies ordered printed:

HCR 27, introduced by Representative Ballard, to declare the first day of May, 2001, to be a Statewide Prayer Day in Missouri.

HCR 28, introduced by Representative Kelley (47), to establish a "Task Force on Faith-based and Community-based Initiatives" within state government.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 22, introduced by Representative Hendrickson, relating to taxation.

HJR 23, introduced by Representative Kreider, relating to funds for health care and education.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 988, introduced by Representative Rizzo, relating to economic development.

HB 989, introduced by Representative Rizzo, relating to extra unemployment compensation for certain industrial employees.

HB 990, introduced by Representative Hendrickson, relating to income taxation.

HB 991, introduced by Representative Ransdall, relating to the purchasing of recycled toner cartridges.

HB 992, introduced by Representatives Boucher and Ladd Baker, relating to the tobacco settlement.

HB 993, introduced by Representative Lawson, relating to qualifications and disqualifications of certain employees.

HB 994, introduced by Representative Berkstresser, relating to sales tax exemptions for railway excursions that traverse state lines and operate on railroads which are part of the national transportation system.

HB 995, introduced by Representative Hosmer, relating to building codes for design professionals.

HB 996, introduced by Representatives Byrd, Hickey, Shields, Moore, Hunter and Secrest, et al, relating to the family and medical leave act.

HB 997, introduced by Representatives Byrd, Hickey, Johnson (90), Moore, Richardson, Bowman and Hunter, et al, relating to sovereign immunity waiver.

HB 998, introduced by Representatives Merideth, Carnahan, Boucher and Graham, relating to a family training program for special education.

HB 999, introduced by Representatives Merideth and Myers, relating to local regulation of telecommunications towers.

HB 1000, introduced by Representative Kreider, relating to the composition of congressional districts.

HB 1001, introduced by Representative St. Onge, relating to minimum insurance coverage.

HB 1002, introduced by Representatives Dempsey, Dolan, Levin, Bearden, Griesheimer, Naeger and Hanaway, et al, relating to the establishment of the Missouri tobacco settlement attorney fee trust fund.

HB 1003, introduced by Representatives Burton, Hegeman and Mays (50), relating to the electric generating activities.

HB 1004, introduced by Representatives Monaco, Graham, Bray, Van Zandt and Hosmer, relating to accessibility for the disabled.

HB 1005, introduced by Representatives Monaco and Crowell, relating to insurance coverage for punitive damages.

HB 1006, introduced by Representatives Shoemyer, Wiggins, Legan, Jetton and Coleman, et al, relating to the pesticide registration act.

HB 1007, introduced by Representative Kreider, relating to funding for health care and education.

HB 1008, introduced by Representative Kreider, relating to public proceedings before limiting access to state roads and highways.

HB 1009, introduced by Representatives Hanaway and Kelley (47), relating to the use of state or federal funds.

HB 1010, introduced by Representatives Rizzo, Hoppe and Scheve relating to programs administered by the department of economic development.

HB 1011, introduced by Representatives Curls, Bland and Lowe, et al, relating to nuisance property.

HB 1012, introduced by Representatives Mayer, Portwood, Hunter, Jetton, Wright, Hosmer and Merideth, et al, relating to methamphetamine manufacture.

HB 1013, introduced by Representatives Crump and Hampton, relating to weapons.

HB 1014, introduced by Representatives Secrest, Marble, Naeger, Hanaway, Bartelsmeyer, St. Onge and Shields, et al, relating to workers' compensation.

HB 1015, introduced by Representatives Secrest, Naeger, Robirds, Gaskill, Nordwald, St. Onge, Griesheimer and Surface, et al, relating to employment security.

HB 1016, introduced by Representative Hoppe, relating to psychologists.

HB 1017, introduced by Representatives Kelley (47) and Crump, relating to the nurse licensure compact.

HB 1018, introduced by Representatives Cooper, Hunter, Roark, Henderson and Scott, et al, relating to tobacco settlement funds.

HB 1019, introduced by Representatives Cooper, Kelly (144), Hunter, Miller, Kelly (36) and Scott, et al, relating to infectious disease testing.

HB 1020, introduced by Representative O'Toole, relating to firefighter's retirement.

HB 1021, introduced by Representatives Murphy, Scheve, Green (73), Kennedy, O'Toole, Foley and Boucher, et al, relating to the taxation of property.

HB 1022, introduced by Representative Kennedy, relating to taxation.

HB 1023, introduced by Representative Hohulin, relating to elevator safety and inspection.

HB 1024, introduced by Representative Williams, relating to landfill fees.

HB 1025, introduced by Representative Kreider, relating to the sales tax.

HB 1026, introduced by Representative Kennedy, relating to public school beautification programs.

HB 1027, introduced by Representative Boatright, relating to donation of article X refunds to the state.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 393**, entitled:

An act to repeal section 332.072, RSMo 2000, relating to dental care, and to enact in lieu thereof one new section relating to the same subject, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 449**, entitled:

An act to repeal section 660.050, RSMo 2000, relating to the division of aging, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

COMMITTEE ASSIGNMENTS

Redistricting

Hosmer, Craig - Co-chair

Treadway, Joe - Co-chair

Subcommittee on Redistricting for Congressional Districts 1, 2 and 3.

Treadway, Joe - Chair

Foley, James

Griesheimer, John

Murphy, Jim

O'Connor, Patrick

Ostmann, Cindy

Portwood, Charles

Shelton, O. L.

Smith, Phil

Subcommittee on Redistricting for Congressional Districts 4, 5, 6, 7, 8 and 9.

Hosmer, Craig - Chair

Bonner, Dennis

Long, Beth

Marsh, B. J.

Ransdall, Bill

Ross, Carson

Rizzo, Henry

Skaggs, Bill

Townley, Merrill

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, March 22, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Forty-second Day, Wednesday, March 14, 2001, page 724, line 21, by deleting "Green (15)" and inserting in lieu thereof "Green (73)".

Pages 699 and 700, roll call, by showing Representatives Barnett and Black voting "aye" rather than "absent with leave".

Pages 701 and 702, roll call, by showing Representative King voting "aye" rather than "absent with leave".

Pages 703 and 704, roll call, by showing Representatives Bonner, Carnahan, Crawford and Koller voting "aye" rather than "absent with leave".

Pages 704 and 705, roll call, by showing Representative Koller voting "aye" rather than "absent with leave".

Pages 704 and 705, roll call, by showing Representative Crawford voting "no" rather than "absent with leave".

Page 721, roll call, by showing Representative Black voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

CONSERVATION, STATE PARKS AND MINING

Wednesday, March 28, 2001, 8:30 am. Hearing Room 1.

Executive Session may follow.

To be considered - HB 374, HB 379

CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING

Monday, March 26, 2001, 8:00 pm. Hearing Room 3.

To be considered - HB 703, HB 920, Executive Session - HB 357, Executive Session - HB 511

FISCAL REVIEW AND GOVERNMENT REFORM

Tuesday, March 27, 2001, 8:30 am. Hearing Room 7. (Fiscal Note).

To be considered - HB 501, HB 754

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, March 27, 2001, 1:00 pm. Hearing Room 1. AMENDED.

To be considered - HB 654, Executive Session - HB 629, Executive Session - HB 708,
Executive Session - HB 729, Executive Session - HB 755, Executive Session - HB 776,
Executive Session - HB 797

RETIREMENT

Wednesday, March 28, 2001, 8:00 pm. Hearing Room 1.

To be considered - HB 659, HB 671, HB 672, HB 674

SPECIAL COMMITTEE ON PUBLIC-PRIVATE PARTNERSHIPS

Monday, March 26, 2001, 1:00 pm. Hearing Room 3.

MU Sports Arena, Jordan Valley Park.

SPECIAL COMMITTEE ON SPORTSMANSHIP, SAFETY AND FIREARMS

Tuesday, March 27, 2001. Hearing Room 3 upon morning adjournment.

Executive Session may follow.

To be considered - HB 28, HB 33

TOURISM, RECREATION AND CULTURAL AFFAIRS

Monday, March 26, 2001, 8:00 pm. Hearing Room 7.

Executive Session may follow.

To be considered - HB 844, HB 956, HB 957

URBAN AFFAIRS

Tuesday, March 27, 2001. Hearing Room 1 upon evening adjournment.

Possible Executive Session to follow.

To be considered - HR 756

HOUSE CALENDAR

FORTY-FOURTH DAY, THURSDAY, MARCH 22, 2001

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

- 1 HCR 27
- 2 HCR 28

HOUSE JOINT RESOLUTIONS FOR SECOND READING

- 1 HJR 22
- 2 HJR 23

HOUSE BILLS FOR SECOND READING

HB 988 through HB 1027

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 15 & 13 - Crawford
- 2 HJR 11 - Gambaro

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 106 - Johnson (61)
- 2 HB 662 - Green (73)
- 3 HB 471 - Jolly
- 4 HB 70 - Koller
- 5 HB 120, HCA 1 - O'Connor
- 6 HCS HB 274 - Shields
- 7 HCS HB 924, 714, 685, 756, 734 & 518 - Wiggins
- 8 HCS HB 533 & 724 - Johnson (90)
- 9 HB 891 - Smith
- 10 HB 882 - Crump
- 11 HCS HB 457 - Kreider
- 12 HB 915 - Graham
- 13 HB 612, HCA 1 - Ladd Baker
- 14 HB 349 - Hosmer
- 15 HCS HB 824 - Abel
- 16 HCS HB 581 - Ridgeway
- 17 HB 679 - Boykins
- 18 HCS HB 835, 90, 707, 373, 641, 510, 516 & 572 - Britt
- 19 HB 286, HCA 1 & HCA 2 - Smith
- 20 HCS HB 280, 69, 497 & 689 - Hoppe

- 21 HB 527 - Luetkenhaus
- 22 HB 736 - Liese
- 23 HB 366 - Champion
- 24 HB 678 - Seigfreid
- 25 HB 436 - Merideth
- 26 HCS HB 472 - Burton
- 27 HCS HB 488 - Koller
- 28 HB 592 - Williams

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HB 114 - Hickey
- 3 HCS HB 327 - Rizzo

HOUSE BILLS FOR PERFECTION - CONSENT

(March 12, 2001)

- 1 HB 603 - Hilgemann
- 2 HB 788 - O'Connor
- 3 HB 742 - Harding
- 4 HB 361 - Shoemyer
- 5 HB 808 - Gratz
- 6 HB 691 - Barnett
- 7 HB 454 - Monaco
- 8 HB 212 - Ward
- 9 HB 757 - Shoemyer
- 10 HB 477 - Graham
- 11 HB 45 - Farnen
- 12 HB 459 - Liese
- 13 HB 420 - Williams
- 14 HB 732 - Hosmer
- 15 HB 642 - Relford
- 16 HB 626 - Hosmer
- 17 HB 693 - Smith
- 18 HB 769 - Harlan
- 19 HB 537 - Ostmann
- 20 HB 544 - Holand
- 21 HB 318 - O'Toole
- 22 HB 385 - Franklin

(March 15, 2001)

- 1 HB 949 - Barry
- 2 HB 725 - Britt
- 3 HB 590 - Graham
- 4 HB 648 - Ostmann
- 5 HB 664 - Skaggs
- 6 HB 897 - Kreider
- 7 HB 716 - Burton
- 8 HB 796 - Hosmer
- 9 HB 865 - Davis
- 10 HB 458 - Lawson
- 11 HB 805 - Mayer
- 12 HB 821 - Hosmer
- 13 HB 285 - Riback Wilson (25)
- 14 HB 816 - Kennedy
- 15 HB 644 - Burton

(March 22, 2001)

- 1 HB 52 - Ward
- 2 HB 498 - Wagner
- 3 HB 704 - Gambaro
- 4 HB 922 - Gaskill
- 5 HB 951 - Gratz
- 6 HB 596 - Kennedy
- 7 HB 745 - Farnen
- 8 HB 945 - Hosmer
- 9 HB 909 - Davis
- 10 HB 606 - Kennedy
- 11 HB 955 - Green (73)
- 12 HB 410 - Holt
- 13 HB 402 - Boucher
- 14 HB 84 - Richardson
- 15 HB 954 - Hosmer
- 16 HB 825 - Kennedy
- 17 HB 881 - Scott
- 18 HB 408 - Kelley (47)
- 19 HB 933 - Reid
- 20 HB 904 - Merideth

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 754, 29, 300 & 505, (Fiscal Review 3-15-01) - Franklin
- 2 HS HCS HB 762, (Fiscal Review 3-15-01) - Barry
- 3 HB 501, (Fiscal Review 3-15-01) - Bowman
- 4 HB 314, (Fiscal Review 3-15-01) - Nordwald

SENATE BILLS FOR SECOND READING

- 1 SCS SB 393
- 2 SB 449

SENATE BILL FOR THIRD READING

SB 256, HCA 1, E.C., (Fiscal Review 3-14-01) - O'Toole

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

FORTY-FOURTH DAY, THURSDAY, MARCH 22, 2001

The House met pursuant to adjournment.

Representative Gratz in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance was recited.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 959 - Representative Kelley (47)

House Resolution No. 960 - Representative Miller

House Resolution No. 961

through

House Resolution No. 987 - Representative Boucher

House Resolution No. 988

through

House Resolution No. 990 - Representative Rector

House Resolution No. 991 - Representative Mayer

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 27 and **HCR 28** were read the second time.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 22 and **HJR 23** were read the second time.

SECOND READING OF HOUSE BILLS

HB 988 through **HB 1027** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 393 and **SB 449** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred (By Consent) **HB 45, HB 212, HB 318, HB 361, HB 385, HB 420, HB 454, HB 459, HB 477, HB 537, HB 544, HB 603, HB 626, HB 642, HB 691, HB 693, HB 732, HB 742, HB 757, HB 769, HB 788** and **HB 808** begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

ADJOURNMENT

On motion of Representative Gratz, the House adjourned until 4:00 p.m., Monday, March 26, 2001.

COMMITTEE MEETINGS

COMMERCE AND ECONOMIC DEVELOPMENT

Tuesday, March 27, 2001. Hearing Room 6 upon morning adjournment.

Executive session may follow.

To be considered - HB 434, HB 875

CONSERVATION, STATE PARKS AND MINING

Wednesday, March 28, 2001, 8:30 am. Hearing Room 1.

Executive session may follow.

To be considered - HB 374, HB 379

CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING

Monday, March 26, 2001, 8:00 pm. Hearing Room 3.

To be considered - HB 703, HB 920, Executive Session - HB 357,

Executive Session - HB 511

FISCAL REVIEW AND GOVERNMENT REFORM

Tuesday, March 27, 2001, 8:30 am. Hearing Room 7. (Fiscal Note)

To be considered - HB 501, HB 754

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, March 27, 2001, 1:00 pm. Hearing Room 1. AMENDED.

To be considered - HB 654, Executive Session - HB 629, Executive Session -

HB 708, Executive Session - HB 729, Executive Session - HB 755, Executive

Session - HB 776, Executive Session - HB 797

RETIREMENT

Wednesday, March 28, 2001, 8:00 pm. Hearing Room 1.

To be considered - HB 659, HB 671, HB 672, HB 674

SPECIAL COMMITTEE ON PUBLIC-PRIVATE PARTNERSHIPS

Monday, March 26, 2001, 1:00 pm. Hearing Room 3. MU Sports Arena,
Jordan Valley Park.

SPECIAL COMMITTEE ON SPORTSMANSHIP, SAFETY AND FIREARMS

Tuesday, March 27, 2001. Hearing Room 3 upon morning adjournment.

Executive session may follow.

To be considered - HB 28, HB 33

TOURISM, RECREATION AND CULTURAL AFFAIRS

Monday, March 26, 2001, 8:00 pm. Hearing Room 7.

Executive session may follow.

To be considered - HB 844, HB 956, HB 957

URBAN AFFAIRS

Tuesday, March 27, 2001. Hearing Room 1 upon evening adjournment.

Possible executive session to follow.

To be considered - HR 756

HOUSE CALENDAR

FORTY-FIFTH DAY, MONDAY, MARCH 26, 2001

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 15 & 13 - Crawford
- 2 HJR 11 - Gambaro

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 106 - Johnson (61)
- 2 HB 662 - Green (73)
- 3 HB 471 - Jolly
- 4 HB 70 - Koller
- 5 HB 120, HCA 1 - O'Connor
- 6 HCS HB 274 - Shields
- 7 HCS HB 924, 714, 685, 756, 734 & 518 - Wiggins
- 8 HCS HB 533 & 724 - Johnson (90)
- 9 HB 891 - Smith
- 10 HB 882 - Crump
- 11 HCS HB 457 - Kreider

- 12 HB 915 - Graham
- 13 HB 612, HCA 1 - Ladd Baker
- 14 HB 349 - Hosmer
- 15 HCS HB 824 - Abel
- 16 HCS HB 581 - Ridgeway
- 17 HB 679 - Boykins
- 18 HCS HB 835, 90, 707, 373, 641, 510, 516 & 572 - Britt
- 19 HB 286, HCA 1 & HCA 2 - Smith
- 20 HCS HB 280, 69, 497 & 689 - Hoppe
- 21 HB 527 - Luetkenhaus
- 22 HB 736 - Liese
- 23 HB 366 - Champion
- 24 HB 678 - Seigfreid
- 25 HB 436 - Merideth
- 26 HCS HB 472 - Burton
- 27 HCS HB 488 - Koller
- 28 HB 592 - Williams

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HB 114 - Hickey
- 3 HCS HB 327 - Rizzo

HOUSE BILLS FOR PERFECTION - CONSENT

(March 15, 2001)

- 1 HB 949 - Barry
- 2 HB 725 - Britt
- 3 HB 590 - Graham
- 4 HB 648 - Ostmann
- 5 HB 664 - Skaggs
- 6 HB 897 - Kreider
- 7 HB 716 - Burton
- 8 HB 796 - Hosmer
- 9 HB 865 - Davis
- 10 HB 458 - Lawson
- 11 HB 805 - Mayer
- 12 HB 821 - Hosmer
- 13 HB 285 - Riback Wilson (25)
- 14 HB 816 - Kennedy
- 15 HB 644 - Burton

(March 22, 2001)

- 1 HB 52 - Ward
- 2 HB 498 - Wagner
- 3 HB 704 - Gambaro
- 4 HB 922 - Gaskill
- 5 HB 951 - Gratz
- 6 HB 596 - Kennedy
- 7 HB 745 - Farnen
- 8 HB 945 - Hosmer
- 9 HB 909 - Davis
- 10 HB 606 - Kennedy
- 11 HB 955 - Green (73)
- 12 HB 410 - Holt
- 13 HB 402 - Boucher
- 14 HB 84 - Richardson
- 15 HB 954 - Hosmer
- 16 HB 825 - Kennedy
- 17 HB 881 - Scott
- 18 HB 408 - Kelley (47)
- 19 HB 933 - Reid
- 20 HB 904 - Merideth

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 754, 29, 300 & 505, (Fiscal Review 3-15-01) - Franklin
- 2 HS HCS HB 762, (Fiscal Review 3-15-01) - Barry
- 3 HB 501, (Fiscal Review 3-15-01) - Bowman
- 4 HB 314, (Fiscal Review 3-15-01) - Nordwald

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 603 - Hilgemann
- 2 HB 788 - O'Connor
- 3 HB 742 - Harding
- 4 HB 361, E.C. - Shoemyer
- 5 HB 808 - Gratz
- 6 HB 691 - Barnett
- 7 HB 454 - Monaco
- 8 HB 212 - Ward
- 9 HB 757 - Shoemyer
- 10 HB 477 - Graham
- 11 HB 45 - Farnen
- 12 HB 459 - Liese
- 13 HB 420 - Williams

- 14 HB 732, E.C. - Hosmer
- 15 HB 642 - Relford
- 16 HB 626 - Hosmer
- 17 HB 693 - Smith
- 18 HB 769 - Harlan
- 19 HB 537 - Ostmann
- 20 HB 544 - Holand
- 21 HB 318 - O'Toole
- 22 HB 385 - Franklin

SENATE BILLS FOR THIRD READING

SB 256, HCA 1, E.C., (Fiscal Review 3-14-01) - O'Toole

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

FORTY-FIFTH DAY, MONDAY, MARCH 26, 2001

Speaker Pro Tem Abel in the Chair.

Prayer by Father David Buescher.

Lord our God, You have blessed our nation and made it a home of freedom and democracy. You have given us our state of Missouri, a land truly flowing with milk and honey in many ways. You entrust us with resources of the earth, and give us means to develop our human talents. May we prove worthy of such trust.

Guide those who represent our people to preserve and protect all the temporal and spiritual goods You have given us. Stamp the laws passed here with Your divine imprint, that they may both reflect Your goodness and also defend all the citizens who You care for, the powerful and the weak, the small and the great, the poor and the rich. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Heather Munzert.

The Journal of the forty-third day was approved as corrected.

The Journal of the forty-fourth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 992 - Representative Graham
House Resolution No. 993 - Representative Surface
House Resolution No. 994 - Representative Luetkemeyer
House Resolution No. 995 - Representatives Lograsso and Ross
House Resolution No. 996 - Representative Seigfreid
House Resolution No. 997 - Representative Harlan
House Resolution No. 998
and
House Resolution No. 999 - Representative Ridgeway
House Resolution No. 1000
and
House Resolution No. 1001 - Representative Portwood
House Resolution No. 1002 - Representative Reynolds
House Resolution No. 1003 - Representative Robirds

House Resolution No. 1004 - Representative King
 House Resolution No. 1005 - Representative Relford
 House Resolution No. 1006 - Representative Cooper

THIRD READING OF HOUSE BILLS - CONSENT

HB 603, relating to Alzheimer's disease, was taken up by Representative Hilgemann.

On motion of Representative Hilgemann, **HB 603** was read the third time and passed by the following vote:

AYES: 152

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Byrd	Hoppe	Hunter	Kelley 47	Kennedy
Nordwald	Reid	Walton		

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HB 788, relating to motorcycle franchise practices, was placed on the Informal Calendar.

HB 742, relating to conveyance in Platte County, was taken up by Representative Harding.

On motion of Representative Harding, **HB 742** was read the third time and passed by the following vote:

AYES: 151

Abel	Baker	Ballard	Barnett	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 001

Barnitz

PRESENT: 000

ABSENT WITH LEAVE: 008

Byrd	Hickey	Hoppe	Kelley 47	Kennedy
Nordwald	Reid	Walton		

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HB 361, relating to conveyance of water rights, was taken up by Representative Shoemyer.

On motion of Representative Shoemyer, **HB 361** was read the third time and passed by the following vote:

AYES: 154

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambara	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Byrd	Hoppe	Kelley 47	Liese	Nordwald
Walton				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 141

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Campbell	Carnahan	Champion
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Harding	Harlan	Hartzler	Haywood	Hegeman
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Long	Lowe	Luetkemeyer	Luetkenhaus
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	O'Connor	O'Toole	Ostmann
Overschmidt	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 013

Bartelsmeyer	Cierpiot	Hanaway	Henderson	Hendrickson
Hohulin	Linton	Lograsso	Marble	Phillips
Portwood	Purgason	Roark		

PRESENT: 000

ABSENT WITH LEAVE: 006

Bowman	Byrd	Hoppe	Kelley 47	Nordwald
Walton				

VACANCIES: 003

HB 808, relating to conveyance in Cole County, was taken up by Representative Gratz.

On motion of Representative Gratz, **HB 808** was read the third time and passed by the following vote:

AYES: 154

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright

Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambara	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 001

Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 005

Byrd	Hoppe	Kelley 47	Nordwald	Walton
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VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HB 691, relating to motor vehicle registration, was taken up by Representative Barnett.

On motion of Representative Barnett, **HB 691** was read the third time and passed by the following vote:

AYES: 152

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman

Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Byrd	Franklin	Hickey	Hosmer	Kelley 47
Lograsso	Nordwald	Walton		

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HB 454, relating to guardians and conservators, was placed on the Informal Calendar.

HB 212, relating to insurance, was taken up by Representative Ward.

On motion of Representative Ward, **HB 212** was read the third time and passed by the following vote:

AYES: 150

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz

Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelly 144	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 002

Kelly 27 Reynolds

PRESENT: 000

ABSENT WITH LEAVE: 008

Bowman	Byrd	Hohulin	Hoppe	Kelley 47
Naeger	Nordwald	Walton		

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HB 757, relating to pharmacy, was taken up by Representative Shoemyer.

On motion of Representative Shoemyer, **HB 757** was read the third time and passed by the following vote:

AYES: 104

Abel	Baker	Barnett	Barnitz	Barry 100
Behnen	Berkowitz	Black	Bland	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Carnahan	Clayton
Coleman	Copenhaver	Crump	Curls	Davis
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Harding	Harlan	Haywood	Hegeman
Hilgemann	Holand	Hollingsworth	Holt	Hosmer
Jetton	Johnson 61	Johnson 90	Jolly	Kelly 27

Kelly 36	Kennedy	Koller	Lawson	Legan
Liese	Long	Lowe	Luetkenhaus	Marsh
Mayer	Mays 50	McKenna	Merideth	Monaco
O'Connor	O'Toole	Ostmann	Overschmidt	Ransdall
Reid	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Scheve	Schwab	Scott	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	Thompson	Treadway	Van Zandt	Villa
Wagner	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 051

Ballard	Bartelsmeyer	Bartle	Bearden	Berkstresser
Boatright	Burcham	Byrd	Champion	Cierpiot
Cooper	Crawford	Crowell	Cunningham	Dempsey
Dolan	Enz	Gaskill	Hanaway	Hartzler
Henderson	Hendrickson	Hohulin	Hunter	Kelly 144
King	Levin	Linton	Lograsso	Luetkemeyer
Marble	May 149	Miller	Moore	Murphy
Myers	Naeger	Phillips	Portwood	Purgason
Rector	Reinhart	Roark	Robirds	Ross
Secrest	St. Onge	Surface	Townley	Troupe
Vogel				

PRESENT: 000

ABSENT WITH LEAVE: 005

Hickey	Hoppe	Kelley 47	Nordwald	Walton
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VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HB 477, relating to temporary driver's permits, was taken up by Representative Graham.

On motion of Representative Graham, **HB 477** was read the third time and passed by the following vote:

AYES: 152

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hilgemann	Hohulin	Holand	Hollingsworth	Holt

Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 002

Crawford Purgason

PRESENT: 000

ABSENT WITH LEAVE: 006

Bowman	Hickey	Hoppe	Kelley 47	Nordwald
Walton				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

THIRD READING OF HOUSE BILLS - CONSENT - INFORMAL

HB 788, relating to motorcycle franchise practices, was taken up by Representative O'Connor.

On motion of Representative O'Connor, **HB 788** was read the third time and passed by the following vote:

AYES: 149

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Boykins	Bray 84	Britt	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hosmer

Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Myers	Naeger	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 001

Murphy

PRESENT: 002

Bartle Brooks

ABSENT WITH LEAVE: 008

Bowman	Hickey	Hoppe	Kelley 47	Lograsso
Nordwald	St. Onge	Walton		

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HB 454, relating to guardians and conservators, was taken up by Representative Monaco.

On motion of Representative Monaco, **HB 454** was read the third time and passed by the following vote:

AYES: 149

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Fraser
Froelker	Gambara	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelly 144

Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Bowman	Byrd	Franklin	Harlan	Hickey
Hoppe	Kelley 47	Kennedy	Luetkemeyer	Nordwald
Walton				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

PERFECTION OF HOUSE BILL - INFORMAL

HCS HB 327, relating to petroleum storage tank insurance fund, was taken up by Representative Rizzo.

Representative Rizzo offered **HS HCS HB 327**.

Speaker Kreider assumed the Chair.

Representative Bonner offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 327, Page 35, Line 9, by inserting after all of said line the following:

"135.208. 1. In addition to the number of enterprise zones authorized under the provisions of sections 135.206 and 135.210, the department of economic development shall designate one such zone in any county of the third class which is south of the Missouri River and which adjoins one county of the second class and also the state of Oklahoma. Such designation shall only be made if the area of the county which is to be included in the enterprise zone meets all the requirements of section 135.205.

2. In addition to the number of enterprise zones authorized under the provisions of sections 135.206 and 135.210, the department of economic development shall designate one such zone in any county of the third class which borders the Missouri River and which adjoins a county of the second class with a population of at least one hundred

thousand inhabitants and which contains a branch of the state university. Such designation shall only be made if the area of the county which is to be included in the enterprise zone meets all the requirements of section 135.205.

3. In addition to the number of enterprise zones authorized under the provisions of sections 135.206, 135.210 and 135.256, the department of economic development shall designate one such zone in every county of the third class without a township form of government with a population of more than seven thousand eight hundred but less than ten thousand inhabitants located south of the Missouri River, which adjoins one third class county with a township form of government, and which adjoins no first or second class county. Such enterprise zone designation shall only be made if the area in the county which is to be included in the enterprise zone meets all the requirements of section 135.205.

4. In addition to the number of enterprise zones authorized pursuant to the provisions of sections 135.206, 135.210 and 135.256, the department of economic development shall designate one such zone in a city of the third class with a population of more than eight thousand but less than ten thousand located in a county of the third classification with a township form of government with a population of more than twenty thousand but less than twenty-two thousand. Such enterprise zone designation shall only be made if the area in the city which is to be included in the enterprise zone meets all the requirements of section 135.205.

5. In addition to the number of enterprise zones authorized pursuant to the provisions of sections 135.206, 135.210 and 135.256, the department of economic development shall designate one such zone for any city with a home rule form of government and a population of at least one hundred ten thousand inhabitants but not more than one hundred thirty thousand inhabitants. Such enterprise zone designation shall only be made if the area in the city which is to be included in the enterprise zone meets all the requirements of section 135.205.

6. In addition to the number of enterprise zones authorized pursuant to the provisions of sections 135.206, 135.210 and 135.256, the department of economic development shall designate one such zone for any county of the first classification without a charter form of government with a population of less than thirty thousand inhabitants. Such enterprise zone designation shall only be made if the area in the city which is to be included in the enterprise zone meets all the requirements of section 135.205.

7. In addition to the number of enterprise zones authorized pursuant to the provisions of sections 135.206, 135.210, 135.256 and 135.257, the department of economic development shall designate one such zone in a city of the fourth classification with a population of at least three thousand but less than four thousand inhabitants located in a county of the second classification with a population of at least twenty thousand but not more than twenty-five thousand inhabitants. Such enterprise zone designation shall only be made if such area which is to be included in the enterprise zone meets all the requirements of section 135.205.

8. In addition to the number of enterprise zones authorized pursuant to the provisions of sections 135.206, 135.210, 135.256 and 135.257, the department of economic development shall designate one such zone for any area that includes property in two adjoining counties where one county is a county of the third classification without a township form of government with a population of less than sixteen thousand three hundred and more than sixteen thousand inhabitants and the other county is a county of the first classification having a population of at least one hundred seventy-one thousand but less than one hundred seventy-two thousand inhabitants. Such enterprise zone designation shall only be made if such area which is to be included in the enterprise zone meets all the requirements of section 135.205.

9. In addition to the number of enterprise zones authorized pursuant to the provisions of sections 135.206, 135.210 and 135.256, the department of economic development shall designate one such zone in a city of the fourth class with a population of more than four thousand located in a county of the third classification with a township form of government and with a population of less than thirteen thousand. Such enterprise zone designation shall only be made if the area in the city which is to be included in the enterprise zone meets all the requirements of section 135.205.

10. In addition to the number of enterprise zones authorized pursuant to the provisions of sections 135.206, 135.210 and 135.256, the department of economic development shall designate one such zone in a city of the fourth class with a population of more than two thousand nine hundred located in a county of the third classification without a township form of government with a population of less than twelve thousand and more than eleven thousand seven hundred inhabitants. Such enterprise zone designation shall only be made if the area in the city which is to be included in the enterprise zone meets all the requirements of section 135.205.

11. In addition to the number of enterprise zones authorized pursuant to the provisions of sections 135.206, 135.210 and 135.256, the department of economic development shall designate one such zone in a county of the third classification without a township form of government with a population of less than twenty-four thousand five hundred and more than twenty-four thousand inhabitants. Such enterprise zone designation shall only be made if the area in the county which is to be included in the enterprise zone meets all the requirements of section 135.205.

12. In addition to the number of enterprise zones authorized pursuant to the provisions of sections 135.206, 135.210 and 135.256, the department of economic development shall designate one such zone for any fourth class city with a population of at least three thousand five hundred inhabitants but not more than four thousand five hundred inhabitants which is located in a county of the first classification with a charter form of government having a population of more than six hundred thousand but less than nine hundred thousand inhabitants. Such enterprise zone designation shall only be made if the area in the city which is to be included in the enterprise zone meets all the requirements of section 135.205.

135.209. 1. Any city in which an enterprise zone is designated pursuant to subsection 5 **or subsection 12** of section 135.208 may, upon approval of the local governing authority of the city and the director of the department of economic development, designate one satellite enterprise zone within its corporate limits. A prerequisite for the designation of the satellite zone shall be the approval by the director of the department of economic development of a plan submitted by the local governing authority of the city describing how the satellite zone corresponds to the city's overall enterprise zone strategy.

2. The satellite enterprise zone authorized by this section shall be designated only if it meets the criteria established by subdivisions (1) to (4) of subsection 2 of section 135.207. Retail businesses, as identified by the 1997 North American Industry Classification System (NAICS) sector numbers 44 to 45, located within the satellite enterprise zone shall be eligible for all benefits provided pursuant to the provisions of sections 135.200 to 135.258."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Bonner, **House Amendment No. 1** was adopted.

Representative Marble offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 327, Page 34, Section 319.133, Line 9, by inserting immediately thereafter the following new section:

"319.138 Notwithstanding the provisions of Section 319.100 and subdivision (1) subsection (3) of section 319.131, the fund shall provide moneys for cleanup of contamination caused by the releases from piping or related equipment of a petroleum storage tank with a capacity of [five] **ten** thousand gallons or less when such retailer is the sole provider of retail fuels within a [five-mile] **four-mile** area. The costs of the cleanup must be incurred after April 1, 1999, and prior to [April 1, 2000] **April 1, 2001**. The retailer must make application for participation in the fund by [August 28, 1999] **March 15, 2001**."

On motion of Representative Marble, **House Amendment No. 2** was adopted.

On motion of Representative Rizzo, **HS HCS HB 327, as amended**, was adopted.

On motion of Representative Rizzo, **HS HCS HB 327, as amended**, was ordered perfected and printed.

Representative Smith assumed the Chair.

THIRD READING OF HOUSE BILLS - CONSENT

HB 45, relating to commissioner of education, was taken up by Representative Farnen.

On motion of Representative Farnen, **HB 45** was read the third time and passed by the following vote:

AYES: 122

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Behnen	Berkowitz	Black
Bland	Bonner	Boucher	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Campbell
Carnahan	Champion	Clayton	Coleman	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Hilgemann	Holand	Hollingsworth	Holt	Hosmer
Hunter	Johnson 61	Johnson 90	Jolly	Kelly 144
Kelly 27	Kelly 36	Koller	Lawson	Legan
Levin	Liese	Long	Lowe	Luetkenhaus
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Ransdall
Reid	Reinhart	Relford	Ridgeway	Rizzo
Ross	Scheve	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 030

Ballard	Bearden	Berkstresser	Boatright	Byrd
Cierpiot	Cooper	Enz	Gaskill	Henderson
Hendrickson	Hohulin	Jetton	King	Linton
Lograsso	Luetkemeyer	Marble	Murphy	Myers
Phillips	Portwood	Purgason	Rector	Richardson
Roark	Robirds	Schwab	Scott	Townley

PRESENT: 000

ABSENT WITH LEAVE: 008

Bowman	Hickey	Hoppe	Kelley 47	Kennedy
Nordwald	Reynolds	Walton		

VACANCIES: 003

Representative Smith declared the bill passed.

HB 459, relating to insurance liquidation, was taken up by Representative Liese.

On motion of Representative Liese, **HB 459** was read the third time and passed by the following vote:

AYES: 145

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Boykins	Bray 84	Britt	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 001

Murphy

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 013

Baker	Bowman	Cierpiot	Crump	Harlan
Hickey	Hoppe	Kelley 47	Kennedy	Nordwald
Secrest	Villa	Walton		

VACANCIES: 003

Representative Smith declared the bill passed.

HB 420, relating to motorcycle safety education, was taken up by Representative Williams.

On motion of Representative Williams, **HB 420** was read the third time and passed by the following vote:

AYES: 145

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hilgemann
Holand	Holt	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Levin	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 002

Hohulin Kelly 144

PRESENT: 000

ABSENT WITH LEAVE: 013

Baker	Bowman	Harlan	Hickey	Hollingsworth
Hoppe	Hosmer	Kelley 47	Kennedy	Lograsso
Nordwald	St. Onge	Walton		

VACANCIES: 003

Representative Smith declared the bill passed.

HB 732, relating to water patrol, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HB 732** was read the third time and passed by the following vote:

AYES: 142

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Boatright	Bonner	Boucher
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Hollingsworth	Holt	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wright	Mr. Speaker			

NOES: 005

Foley	Green 73	Hanaway	Lograsso	Wilson 42
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PRESENT: 000

ABSENT WITH LEAVE: 013

Baker	Bland	Bowman	Harlan	Hickey
Hilgemann	Hoppe	Kelley 47	Kennedy	Long
Nordwald	Richardson	Walton		

VACANCIES: 003

Representative Smith declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 098

Abel	Baker	Ballard	Barnett	Bearden
Behnen	Berkowitz	Berkstresser	Black	Bland
Boatright	Boucher	Britt	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crump

Cunningham	Curls	Davis	Dolan	Fares
Farnen	Ford	Franklin	Fraser	Gaskill
Graham	Gratz	Griesheimer	Hagan-Harrell	Hampton
Harding	Harlan	Hartzler	Hegeman	Henderson
Holand	Hollingsworth	Hosmer	Hunter	Johnson 90
Jolly	Kelly 36	Koller	Legan	Liese
Lowe	Luetkemeyer	Luetkenhaus	Marsh	May 149
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Ransdall	Reid	Reinhart
Relford	Rizzo	Robirds	Ross	Scheve
Scott	Seigfreid	Shelton	Shields	Skaggs
Smith	St. Onge	Surface	Treadway	Troupe
Van Zandt	Vogel	Wagner	Wiggins	Williams
Willoughby	Wilson 25	Mr. Speaker		

NOES: 050

Barnitz	Barry 100	Bartelsmeyer	Bartle	Bonner
Bray 84	Cierpiot	Crowell	Dempsey	Enz
Foley	Froelker	Gambaro	George	Green 15
Green 73	Hanaway	Haywood	Hendrickson	Hilgemann
Hohulin	Holt	Jetton	Johnson 61	Kelly 144
Kelly 27	King	Lawson	Levin	Linton
Lograsso	Marble	Mayer	Myers	Phillips
Portwood	Purgason	Rector	Reynolds	Ridgeway
Roark	Schwab	Secrest	Selby	Shoemyer
Thompson	Townley	Villa	Ward	Wright

PRESENT: 003

Boykins	Brooks	Wilson 42
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ABSENT WITH LEAVE: 009

Bowman	Hickey	Hoppe	Kelley 47	Kennedy
Long	Nordwald	Richardson	Walton	

VACANCIES: 003

HB 642, relating to regional jail district tax, was taken up by Representative Relford.

On motion of Representative Relford, **HB 642** was read the third time and passed by the following vote:

AYES: 119

Baker	Barnett	Barnitz	Barry 100	Bearden
Behnen	Berkowitz	Berkstresser	Black	Bland
Boatright	Bonner	Boucher	Boykins	Bray 84
Britt	Burton	Campbell	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Harding	Harlan	Hartzler	Haywood

Hegeman	Henderson	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hosmer	Johnson 61	Johnson 90
Jolly	Kelly 27	Kelly 36	King	Koller
Legan	Liese	Lograsso	Lowe	Luetkenhaus
Marsh	May 149	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Purgason
Ransdall	Rector	Reinhart	Relford	Reynolds
Ridgeway	Rizzo	Robirds	Ross	Scheve
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	Surface	Thompson
Townley	Treadway	Van Zandt	Villa	Vogel
Wagner	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 024

Ballard	Bartelsmeyer	Bartle	Burcham	Byrd
Dolan	Enz	Hanaway	Hendrickson	Hunter
Jetton	Kelly 144	Levin	Luetkemeyer	Marble
Mayer	Myers	Phillips	Portwood	Reid
Roark	Schwab	Scott	St. Onge	

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 016

Abel	Bowman	Carnahan	Ford	Green 73
Hickey	Hoppe	Kelley 47	Kennedy	Lawson
Linton	Long	Nordwald	Richardson	Troupe
Walton				

VACANCIES: 003

Representative Smith declared the bill passed.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 23 - Education-Elementary and Secondary

HCR 25 - Public-Private Partnerships

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 23 - Miscellaneous Bills & Resolutions

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 959 - Transportation
HB 966 - Transportation
HB 980 - Transportation
HB 985 - Environment and Energy
HB 1000 - Redistricting
HB 1007 - Miscellaneous Bills & Resolutions
HB 1008 - Transportation
HB 1025 - Miscellaneous Bills & Resolutions

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SCR 20 - Miscellaneous Bills & Resolutions

COMMITTEE REPORTS

Committee on Critical Issues, Consumer Protection and Housing, Chairman Harlan reporting:

Mr. Speaker: Your Committee on Critical Issues, Consumer Protection and Housing, to which was referred **HCR 4**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Concurrent Resolution No. 4

WHEREAS, three years after women won the right to vote, the Equal Rights Amendment to the United States Constitution, authored by Alice Paul, head of the National Women's Party, was introduced in Congress by Senator Curtis and Representative Anthony, both Republicans; and

WHEREAS, the Equal Rights Amendment to the United States Constitution passed the United States Senate and then the United States House of Representatives, and on March 22, 1972, the proposed Amendment to the United States Constitution was sent to the states for ratification; and

WHEREAS, the Equal Rights Amendment to the United States Constitution states:

"Section 1. Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex.

Section 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

Section 3. This amendment shall take effect two years after the date of ratification."; and

WHEREAS, Congress placed a deadline of June 30, 1982, on the ratification process and thirty-five states ratified the proposed Amendment before the deadline; and

WHEREAS, Congress may not have the constitutional authority to place a deadline on the ratification process; and

WHEREAS, Article V of the United States Constitution allows the General Assembly of the State of Missouri to ratify this proposed Amendment to the Constitution of the United States; and

WHEREAS, the General Assembly of the State of Missouri finds that the proposed Amendment is meaningful and needed as part of the United States Constitution and that the present political, social and economic conditions are the same as or are even more demanding today than they were when the proposed Amendment was first submitted for adoption:

NOW, THEREFORE, BE IT RESOLVED by the Missouri House of Representatives, Ninety-first General Assembly, First Regular Session, the Missouri Senate concurring therein, that the Equal Rights Amendment to the United States Constitution is hereby ratified; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Archivist of the United States, Washington, D.C.; the Vice President of the United States; the Speaker of the United States House of Representatives; and each member of the United States Congress from Missouri with request that it be printed in the Congressional Record.

Committee on Retirement, Chairman Hagan-Harrell reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 660**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Tuesday, March 27, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Forty-third Day, Thursday, March 15, 2001, page 759, lines 31 and 32, by deleting all of said lines and inserting in lieu thereof the following:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HB 592**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**.

House Committee Amendment No. 1

AMEND House Bill No. 592, Page 1, Section 26.730, Line 15, by deleting the word "**the**" after the word "**with**"; and

Further amend said bill, Page 1, Section 26.730, Line 16, by deleting the words "**University of Missouri**" and inserting in lieu thereof the phrase "**any higher educational facility in the state**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Page 735, roll call, by showing Representative Levin voting "aye" rather than "absent with leave".

Pages 738 and 739, roll call, by showing Representative Thompson voting "aye" rather than "absent with leave".

Pages 739 and 740, roll call, by showing Representative Copenhaver voting "aye" rather than "absent with leave".

Pages 743 and 744, roll call, by showing Representative Holand voting "aye" rather than "absent with leave".

Pages 753 and 754, roll call, by showing Representative Hollingsworth voting "aye" rather than "absent with leave".

Pages 754 and 755, roll call, by showing Representatives Barnett, Fares and Hollingsworth voting "aye" rather than "absent with leave".

Pages 755 and 756, roll call, by showing Representative Hollingsworth voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

BUDGET

Tuesday, March 27, 2001, 8:00 am. Hearing Room 3.

Possible Executive Session.

To be considered - HB 13

BUDGET

Wednesday, March 28, 2001, 8:00 am. Hearing Room 3.

Possible Executive Session.

To be considered - HB 13, HB 18, HB 19

BUDGET

Wednesday, March 28, 2001. Hearing Room 3 upon morning adjournment.

Possible Executive Session.

To be considered - HB 18, HB 19

BUDGET

Thursday, March 29, 2001, 8:00 am. Hearing Room 3.

Possible Executive Session.

To be considered - HB 18, HB 19

CHILDREN, FAMILIES, AND HEALTH

Tuesday, March 27, 2001. Hearing Room 4 upon morning adjournment.

Possible Executive Session to follow hearing.

To be considered - HB 104, HB 620, HB 630, HB 722, HB 913

CIVIL AND ADMINISTRATIVE LAW

Wednesday, March 28, 2001. Hearing Room 1 upon morning adjournment.

Executive Session may follow.

To be considered - HB 898, HB 908, HB 921

COMMERCE AND ECONOMIC DEVELOPMENT

Tuesday, March 27, 2001. Hearing Room 6 upon morning adjournment.

Executive Session may follow.

To be considered - HB 434, HB 875

CONSERVATION, STATE PARKS AND MINING

Wednesday, March 28, 2001, 8:30 am. Hearing Room 1.

Executive Session may follow.

To be considered - HB 374, HB 379

EDUCATION - ELEMENTARY AND SECONDARY

Wednesday, March 28, 2001, 8:30 am. Hearing Room 4.

To be considered - HB 95, HB 128, HB 131, HB 649, HJR 18, Executive Session - HB 199,

Executive Session - HB 637

EDUCATION - HIGHER

Wednesday, March 28, 2001, 1:15 pm. Hearing Room 5.

Executive Session.

To be considered - SB 25

FISCAL REVIEW AND GOVERNMENT REFORM

Tuesday, March 27, 2001, 8:30 am. Hearing Room 7.

(Fiscal Note). AMENDED.

To be considered - HB 501, HB 754, HB 762

JOINT COMMITTEE ON CORRECTIONS

Wednesday, March 28, 2001, 12:30 pm. Senate Committee Room 1.

Organizational meeting.

JUDICIARY

Tuesday, March 27, 2001. Hearing Room 5 upon morning adjournment.

Executive Session may follow.

To be considered - HB 665, HB 981

LABOR

Wednesday, March 28, 2001, 8:00 pm. Hearing Room 3.

To be considered - Executive Session - HB 63, Executive Session - HB 208

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, March 28, 2001, 9:30 am. Side gallery.

To be considered - Executive Session - HB 172, Executive Session - HB 186

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, March 27, 2001, 1:00 pm. Hearing Room 1. AMENDED.

To be considered - HB 654, Executive Session - HB 629, Executive Session - HB 708,
Executive Session - HB 729, Executive Session - HB 755, Executive Session - HB 776,
Executive Session - HB 797

RETIREMENT

Wednesday, March 28, 2001, 8:00 pm. Hearing Room 1.

To be considered - HB 659, HB 671, HB 672, HB 674

SPECIAL COMMITTEE ON REDISTRICTING

Wednesday, March 28, 2001, 1:00 pm. Hearing Rooms 2A and 2B.

Organizational meeting.

SPECIAL COMMITTEE ON SPORTSMANSHIP, SAFETY AND FIREARMS

Tuesday, March 27, 2001. Hearing Room 3 upon morning adjournment.

Executive Session may follow.

To be considered - HB 28, HB 33

URBAN AFFAIRS

Tuesday, March 27, 2001. Hearing Room 1 upon evening adjournment.

Possible Executive Session to follow. AMENDED.

To be considered - Executive Session - HB 760, Executive Session - HB 783

HOUSE CALENDAR

FORTY-SIXTH DAY, TUESDAY, MARCH 27, 2001

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 15 & 13 - Crawford
- 2 HJR 11 - Gambaro

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 106 - Johnson (61)
- 2 HB 662 - Green (73)
- 3 HB 471 - Jolly
- 4 HB 70 - Koller
- 5 HB 120, HCA 1 - O'Connor
- 6 HCS HB 274 - Shields

- 7 HCS HB 924, 714, 685, 756, 734 & 518 - Wiggins
- 8 HCS HB 533 & 724 - Johnson (90)
- 9 HB 891 - Smith
- 10 HB 882 - Crump
- 11 HCS HB 457 - Kreider
- 12 HB 915 - Graham
- 13 HB 612, HCA 1 - Ladd Baker
- 14 HB 349 - Hosmer
- 15 HCS HB 824 - Abel
- 16 HCS HB 581 - Ridgeway
- 17 HB 679 - Boykins
- 18 HCS HB 835, 90, 707, 373, 641, 510, 516 & 572 - Britt
- 19 HB 286, HCA 1 & HCA 2 - Smith
- 20 HCS HB 280, 69, 497 & 689 - Hoppe
- 21 HB 527 - Luetkenhaus
- 22 HB 736 - Liese
- 23 HB 366 - Champion
- 24 HB 678 - Seigfreid
- 25 HB 436 - Merideth
- 26 HCS HB 472 - Burton
- 27 HCS HB 488 - Koller
- 28 HB 592 - Williams
- 29 HCS HB 660 - Hagan-Harrell

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HB 114 - Hickey

HOUSE BILLS FOR PERFECTION - CONSENT

(March 15, 2001)

- 1 HB 949 - Barry
- 2 HB 725 - Britt
- 3 HB 590 - Graham
- 4 HB 648 - Ostmann
- 5 HB 664 - Skaggs
- 6 HB 897 - Kreider
- 7 HB 716 - Burton
- 8 HB 796 - Hosmer
- 9 HB 865 - Davis
- 10 HB 458 - Lawson
- 11 HB 805 - Mayer
- 12 HB 821 - Hosmer

- 13 HB 285 - Riback Wilson (25)
- 14 HB 816 - Kennedy
- 15 HB 644 - Burton

(March 22, 2001)

- 1 HB 52 - Ward
- 2 HB 498 - Wagner
- 3 HB 704 - Gambaro
- 4 HB 922 - Gaskill
- 5 HB 951 - Gratz
- 6 HB 596 - Kennedy
- 7 HB 745 - Farnen
- 8 HB 945 - Hosmer
- 9 HB 909 - Davis
- 10 HB 606 - Kennedy
- 11 HB 955 - Green (73)
- 12 HB 410 - Holt
- 13 HB 402 - Boucher
- 14 HB 84 - Richardson
- 15 HB 954 - Hosmer
- 16 HB 825 - Kennedy
- 17 HB 881 - Scott
- 18 HB 408 - Kelley (47)
- 19 HB 933 - Reid
- 20 HB 904 - Merideth

HOUSE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING

HCR 4, (3-26-01) - Williams

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 754, 29, 300 & 505, (Fiscal Review 3-15-01) - Franklin
- 2 HS HCS HB 762, (Fiscal Review 3-15-01) - Barry
- 3 HB 501, (Fiscal Review 3-15-01) - Bowman
- 4 HB 314, (Fiscal Review 3-15-01) - Nordwald

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 626 - Hosmer
- 2 HB 693 - Smith
- 3 HB 769 - Harlan
- 4 HB 537 - Ostmann
- 5 HB 544 - Holand
- 6 HB 318 - O'Toole
- 7 HB 385 - Franklin

SENATE BILL FOR THIRD READING

SB 256, HCA 1, E.C. (Fiscal Review 3-14-01) - O'Toole

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

FORTY-SIXTH DAY, TUESDAY, MARCH 27, 2001

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

Like scenery on the stage of life, God, You are the background to all we do. May we sense frequently Your invisible but powerful presence. Today will hold in its wake discussion, perhaps disagreement, interactions, strong feelings, thought, research, judgment, decision.

Help these representatives set aside personal reputation or gain, and focus on the greater good of us all. Channel their healthy ambition towards their constituents, and towards our whole state and our society. In You, through You, and with You, may our efforts begin, and find their way back to the lap of Your caring concern for us all. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Lauren Phillips, Mason Phillips, Rachel Hale, Emily McEwan, Andrew Mothersbaugh, Crystal Schussler, Danielle Drew, Amber Snider, Patrick Springer, Mason Marshall, Dusty Clevenger, Jacob Lewis, Troy Morrison, Sara Ackley, Angela Turner, Thomas Kingdon, Jr., Samantha Romines, Mary Margaret Tompkins, Ian Laster, Julie Capkovic, Alicia Holden, Rachel Hellmann, Elizabeth Hellmann, Aubrey Hale, Jessica Fischer, Jeff Brown, Ezra Akin, David Brouk, Ben Gruhn, Dan Gruhn, Sarah Heitzmann, Tony Sansone, Thomas Wingfield, Trevor Hampton, Priscilla Ayala, Trey Bugh, Candace Weaver, Hannah White, Anthony Sosna, Matthew Mueller, Reilly Hall, Lauren Hutcheson, Ryan Freeman, Kendra McClanahan, Katie Krodinger, Rebecca Rodrigue, Mike Saputo, Emily Stucky, Jennifer Starbird, Sarah Sylvester, Amy Whitaker, Ashley Fausett, Kimberly Shola, Caitlin Bladt, Nick Shrader, Nick Monaco, Lori Svejda, Sarah Rafkey, Sarah Lynch, Ebony Ingram, Fredricka Starks, Linden A. Hargett, Teri Summerfield, Rachel Maxwell, Ruth Burke, Latasha Clark, Mike Lampley, Lucas Harlan, Patrick Struckhoff, Brian Geraghty and Chad Butler.

Representative Liese assumed the Chair.

The Journal of the forty-fifth day was approved as corrected.

RESOLUTION

Representative Kreider offered House Resolution No. 1008.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1007 - Representative Enz
House Resolution No. 1009 - Representative Johnson (61)
House Resolution No. 1010 - Representative Cooper

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HB 327**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

Speaker Kreider resumed the Chair.

PERFECTION OF HOUSE BILLS

HCS HB 106, relating to statewide lupus program, was taken up by Representative Johnson (61).

On motion of Representative Johnson (61), **HCS HB 106** was adopted.

On motion of Representative Johnson (61), **HCS HB 106** was ordered perfected and printed.

HB 662, relating to private building contracts, was placed on the Informal Calendar.

HB 471, relating to drug trafficking, was taken up by Representative Jolly.

On motion of Representative Jolly, **HB 471** was ordered perfected and printed.

HB 70, relating to motorcycle helmets, was placed on the Informal Calendar.

HB 120, with House Committee Amendment No. 1, relating to vision-reducing material, was placed on the Informal Calendar.

HCS HB 274, relating to school attendance, was taken up by Representative Shields.

On motion of Representative Shields, **HCS HB 274** was adopted.

On motion of Representative Shields, **HCS HB 274** was ordered perfected and printed.

PERFECTION OF HOUSE BILLS - INFORMAL

HB 662, relating to private building contracts, was taken up by Representative Green (73).

Representative St. Onge offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 662, Page 4, Section 436.324, Line 3, by deleting the word “**owner -occupied**”; and

Further amend said bill, Page 4, Section 436.324, Line 4, by deleting the word “**owner-occupied**”.

On motion of Representative St. Onge, **House Amendment No. 1** was adopted.

On motion of Representative Green (73), **HB 662, as amended**, was ordered perfected and printed.

Representative Crump suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 153

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	O'Connor	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 001

Reynolds

ABSENT WITH LEAVE: 006

Dolan
O'Toole

Hollingsworth

Kelly 27

Luetkenhaus

Nordwald

VACANCIES: 003

HB 70, relating to motorcycle helmets, was taken up by Representative Koller.

Representative Kennedy offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 70, Page 2, Section 302.020, Line 31, by inserting after all of said line the following:

"Section 1. Any operator of a motorcycle or motortricycle who does not wear protective headgear shall maintain at least ten million dollars of medical insurance and shall, when required pursuant to chapter 303, RSMo, provide proof of such medical insurance."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Seigfreid offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

House Substitute Amendment No. 1 for House Amendment No. 1 was withdrawn.

Representative Marble offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Bill No. 70, Page 2, Section 302.020, Line 31, by inserting after all of said line the following:

"4. Any person who receives a head injury while operating a motorcycle or motortricycle upon any highway in this state and who was not wearing protective headgear during the time of such injury shall not be eligible for state aid or assistance for medical treatment of such injuries."

Speaker Pro Tem Abel assumed the Chair.

HB 70, with House Substitute Amendment No. 1 for House Amendment No. 1 and House Amendment No. 1, pending, was laid over.

On motion of Representative Crump, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Abel.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Daniel Svejda.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1011 - Representative Hohulin, et al
House Resolution No. 1012
and
House Resolution No. 1013 - Representative Vogel
House Resolution No. 1014 - Representative Mayer
House Resolution No. 1015 - Representative Smith
House Resolution No. 1016 - Representative Nordwald
House Resolution No. 1017 - Representative Ford
House Resolution No. 1018 - Representative Williams
House Resolution No. 1019 - Representative Behnen
House Resolution No. 1020 - Representative Legan

PERFECTION OF HOUSE BILLS - INFORMAL

HB 70, with House Substitute Amendment No. 1 for House Amendment No. 1 and House Amendment No. 1, pending, relating to motorcycle helmets, was again taken up by Representative Koller.

On motion of Representative Marble, **House Substitute Amendment No. 1 for House Amendment No. 1** was adopted.

On motion of Representative Koller, **HB 70, as amended**, was ordered perfected and printed.

HB 120, with House Committee Amendment No. 1, relating to vision-reducing material, was taken up by Representative O'Connor.

On motion of Representative O'Connor, **House Committee Amendment No. 1** was adopted.

Representative Monaco assumed the Chair.

Representative Ross offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 120, Page 1, Section 307.173, Lines 12 and 13, by deleting all of said lines and inserting in lieu thereof the following:

"2. [A permit to] **Any person may** operate a motor vehicle with [a front sidewing vent or window] **side and rear windows** that [has] **have** a sun screening device, in conjunction with safety glazing material, that has a"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Ross, **House Amendment No. 1** was adopted.

Speaker Pro Tem Abel resumed the Chair.

Representative Kelly (27) offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Bill No. 120, Page 1, Section A, Line 2, by inserting after all of said line the following:

"302.173. 1. Any applicant for a license, who does not possess a valid license issued pursuant to the laws of this state **or any other state** shall be examined as herein provided. Any person who has failed to renew such person's license on or before the date of its expiration or within six months thereafter must take the complete examination. Any active member of the armed forces, their adult dependents or any active member of the peace corps may apply for a renewal license without examination of any kind, unless otherwise required by sections 302.700 to 302.780, provided the renewal application shows that the previous license had not been suspended or revoked. Any person honorably discharged from the armed forces of the United States who held a valid license prior to being inducted may apply for a renewal license within sixty days after such person's honorable discharge without submitting to any examination of such person's ability to safely operate a motor vehicle over the highways of this state unless otherwise required by sections 302.700 to 302.780, other than the vision test provided in section 302.175, unless the facts set out in the renewal application or record of convictions on the expiring license, or the records of the director show that there is good cause to authorize the director to require the applicant to submit to the complete examination. No applicant for a renewal license shall be required to submit to any examination of his or her ability to safely operate a motor vehicle over the highways of this state unless otherwise required by sections 302.700 to 302.780 or regulations promulgated thereunder, other than a test of the applicant's ability to understand highway signs regulating, warning or directing traffic and the vision test provided in section 302.175, unless the facts set out in the renewal application or record of convictions on the expiring license, or the records of the director show that there is good cause to authorize the director to require the applicant to submit to the complete examination. The examination shall be made available in each county. Reasonable notice of the time and place of the examination shall be given the applicant by the person or officer designated to conduct it. The complete examination shall include a test of the applicant's natural or corrected vision as prescribed in section 302.175, the applicant's ability to understand highway signs regulating, warning or directing traffic, the applicant's practical knowledge of the traffic laws of this state, and an actual demonstration of ability to exercise due care in the operation of a motor vehicle of the classification for which the license is sought. When an applicant for a license has a valid license from a state which has requirements for issuance of a license comparable to the Missouri requirements, the director may waive the requirement of actual demonstration of ability to exercise due care in the operation of a motor vehicle. If the director has reasonable grounds to believe that an applicant is suffering from some known physical or mental ailment which ordinarily would interfere with the applicant's fitness to operate a motor vehicle safely upon the highways, the director may require that the examination include a physical or mental examination by a licensed physician of the applicant's choice, at the applicant's expense, to determine the fact. The director shall prescribe regulations to ensure uniformity in the examinations and in the grading thereof and shall prescribe and furnish all forms to the members of the highway patrol and to other persons authorized to conduct examinations as may be necessary to enable the officer or person to properly conduct the examination. The records of the examination shall be forwarded to the director who shall not issue any license hereunder if in the director's opinion the applicant is not qualified to operate a motor vehicle safely upon the highways of this state.

2. The director of revenue shall delegate the power to conduct the examinations required for a license or permit to any member of the highway patrol or any person employed by the highway patrol. The powers delegated to any examiner may be revoked at any time by the director of revenue upon notice.

3. Notwithstanding the requirements of subsections 1 and 2 of this section, the successful completion of a

motorcycle rider training course approved pursuant to sections 302.133 to 302.138 shall constitute an actual demonstration of the person's ability to exercise due care in the operation of a motorcycle or motortricycle, and no further driving test shall be required to obtain a motorcycle or motortricycle license or endorsement."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Kelly (27), **House Amendment No. 2** was adopted.

On motion of Representative O'Connor, **HB 120, as amended**, was ordered perfected and printed.

PERFECTION OF HOUSE BILLS

HCS HBs 533 & 724, relating to sexual offenses, was taken up by Representative Johnson (90).

Representative Hanaway offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 533 & 724, Page 1, Section 565.200, Line 14, by inserting after all of said line the following:

- "566.111. 1. For purposes of this section, the following terms mean:
- (1) "Animal", every creature, either alive or dead, other than a human being;
 - (2) "Sexual conduct with an animal", any touching of an animal with the genitals or any touching of the genitals or anus of an animal for the purpose of arousing or gratifying sexual desire.
2. No person shall engage in any sexual conduct with an animal, or cause, aid or abet another person to engage in any sexual conduct with an animal. No person shall permit any sexual conduct with an animal on any premises under such person's charge or control. No person shall engage in, promote, aid or abet any activity involving any sexual conduct with an animal for commercial or recreational purposes.
3. Any person who violates this section shall be guilty of a class D felony. Any person who violates this section in the presence of a minor or causes any animal serious physical injury or death while violating or attempting to violate this section shall be guilty of a class C felony.
4. In addition to the penalty imposed, the court may:
- (1) Prohibit the defendant permanently or for a reasonable time from harboring animals or residing in any household where animals are present;
 - (2) Order the defendant to relinquish and permanently forfeit all animals residing in the defendant's household to a recognized or duly incorporated animal shelter or humane society, and order the defendant to reimburse such shelter or humane society for all reasonable costs incurred for the care and maintenance of the animals involved in the violation of this section; and
 - (3) Order psychological evaluation and counseling of the defendant, at the defendant's expense.
5. Nothing in this section shall be construed to prohibit generally accepted animal husbandry practices or generally accepted veterinary medical practices performed by a licensed veterinarian or veterinary technician.
6. Any person acting under authority of this section may seize any and all animals involved in the alleged violation. The defendant charged with violating this section shall be provided a disposition hearing pursuant to section 578.018, RSMo."; and

Further amend said bill, by amending the title, enacting clause and intersectional references accordingly.

On motion of Representative Hanaway, **House Amendment No. 1** was adopted.

Representative Kelly (27) offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill Nos. 533 & 724, Page 2, Section 566.145, Line 6, by inserting after all of said line the following:

"1. Sections 589.400 to 589.425 shall apply to:

(1) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty to committing, or attempting to commit, an offense of chapter 566, RSMo; or

(2) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty to committing, or attempting to commit one or more of the following offenses: kidnapping; promoting prostitution in the first degree; promoting prostitution in the second degree; promoting prostitution in the third degree; incest; abuse of a child; used a child in a sexual performance; or promoting sexual performance by a child; and committed or attempted to commit the offense against a victim who is a minor, defined for the purposes of sections 589.400 to 589.425 as a person under eighteen years of age; or

(3) Any person who, since July 1, 1979, has been committed to the department of mental health as a criminal sexual psychopath; or

(4) Any person who, since July 1, 1979, has been found not guilty as a result of mental disease or defect of any offense listed in subdivision (1) or (2) of this subsection; or

(5) Any person who is a resident of this state and has been or is required to register in another state or has been or is required to register under federal or military law; or

(6) Any person who has been or is required to register in another state or has been or is required to register under federal or military law and who works or attends school or training on a full-time or on a part-time basis in Missouri. Part-time in this subdivision means for more than fourteen days in any twelve-month period.

2. Any person to whom sections 589.400 to 589.425 apply shall, within **thirty days of the effective date of this section or within ten days of the date on which such person becomes subject to sections 589.400 to 589.425, whichever earlier occurs, register with the chief law enforcement official of the county in which such person resides. Any person to whom sections 589.400 to 589.425 apply who changes his or her county of residence shall, within ten days of [coming into any county] such change of residence,** register with the chief law enforcement official of the **new** county in which such person resides. The chief law enforcement official shall forward a copy of the registration form required by section 589.407 to a city, town or village law enforcement agency located within the county of the chief law enforcement official, if so requested. Such request may ask the chief law enforcement official to forward copies of all registration forms filed with such official. The chief law enforcement official may forward a copy of such registration form to any city, town or village law enforcement agency, if so requested.

3. The registration requirements of sections 589.400 through 589.425 are lifetime registration requirements unless all offenses requiring registration are reversed, vacated or set aside or unless the registrant is pardoned of the offenses requiring registration."; and

Further amend said bill, by amending the title, enacting clause and intersectional references accordingly.

On motion of Representative Kelly (27), **House Amendment No. 2** was adopted.

On motion of Representative Johnson (90), **HCS HBs 533 & 724, as amended**, was adopted.

On motion of Representative Johnson (90), **HCS HBs 533 & 724, as amended**, was ordered perfected and printed.

HB 882, relating to horse racing and pari-mutuel wagering, was placed on the Informal Calendar.

HCS HB 457, relating to financing of capital improvements, was taken up by Representative Kreider.

Representative Shields offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 457, Page 1, Section 160.534, Line 7, by replacing Subsection 2 of said bill with the following:

- “2. The moneys transferred pursuant to this section shall be transferred on a monthly basis as follows:
- (1) For fiscal year 2003, ten percent to the school building property tax relief fund established pursuant to section 166.300, RSMo, ten percent to the year 2001 classroom fund created pursuant to section 166.201, RSMo, and eighty percent to the state school moneys fund;
 - (2) For fiscal year 2004, twenty percent to the school building property tax relief fund, twenty percent to the year 2001 classroom fund and sixty percent to the state school moneys fund;
 - (3) For fiscal year 2005, thirty percent to the school building property tax relief fund, thirty percent to the year 2001 classroom fund and forty percent to the state school moneys fund;
 - (4) For fiscal year 2006, forty percent to the school building property tax relief fund, forty percent to the year 2001 classroom fund and twenty percent to the state school moneys fund; and
 - (5) For fiscal year 2007, fifty percent to the school building property tax relief fund and fifty percent to the year 2001 classroom trust fund.”; and

Further amend said bill by adding one new section as follows:

“163.201. 1. For fiscal year 2003 and each subsequent fiscal year, the “Year 2001 Classroom Fund”, which is hereby created in the state treasury, shall be distributed by the state board of education to each school district on a per eligible pupil basis. The moneys distributed pursuant to this section shall be exempt from salary compliance pursuant to section 165.016, RSMo. The moneys may be used by the district for:

- (1) School construction, renovation or leasing;
 - (2) Teacher recruitment, retention, salaries or professional development;
 - (3) Technology enhancements or textbooks or instructional materials; or
 - (4) School safety and violence prevention programs.
2. The year 2001 classroom fund shall consist of all moneys transferred to it pursuant to section 160.534, RSMo, all moneys otherwise appropriated or donated to it and, notwithstanding any other provision of law to the contrary, all unclaimed lottery prize money.”; and

Further amend said bill by amending title and enacting clauses accordingly.

Representative Shields moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 078

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan

Enz	Fares	Gaskill	Gratz	Green 15
Griesheimer	Hanaway	Hartzler	Hegeman	Henderson
Hendrickson	Hohulin	Holand	Holt	Hunter
Jetton	Kelley 47	Kelly 144	King	Legan
Levin	Linton	Lograsso	Long	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Miller	Moore	Murphy	Myers	Naeger
Nordwald	Ostmann	Phillips	Portwood	Purgason
Rector	Reid	Reinhart	Richardson	Ridgeway
Roark	Robirds	Ross	Scheve	Schwab
Secrest	Shields	St. Onge	Surface	Townley
Treadway	Vogel	Wright		

NOES: 078

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham	Green 73
Hagan-Harrell	Hampton	Harding	Harlan	Haywood
Hickey	Hilgemann	Hoppe	Hosmer	Johnson 61
Johnson 90	Jolly	Kelly 27	Kelly 36	Kennedy
Koller	Lawson	Liese	Lowe	Mays 50
McKenna	Merideth	Monaco	O'Connor	O'Toole
Overschmidt	Ransdall	Relford	Reynolds	Rizzo
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Thompson	Van Zandt	Villa	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 004

Froelker	Hollingsworth	Scott	Troupe
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VACANCIES: 003

Representative Dolan requested verification of the roll call on the adoption of **House Amendment No. 1.**

Representative Ford offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 457, Page 11, Section 166.324, Line 4, by inserting after all of said line the following:

"313.805. The commission shall have full jurisdiction over and shall supervise all gambling operations governed by sections 313.800 to 313.850. The commission shall have the following powers and shall promulgate rules and regulations to implement sections 313.800 to 313.850:

- (1) To investigate applicants and determine the priority and eligibility of applicants for a license and to select among competing applicants for a license the applicant which best serves the interests of the citizens of Missouri;
- (2) To license the operators of excursion gambling boats and operators of gambling games within such boats,

to identify occupations within the excursion gambling boat operations which require licensing, and adopt standards for licensing the occupations including establishing fees for the occupational licenses and to license suppliers;

(3) To adopt standards under which all excursion gambling boat operations shall be held and standards for the facilities within which the gambling operations are to be held. Notwithstanding the provisions of chapter 311, RSMo, to the contrary, the commission may authorize the operation of gambling games on an excursion gambling boat which is also licensed to sell or serve alcoholic beverages, wine, or beer. The commission shall regulate the wagering structure for gambling excursions [including providing a maximum loss of five hundred dollars per individual player per gambling excursion];

(4) To enter the premises of excursion gambling boats, facilities, or other places of business of a licensee within this state to determine compliance with sections 313.800 to 313.850;

(5) To investigate alleged violations of sections 313.800 to 313.850 or the commission rules, orders, or final decisions;

(6) To assess any appropriate administrative penalty against a licensee, including, but not limited to, suspension, revocation, and penalties of an amount as determined by the commission up to three times the highest daily amount of gross receipts derived from wagering on the gambling games, whether unauthorized or authorized, conducted during the previous twelve months as well as confiscation and forfeiture of all gambling game equipment used in the conduct of unauthorized gambling games. Forfeitures pursuant to this section shall be enforced as provided in sections 513.600 to 513.645, RSMo;

(7) To require a licensee, an employee of a licensee or holder of an occupational license to remove a person violating a provision of sections 313.800 to 313.850 or the commission rules, orders, or final orders, or other person deemed to be undesirable from the excursion gambling boat or adjacent facilities;

(8) To require the removal from the premises of a licensee, an employee of a licensee, or a holder of an occupational license for a violation of sections 313.800 to 313.850 or a commission rule or engaging in a fraudulent practice;

(9) To require all licensees to file all financial reports required by rules and regulations of the commission;

(10) To issue subpoenas for the attendance of witnesses and subpoenas duces tecum for the production of books, records, and other pertinent documents, and to administer oaths and affirmations to the witnesses, when, in the judgment of the commission, it is necessary to enforce sections 313.800 to 313.850 or the commission rules;

(11) To keep accurate and complete records of its proceedings and to certify the records as may be appropriate;

(12) To ensure that the gambling games are conducted fairly. No gambling device shall be set to pay out less than eighty percent of all wagers;

(13) To require all licensees of gambling game operations to use a cashless wagering system whereby all players' money is converted to physical or electronic tokens, electronic cards, or chips which only can be used for wagering on the excursion gambling boat;

(14) To require excursion gambling boat licensees to develop a system, approved by the commission, that allows patrons the option to prohibit the excursion gambling boat licensee from using identifying information for marketing purposes. The provisions of this subdivision shall apply only to patrons giving identifying information for the first time. Such system shall be submitted to the commission by October 1, 2000, and approved by the commission by January 1, 2001. The excursion gambling boat licensee shall use identifying information obtained from patrons who have elected to have marketing blocked under the provisions of this section only for the purposes of enforcing the requirements contained in sections 313.800 to 313.850. This section shall not prohibit the commission from accessing identifying information for the purposes of enforcing section 313.004 and sections 313.800 to 313.850;

(15) To determine which of the authorized gambling games will be permitted on any licensed excursion gambling boat;

(16) Excursion gambling boats shall cruise, unless the commission finds that the best interest of Missouri and the safety of the public indicate the need for continuous docking of the excursion gambling boat in any city or county authorized pursuant to subsection 10 of section 313.812. The commission shall base its decision to allow continuously docked excursion gambling boats on any of the following criteria: the docking location or the excursion cruise could cause danger to the boat's passengers, violate federal law or the law of another state, or cause disruption of interstate commerce or possible interference with railway or barge transportation. In addition, the commission shall consider economic feasibility or impact that would benefit land-based development and permanent job creation. The commission shall not discriminate among applicants for continuous-docking excursion gambling that are similarly situated with respect to the criteria set forth in this section;

(17) The commission shall render a finding concerning the possibility of continuous docking, as described in

subdivision (15) of this section, within thirty days after a hearing on any request from an applicant or licensee. Such hearing may be held prior to any final action on licensing to assist an applicant and any city or county in the finalizing of their economic development plan;

(18) To require any applicant for a license or renewal of a license to operate an excursion gambling boat to provide an affirmative action plan which has as its goal the use of best efforts to achieve maximum employment of African-Americans and other minorities and maximum participation in the procurement of contractual purchases of goods and services. This provision shall be administered in accordance with all federal and state employment laws, including Title VII of the Civil Rights Act of 1964, as amended by the Civil Rights Act of 1991. At license renewal, the licensee will report on the effectiveness of the plan. The commission shall include the licensee's reported information in its annual report to the joint committee on gaming and wagering;

(19) To take any other action as may be reasonable or appropriate to enforce sections 313.800 to 313.850 and the commission rules."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Smith assumed the Chair.

Representative Purgason offered **House Amendment No. 1 to House Amendment No. 2.**

*House Amendment No. 1
to
House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute for House Bill No. 457, Page 2 of said amendment, Lines 10 and 11 of said page, by deleting said lines and inserting in lieu thereof the following:

"including providing a maximum loss of five hundred dollars per individual player who receives public assistance per gambling excursion;".

Representative Ford raised a point of order that **House Amendment No. 1 to House Amendment No. 2** goes beyond the scope of the amendment.

The Chair ruled the point of order not well taken.

Representative Kelley (47) offered **House Substitute Amendment No. 1 for House Amendment No. 1 to House Amendment No. 2.**

House Substitute Amendment No. 1 for House Amendment No. 1 to House Amendment No. 2 was withdrawn.

Representative Kelley (47) offered **House Substitute Amendment No. 1 for House Amendment No. 1 to House Amendment No. 2.**

House Substitute Amendment No. 1
for
House Amendment No. 1
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for House Bill No. 457, Page 2 of said amendment, Lines 10 and 11, by deleting the opening and closing brackets and adding after the word “**excursion**” the following words:

“and prohibiting anyone receiving Temporary Assistance for Needy Children Funding from gambling on an excursion gambling boat.”.

Representative Kelley (47) moved that **House Substitute Amendment No. 1 for House Amendment No. 1 to House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Purgason moved that **House Amendment No. 1 to House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 072

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Boucher
Burcham	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Froelker	Gaskill	Griesheimer
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Hunter	Jetton	Kelley 47
Kelly 144	King	Koller	Legan	Levin
Linton	Long	Luetkemeyer	Marble	Marsh
May 149	Miller	Moore	Murphy	Myers
Naeger	Nordwald	Ostmann	Phillips	Portwood
Purgason	Rector	Reid	Reinhart	Richardson
Ridgeway	Roark	Robirds	Ross	Schwab
Secrest	Shields	St. Onge	Surface	Townley
Vogel	Wright			

NOES: 077

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Bowman	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Coleman	Copenhaver	Crump	Curls	Davis
Farnen	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham	Green 73	Hagan-Harrell
Hampton	Harding	Haywood	Hickey	Holt
Hoppe	Johnson 61	Johnson 90	Jolly	Kelly 27
Kelly 36	Kennedy	Lawson	Liese	Lowe
Mays 50	McKenna	Merideth	Monaco	O'Connor
O'Toole	Overschmidt	Ransdall	Relford	Reynolds

Rizzo	Scheve	Seigfreid	Selby	Shelton
Shoemyer	Skaggs	Smith	Thompson	Treadway
Troupe	Van Zandt	Villa	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 011

Burton	Gratz	Green 15	Harlan	Hilgemann
Hollingsworth	Hosmer	Lograsso	Luetkenhaus	Mayer
Scott				

VACANCIES: 003

Representative Bartelsmeyer requested verification of the roll call on the adoption of **House Amendment No. 1 to House Amendment No. 2.**

Representative Boucher offered **House Amendment No. 2 to House Amendment No. 2.**

House Amendment No. 2
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for House Bill No. 457, Page 2 of said amendment, Section 313.805, Line 10 of said page, by deleting the opening bracket; and

Further amend Page 2 of said amendment, Section 313.805, Line 11, by deleting the closing bracket and adding immediately after the word “**excursion**” the following:

"for all excursions prior to January 1, 2002, provided that no limitation on loss shall be in effect on or after January 1, 2001, and provided that any increased state excursion gambling boat proceeds deposited in the gaming proceeds for education fund shall be transferred pursuant to section 160.534, RSMo"; and

Further amend said amendment, Page 6, Section 313.805, Line 13, by adding after all of said line the following:

"313.820. 1. An excursion boat licensee shall pay to the commission an admission fee of [two] **three** dollars for each person embarking on an excursion gambling boat with a ticket of admission. One dollar **and fifty cents** of such fee shall be deposited to the credit of the gaming commission fund as authorized pursuant to section 313.835, and one dollar **and fifty cents** of such fee shall not be considered state funds and shall be paid to the home dock city or county. Subject to appropriation, one cent of such fee deposited to the credit of the gaming commission fund may be deposited to the credit of the compulsive gamblers fund created pursuant to the provisions of section 313.842. Nothing in this section shall preclude any licensee from charging any amount deemed necessary for a ticket of admission to any person embarking on an excursion gambling boat. If tickets are issued which are good for more than one excursion, the admission fee shall be paid to the commission for each person using the ticket on each excursion that the ticket is used. If free passes or complimentary admission tickets are issued, the excursion boat licensee shall pay to the commission the same fee upon these passes or complimentary tickets as if they were sold at the regular and usual admission rate; however, the excursion boat licensee may issue fee-free passes to actual and necessary officials and employees of the licensee or other persons actually working on the excursion gambling boat. The issuance of fee-free passes is subject to the rules of the commission, and a list of all persons to whom the fee-free passes are issued shall be filed with the commission.

2. All licensees are subject to all income taxes, sales taxes, earnings taxes, use taxes, property taxes or any other tax or fee now or hereafter lawfully levied by any political subdivision; however, no other license tax, permit tax,

occupation tax, excursion fee, or taxes or fees shall be imposed, levied or assessed exclusively upon licensees by a political subdivision. All state taxes not connected directly to gambling games shall be collected by the department of revenue. Notwithstanding the provisions of section 32.057, RSMo, to the contrary, the department of revenue may furnish and the commission may receive tax information to determine if applicants or licensees are complying with the tax laws of this state; however, any tax information acquired by the commission shall not become public record and shall be used exclusively for commission business.

313.835. 1. All revenue received by the commission from license fees, penalties, administrative fees, reimbursement by any excursion gambling boat operators for services provided by the commission and admission fees authorized pursuant to the provisions of sections 313.800 to 313.850, except that portion of the admission fee, not to exceed one cent, that may be appropriated to the compulsive gamblers fund as provided in section 313.820, shall be deposited in the state treasury to the credit of the "Gaming Commission Fund" which is hereby created for the sole purpose of funding the administrative costs of the commission, subject to appropriation. Moneys deposited into this fund shall not be considered proceeds of gambling operations. Moneys deposited into the gaming commission fund shall be considered state funds pursuant to article IV, section 15 of the Missouri Constitution. All interest received on the gaming commission fund shall be credited to the gaming commission fund. In each fiscal year, total revenues to the gaming commission fund for the preceding fiscal year shall be compared to total expenditures and transfers from the gaming commission fund for the preceding fiscal year. The remaining net proceeds in the gaming commission fund shall be distributed in the following manner:

(1) The first five hundred thousand dollars shall be appropriated on a per capita basis to cities and counties that match the state portion and have demonstrated a need for funding community neighborhood organization programs for the homeless and to deter gang-related violence and crimes;

(2) The remaining net proceeds in the gaming commission fund for fiscal year 1998 and prior years shall be transferred to the "Veterans' Commission Capital Improvement Trust Fund", as hereby created in the state treasury. The state treasurer shall administer the veterans' commission capital improvement trust fund, and the moneys in such fund shall be used solely, upon appropriation, by the Missouri veterans' commission for:

(a) The construction, maintenance or renovation or equipment needs of veterans' homes in this state;
(b) The construction, maintenance, renovation, equipment needs and operation of veterans' cemeteries in this state;

(c) Fund transfers to Missouri veterans' homes fund established pursuant to the provisions of section 42.121, RSMo, as necessary to maintain solvency of the fund; and

(d) Fund transfers to any municipality with a population greater than four hundred thousand and located in part of a county with a population greater than six hundred thousand in this state which has established a fund for the sole purpose of the restoration, renovation and maintenance of a memorial or museum or both dedicated to World War I. Appropriations from the veterans' commission capital improvement trust fund to such memorial fund shall be provided only as a one-time match for other funds devoted to the project and shall not exceed five million dollars. Additional appropriations not to exceed ten million dollars total may be made from the veterans' commission capital improvement trust fund as a match to other funds for the new construction or renovation of other facilities dedicated as veterans' memorials in the state. All appropriations for renovation, new construction, reconstruction, and maintenance of veterans' memorials shall be made only for applications received by the Missouri veterans' commission prior to July 1, 2004.

Any interest which accrues to the fund shall remain in the fund and shall be used in the same manner as moneys which are transferred to the fund pursuant to this section. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the veterans' commission capital improvement trust fund at the end of any biennium shall not be transferred to the credit of the general revenue fund;

(3) The remaining net proceeds in the gaming commission fund for fiscal year 1999 and each fiscal year thereafter shall be distributed as follows:

(a) Three million dollars shall be transferred to the veterans' commission capital improvement trust fund;
(b) Three million dollars shall be transferred to the Missouri national guard trust fund created in section 41.214, RSMo;

(c) Three million dollars shall be transferred to the Missouri college guarantee fund, established pursuant to the provisions of section 173.248, RSMo, and additional moneys as annually appropriated by the general assembly shall be appropriated to such fund;

(d) Subject to appropriations, one hundred percent of remaining net proceeds in the gaming commission fund except as provided in paragraph (1) of this subdivision, shall be transferred to the "Early Childhood Development,

Education and Care Fund" which is hereby created to give parents meaningful choices and assistance in choosing the child-care and education arrangements that are appropriate for their family. All interest received on the fund shall be credited to the fund. Notwithstanding the provisions of section 33.080, RSMo, moneys in the fund at the end of any biennium shall not be transferred to the credit of the general revenue fund. Any moneys deposited in such fund shall be used to support programs that prepare children prior to the age in which they are eligible to enroll in kindergarten, pursuant to section 160.053, RSMo, to enter school ready to learn. All moneys deposited in the early childhood development, education and care fund shall be annually appropriated for voluntary, early childhood development, education and care programs serving children in every region of the state not yet enrolled in kindergarten;

(e) No less than sixty percent of moneys deposited in the early childhood development, education and care fund shall be appropriated as provided in this paragraph to the department of elementary and secondary education and to the department of social services to provide early childhood development, education and care programs through competitive grants to, or contracts with, governmental or private agencies. Eighty percent of such moneys pursuant to the provisions of this paragraph and additional moneys as appropriated by the general assembly shall be appropriated to the department of elementary and secondary education and twenty percent of such moneys pursuant to the provisions of this paragraph shall be appropriated to the department of social services. The departments shall provide public notice and information about the grant process to potential applicants.

a. Grants or contracts may be provided for:

- (i) Start-up funds for necessary materials, supplies, equipment and facilities; and
- (ii) Ongoing costs associated with the implementation of a sliding parental fee schedule based on income;

b. Grant and contract applications shall, at a minimum, include:

- (i) A funding plan which demonstrates funding from a variety of sources including parental fees;
- (ii) A child development, education and care plan that is appropriate to meet the needs of children;
- (iii) The identity of any partner agencies or contractual service providers;
- (iv) Documentation of community input into program development;
- (v) Demonstration of financial and programmatic accountability on an annual basis;
- (vi) Commitment to state licensure within one year of the initial grant, if funding comes from the appropriation to the department of elementary and secondary education and commitment to compliance with the requirements of the department of social services, if funding comes from the department of social services; and

(vii) With respect to applications by public schools, the establishment of a parent advisory committee within each public school program;

c. In awarding grants and contracts pursuant to this paragraph, the departments may give preference to programs which:

- (i) Are new or expanding programs which increase capacity;
- (ii) Target geographic areas of high need, namely where the ratio of program slots to children under the age of six in the area is less than the same ratio statewide;
- (iii) Are programs designed for special needs children;
- (iv) Are programs that offer services during nontraditional hours and weekends; or
- (v) Are programs that serve a high concentration of low-income families;

d. Beginning on August 28, 1998, the department of elementary and secondary education and the department of social services shall initiate and conduct a four-year study to evaluate the impact of early childhood development, education and care in this state. The study shall consist of an evaluation of children eligible for moneys pursuant to this paragraph, including an evaluation of the early childhood development, education and care of those children participating in such program and those not participating in the program over a four-year period. At the conclusion of the study, the department of elementary and secondary education and the department of social services shall, within ninety days of conclusion of the study, submit a report to the general assembly and the governor, with an analysis of the study required pursuant to this subparagraph, all data collected, findings, and other information relevant to early childhood development, education and care;

(f) No less than ten percent of moneys deposited in the early childhood development, education and care fund shall be appropriated to the department of social services to provide early childhood development, education and care programs through child development, education and care certificates to families whose income does not exceed one hundred eighty-five percent of the federal poverty level in the manner pursuant to 42 U.S.C. 9858c(c)(2)(A) and 42 U.S.C. 9858n(2) for the purpose of funding early childhood development, education and care programs as approved by the department of social services. At a minimum, the certificate shall be of a value per child which is commensurate with the per child payment under item (ii) of subparagraph a. of paragraph (e) of this subdivision pertaining to the grants

or contracts. On February first of each year the department shall certify the total amount of child development, education and care certificates applied for and the unused balance of the funds shall be released to be used for supplementing the competitive grants and contracts program authorized pursuant to paragraph (e) of this subdivision;

(g) No less than ten percent of moneys deposited in the early childhood development, education and care fund shall be appropriated to the department of social services to increase reimbursements to child-care facilities for low-income children that are accredited by a recognized, early childhood accrediting organization;

(h) No less than ten percent of the funds deposited in the early childhood development, education and care fund shall be appropriated to the department of social services to provide assistance to eligible parents whose family income does not exceed one hundred eighty-five percent of the federal poverty level who wish to care for their children under three years of age in the home, to enable such parent to take advantage of early childhood development, education and care programs for such parent's child or children. At a minimum, the certificate shall be of a value per child which is commensurate with the per child payment under item (ii) of subparagraph a. of paragraph (e) of this subdivision pertaining to the grants or contracts. The department of social services shall provide assistance to these parents in the effective use of early childhood development, education and care tools and methods;

(i) In setting the value of parental certificates under paragraph (f) of this subdivision and payments under paragraph (h) of this subdivision, the department of social services may increase the value based on the following:

a. The adult caretaker of the children successfully participates in the parents as teachers program pursuant to the provisions of sections 178.691 to 178.699, RSMo, a training program provided by the department on early childhood development, education and care, the home-based Head Start program as defined in 42 U.S.C. 9832 or a similar program approved by the department;

b. The adult caretaker consents to and clears a child abuse or neglect screening pursuant to subdivision (1) of subsection 2 of section 210.152, RSMo; and

c. The degree of economic need of the family;

(j) The department of elementary and secondary education and the department of social services each shall by rule promulgated pursuant to chapter 536, RSMo, establish guidelines for the implementation of the early childhood development, education and care programs as provided in paragraphs (e) through (i) of this subdivision;

(k) Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated under the authority delegated in paragraph (j) of this subdivision shall become effective only if the agency has fully complied with all of the requirements of chapter 536, RSMo, including but not limited to, section 536.028, RSMo, if applicable, after August 28, 1998. All rulemaking authority delegated prior to August 28, 1998, is of no force and effect and repealed as of August 28, 1998, however, nothing in this section shall be interpreted to repeal or affect the validity of any rule adopted or promulgated prior to August 28, 1998. If the provisions of section 536.028, RSMo, apply, the provisions of this section are nonseverable and if any of the powers vested with the general assembly pursuant to section 536.028, RSMo, to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule are held unconstitutional or invalid, the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void, except that nothing in this act shall affect the validity of any rule adopted and promulgated prior to August 28, 1998;

(l) When the remaining net proceeds, as such term is used pursuant to paragraph (d) of this subdivision, in the gaming commission fund annually exceeds twenty-seven million dollars, one and one-half million dollars of such proceeds shall be transferred annually, subject to appropriation, to the Missouri college guarantee fund, established pursuant to the provisions of section 173.248, RSMo;

(4) Notwithstanding any other provision of this section to the contrary, the first ten million dollars of additional moneys generated by the increase of the excursion boat admission fee pursuant to section 313.820 from two dollars to three dollars and transferred to the veteran's commission capital improvement trust fund shall be dedicated to the restoration, renovation and maintenance of a memorial museum, or both, dedicated to World War I and located in any municipality with a population greater than four hundred thousand and in part of a county with a population greater than six hundred thousand; and the next fifty thousand dollars of additional moneys generated by said increase of the excursion boat admission fee transferred to the veteran's commission capital improvement trust fund shall be dedicated to any veterans' memorial project operated in any fourth-class city with a population greater than thirty thousand but less than thirty-one thousand located in a county of the first classification with a charter form of government and a population greater than six hundred thousand and less than seven hundred thousand; and all additional moneys generated by said increase in the excursion boat admission fee thereafter shall be dedicated to the veterans' commission capital improvement trust fund as otherwise provided by subdivision (2) of subsection 1 of this section.

2. Upon request by the veterans' commission, the general assembly may appropriate moneys from the veterans' commission capital improvements trust fund to the Missouri national guard trust fund to support the activities described in section 41.958, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Reid requested a division of the question on **House Amendment No. 2 to House Amendment No. 2.**

House Amendment No. 2
to
House Amendment No. 2

PART I

AMEND House Amendment No. 2 to House Committee Substitute for House Bill No. 457, Page 2 of said amendment, Section 313.805, Line 10 of said page, by deleting the opening bracket; and

Further amend Page 2 of said amendment, Section 313.805, Line 11, by deleting the closing bracket; and

Further amend said amendment, Page 6, Section 313.805, Line 13, by adding after all of said line the following:

"313.820. 1. An excursion boat licensee shall pay to the commission an admission fee of [two] **three** dollars for each person embarking on an excursion gambling boat with a ticket of admission. One dollar **and fifty cents** of such fee shall be deposited to the credit of the gaming commission fund as authorized pursuant to section 313.835, and one dollar **and fifty cents** of such fee shall not be considered state funds and shall be paid to the home dock city or county. Subject to appropriation, one cent of such fee deposited to the credit of the gaming commission fund may be deposited to the credit of the compulsive gamblers fund created pursuant to the provisions of section 313.842. Nothing in this section shall preclude any licensee from charging any amount deemed necessary for a ticket of admission to any person embarking on an excursion gambling boat. If tickets are issued which are good for more than one excursion, the admission fee shall be paid to the commission for each person using the ticket on each excursion that the ticket is used. If free passes or complimentary admission tickets are issued, the excursion boat licensee shall pay to the commission the same fee upon these passes or complimentary tickets as if they were sold at the regular and usual admission rate; however, the excursion boat licensee may issue fee-free passes to actual and necessary officials and employees of the licensee or other persons actually working on the excursion gambling boat. The issuance of fee-free passes is subject to the rules of the commission, and a list of all persons to whom the fee-free passes are issued shall be filed with the commission.

2. All licensees are subject to all income taxes, sales taxes, earnings taxes, use taxes, property taxes or any other tax or fee now or hereafter lawfully levied by any political subdivision; however, no other license tax, permit tax, occupation tax, excursion fee, or taxes or fees shall be imposed, levied or assessed exclusively upon licensees by a political subdivision. All state taxes not connected directly to gambling games shall be collected by the department of revenue. Notwithstanding the provisions of section 32.057, RSMo, to the contrary, the department of revenue may furnish and the commission may receive tax information to determine if applicants or licensees are complying with the tax laws of this state; however, any tax information acquired by the commission shall not become public record and shall be used exclusively for commission business.

313.835. 1. All revenue received by the commission from license fees, penalties, administrative fees, reimbursement by any excursion gambling boat operators for services provided by the commission and admission fees authorized pursuant to the provisions of sections 313.800 to 313.850, except that portion of the admission fee, not to exceed one cent, that may be appropriated to the compulsive gamblers fund as provided in section 313.820, shall be deposited in the state treasury to the credit of the "Gaming Commission Fund" which is hereby created for the sole purpose of funding the administrative costs of the commission, subject to appropriation. Moneys deposited into this fund shall not be considered proceeds of gambling operations. Moneys deposited into the gaming commission fund shall be considered state funds pursuant to article IV, section 15 of the Missouri Constitution. All interest received on

the gaming commission fund shall be credited to the gaming commission fund. In each fiscal year, total revenues to the gaming commission fund for the preceding fiscal year shall be compared to total expenditures and transfers from the gaming commission fund for the preceding fiscal year. The remaining net proceeds in the gaming commission fund shall be distributed in the following manner:

(1) The first five hundred thousand dollars shall be appropriated on a per capita basis to cities and counties that match the state portion and have demonstrated a need for funding community neighborhood organization programs for the homeless and to deter gang-related violence and crimes;

(2) The remaining net proceeds in the gaming commission fund for fiscal year 1998 and prior years shall be transferred to the "Veterans' Commission Capital Improvement Trust Fund", as hereby created in the state treasury. The state treasurer shall administer the veterans' commission capital improvement trust fund, and the moneys in such fund shall be used solely, upon appropriation, by the Missouri veterans' commission for:

(a) The construction, maintenance or renovation or equipment needs of veterans' homes in this state;

(b) The construction, maintenance, renovation, equipment needs and operation of veterans' cemeteries in this state;

(c) Fund transfers to Missouri veterans' homes fund established pursuant to the provisions of section 42.121, RSMo, as necessary to maintain solvency of the fund; and

(d) Fund transfers to any municipality with a population greater than four hundred thousand and located in part of a county with a population greater than six hundred thousand in this state which has established a fund for the sole purpose of the restoration, renovation and maintenance of a memorial or museum or both dedicated to World War I. Appropriations from the veterans' commission capital improvement trust fund to such memorial fund shall be provided only as a one-time match for other funds devoted to the project and shall not exceed five million dollars. Additional appropriations not to exceed ten million dollars total may be made from the veterans' commission capital improvement trust fund as a match to other funds for the new construction or renovation of other facilities dedicated as veterans' memorials in the state. All appropriations for renovation, new construction, reconstruction, and maintenance of veterans' memorials shall be made only for applications received by the Missouri veterans' commission prior to July 1, 2004.

Any interest which accrues to the fund shall remain in the fund and shall be used in the same manner as moneys which are transferred to the fund pursuant to this section. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the veterans' commission capital improvement trust fund at the end of any biennium shall not be transferred to the credit of the general revenue fund;

(3) The remaining net proceeds in the gaming commission fund for fiscal year 1999 and each fiscal year thereafter shall be distributed as follows:

(a) Three million dollars shall be transferred to the veterans' commission capital improvement trust fund;

(b) Three million dollars shall be transferred to the Missouri national guard trust fund created in section 41.214, RSMo;

(c) Three million dollars shall be transferred to the Missouri college guarantee fund, established pursuant to the provisions of section 173.248, RSMo, and additional moneys as annually appropriated by the general assembly shall be appropriated to such fund;

(d) Subject to appropriations, one hundred percent of remaining net proceeds in the gaming commission fund except as provided in paragraph (1) of this subdivision, shall be transferred to the "Early Childhood Development, Education and Care Fund" which is hereby created to give parents meaningful choices and assistance in choosing the child-care and education arrangements that are appropriate for their family. All interest received on the fund shall be credited to the fund. Notwithstanding the provisions of section 33.080, RSMo, moneys in the fund at the end of any biennium shall not be transferred to the credit of the general revenue fund. Any moneys deposited in such fund shall be used to support programs that prepare children prior to the age in which they are eligible to enroll in kindergarten, pursuant to section 160.053, RSMo, to enter school ready to learn. All moneys deposited in the early childhood development, education and care fund shall be annually appropriated for voluntary, early childhood development, education and care programs serving children in every region of the state not yet enrolled in kindergarten;

(e) No less than sixty percent of moneys deposited in the early childhood development, education and care fund shall be appropriated as provided in this paragraph to the department of elementary and secondary education and to the department of social services to provide early childhood development, education and care programs through competitive grants to, or contracts with, governmental or private agencies. Eighty percent of such moneys pursuant to the provisions of this paragraph and additional moneys as appropriated by the general assembly shall be appropriated to the department of elementary and secondary education and twenty percent of such moneys pursuant to the provisions of this paragraph

shall be appropriated to the department of social services. The departments shall provide public notice and information about the grant process to potential applicants.

a. Grants or contracts may be provided for:

- (i) Start-up funds for necessary materials, supplies, equipment and facilities; and
- (ii) Ongoing costs associated with the implementation of a sliding parental fee schedule based on income;

b. Grant and contract applications shall, at a minimum, include:

- (i) A funding plan which demonstrates funding from a variety of sources including parental fees;
- (ii) A child development, education and care plan that is appropriate to meet the needs of children;
- (iii) The identity of any partner agencies or contractual service providers;
- (iv) Documentation of community input into program development;
- (v) Demonstration of financial and programmatic accountability on an annual basis;
- (vi) Commitment to state licensure within one year of the initial grant, if funding comes from the appropriation

to the department of elementary and secondary education and commitment to compliance with the requirements of the department of social services, if funding comes from the department of social services; and

(vii) With respect to applications by public schools, the establishment of a parent advisory committee within each public school program;

c. In awarding grants and contracts pursuant to this paragraph, the departments may give preference to programs which:

- (i) Are new or expanding programs which increase capacity;
- (ii) Target geographic areas of high need, namely where the ratio of program slots to children under the age of six in the area is less than the same ratio statewide;

(iii) Are programs designed for special needs children;

(iv) Are programs that offer services during nontraditional hours and weekends; or

(v) Are programs that serve a high concentration of low-income families;

d. Beginning on August 28, 1998, the department of elementary and secondary education and the department of social services shall initiate and conduct a four-year study to evaluate the impact of early childhood development, education and care in this state. The study shall consist of an evaluation of children eligible for moneys pursuant to this paragraph, including an evaluation of the early childhood development, education and care of those children participating in such program and those not participating in the program over a four-year period. At the conclusion of the study, the department of elementary and secondary education and the department of social services shall, within ninety days of conclusion of the study, submit a report to the general assembly and the governor, with an analysis of the study required pursuant to this subparagraph, all data collected, findings, and other information relevant to early childhood development, education and care;

(f) No less than ten percent of moneys deposited in the early childhood development, education and care fund shall be appropriated to the department of social services to provide early childhood development, education and care programs through child development, education and care certificates to families whose income does not exceed one hundred eighty-five percent of the federal poverty level in the manner pursuant to 42 U.S.C. 9858c(c)(2)(A) and 42 U.S.C. 9858n(2) for the purpose of funding early childhood development, education and care programs as approved by the department of social services. At a minimum, the certificate shall be of a value per child which is commensurate with the per child payment under item (ii) of subparagraph a. of paragraph (e) of this subdivision pertaining to the grants or contracts. On February first of each year the department shall certify the total amount of child development, education and care certificates applied for and the unused balance of the funds shall be released to be used for supplementing the competitive grants and contracts program authorized pursuant to paragraph (e) of this subdivision;

(g) No less than ten percent of moneys deposited in the early childhood development, education and care fund shall be appropriated to the department of social services to increase reimbursements to child-care facilities for low-income children that are accredited by a recognized, early childhood accrediting organization;

(h) No less than ten percent of the funds deposited in the early childhood development, education and care fund shall be appropriated to the department of social services to provide assistance to eligible parents whose family income does not exceed one hundred eighty-five percent of the federal poverty level who wish to care for their children under three years of age in the home, to enable such parent to take advantage of early childhood development, education and care programs for such parent's child or children. At a minimum, the certificate shall be of a value per child which is commensurate with the per child payment under item (ii) of subparagraph a. of paragraph (e) of this subdivision pertaining to the grants or contracts. The department of social services shall provide assistance to these parents in the effective use of early childhood development, education and care tools and methods;

(i) In setting the value of parental certificates under paragraph (f) of this subdivision and payments under paragraph (h) of this subdivision, the department of social services may increase the value based on the following:

a. The adult caretaker of the children successfully participates in the parents as teachers program pursuant to the provisions of sections 178.691 to 178.699, RSMo, a training program provided by the department on early childhood development, education and care, the home-based Head Start program as defined in 42 U.S.C. 9832 or a similar program approved by the department;

b. The adult caretaker consents to and clears a child abuse or neglect screening pursuant to subdivision (1) of subsection 2 of section 210.152, RSMo; and

c. The degree of economic need of the family;

(j) The department of elementary and secondary education and the department of social services each shall by rule promulgated pursuant to chapter 536, RSMo, establish guidelines for the implementation of the early childhood development, education and care programs as provided in paragraphs (e) through (i) of this subdivision;

(k) Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated under the authority delegated in paragraph (j) of this subdivision shall become effective only if the agency has fully complied with all of the requirements of chapter 536, RSMo, including but not limited to, section 536.028, RSMo, if applicable, after August 28, 1998. All rulemaking authority delegated prior to August 28, 1998, is of no force and effect and repealed as of August 28, 1998, however, nothing in this section shall be interpreted to repeal or affect the validity of any rule adopted or promulgated prior to August 28, 1998. If the provisions of section 536.028, RSMo, apply, the provisions of this section are nonseverable and if any of the powers vested with the general assembly pursuant to section 536.028, RSMo, to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule are held unconstitutional or invalid, the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void, except that nothing in this act shall affect the validity of any rule adopted and promulgated prior to August 28, 1998;

(l) When the remaining net proceeds, as such term is used pursuant to paragraph (d) of this subdivision, in the gaming commission fund annually exceeds twenty-seven million dollars, one and one-half million dollars of such proceeds shall be transferred annually, subject to appropriation, to the Missouri college guarantee fund, established pursuant to the provisions of section 173.248, RSMo;

(4) Notwithstanding any other provision of this section to the contrary, the first ten million dollars of additional moneys generated by the increase of the excursion boat admission fee pursuant to section 313.820 from two dollars to three dollars and transferred to the veteran's commission capital improvement trust fund shall be dedicated to the restoration, renovation and maintenance of a memorial museum, or both, dedicated to World War I and located in any municipality with a population greater than four hundred thousand and in part of a county with a population greater than six hundred thousand; and the next fifty thousand dollars of additional moneys generated by said increase of the excursion boat admission fee transferred to the veteran's commission capital improvement trust fund shall be dedicated to any veterans' memorial project operated in any fourth-class city with a population greater than thirty thousand but less than thirty-one thousand located in a county of the first classification with a charter form of government and a population greater than six hundred thousand and less than seven hundred thousand; and all additional moneys generated by said increase in the excursion boat admission fee thereafter shall be dedicated to the veterans' commission capital improvement trust fund as otherwise provided by subdivision (2) of subsection 1 of this section.

2. Upon request by the veterans' commission, the general assembly may appropriate moneys from the veterans' commission capital improvements trust fund to the Missouri national guard trust fund to support the activities described in section 41.958, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Boucher, **Part I of House Amendment No. 2 to House Amendment No. 2** was adopted.

House Amendment No. 2
to
House Amendment No. 2

PART II

AMEND House Amendment No. 2 to House Committee Substitute for House Bill No. 457, Page 2 of said amendment, Line 11, by inserting after the word “**excursion**” the following:

"For all excursions prior to January 1, 2002, provided that no limitation on loss shall be in effect on or after January 1, 2001, and provided that any increased state excursion gambling boat proceeds deposited in the gaming proceeds for education fund shall be transferred pursuant to section 160.534, RSMo".

Representative Boucher moved that **Part II of House Amendment No. 2 to House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 001

Ford

NOES: 150

Baker	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Holt	Hoppe
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mays 50
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright

PRESENT: 000

ABSENT WITH LEAVE: 009

Abel	Green 73	Hollingsworth	Hosmer	Long
Mayer	McKenna	Scott	Mr. Speaker	

VACANCIES: 003

Representative Ford moved that **House Amendment No. 2, as amended**, lay on the table.

Which motion was adopted by the following vote:

AYES: 078

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Bray 84
Burcham	Burton	Byrd	Champion	Cierpiot
Cooper	Crawford	Crowell	Cunningham	Dempsey
Dolan	Enz	Fares	Fraser	Froelker
Gaskill	Gratz	Griesheimer	Hanaway	Harlan
Hartzler	Hegeman	Henderson	Hendrickson	Hickey
Hohulin	Holand	Hunter	Jetton	Kelley 47
Kelly 144	King	Legan	Levin	Linton
Lograsso	Luetkemeyer	Marble	Marsh	May 149
Miller	Moore	Murphy	Myers	Naeger
Nordwald	Ostmann	Phillips	Portwood	Purgason
Rector	Reinhart	Richardson	Ridgeway	Roark
Robirds	Ross	Scheve	Schwab	Secrest
Shields	St. Onge	Surface	Townley	Van Zandt
Vogel	Wilson 25	Wright		

NOES: 070

Abel	Baker	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Britt
Brooks	Campbell	Carnahan	Clayton	Coleman
Copenhaver	Crump	Curls	Davis	Farnen
Foley	Ford	Franklin	George	Graham
Green 15	Hagan-Harrell	Hampton	Harding	Haywood
Hilgemann	Holt	Hoppe	Johnson 61	Johnson 90
Jolly	Kelly 27	Kelly 36	Kennedy	Koller
Lawson	Liese	Lowe	Luetkenhaus	Mays 50
McKenna	Monaco	Overschmidt	Ransdall	Reid
Relford	Reynolds	Rizzo	Seigfreid	Selby
Shelton	Shoemyer	Skaggs	Smith	Thompson
Treadway	Troupe	Villa	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 42

PRESENT: 003

Barnitz	Gambaro	Merideth
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ABSENT WITH LEAVE: 009

Green 73	Hollingsworth	Hosmer	Long	Mayer
O'Connor	O'Toole	Scott	Mr. Speaker	

VACANCIES: 003

HCS HB 457, with House Amendment No. 2, as amended, tabled, was laid over.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 759 - Civil and Administrative Law

HB 1012 - Criminal Law

HB 1013 - Sportmanship, Safety and Firearms

COMMITTEE REPORT

Committee on Education-Elementary and Secondary, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **HCR 10**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Concurrent Resolution No. 10

WHEREAS, the original passage of the federal Individuals with Disabilities Education Act (IDEA) in 1975 established a program of free appropriate public education to better enable students with disabilities to achieve their greatest potential; and

WHEREAS, IDEA also represented an advance in civil rights for disabled children through equal protection; and

WHEREAS, Missouri has demonstrated a strong commitment to serving our children with disabilities through provision of special education and related services to over 127,000 students (14.18 percent of public school enrollment); and

WHEREAS, the original intent of the 94th Congress was to fund IDEA at 40% of its cost, but funding has never exceeded 13%; and

WHEREAS, federal law requires school districts to meet federal standards, but Congress has not provided the promised funding necessary to achieve those standards; and

WHEREAS, Missouri and several other states have legal prohibitions on passing unfunded mandates to the local level and therefore must either make up the shortfall or ask local districts to do so and thereby risk litigation; and

WHEREAS, local districts must then cover the mandated expenses of special education and reduce funding for teachers, textbooks and supplies, building maintenance and repair, as well as meet the counterproductive reporting burden which severely reduces teacher availability;

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-first General Assembly, First Regular Session, the Senate concurring therein, hereby urge that before the 107th Congress considers any other education initiatives, that IDEA receive prompt and full funding, and the reporting requirements of IDEA be significantly reduced; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the President of the United States Senate, the Speaker of the United States House of Representatives and every member of the Missouri Congressional delegation.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 353**, entitled:

An act to repeal section 163.011, RSMo 2000, relating to recalculated tax rates for school districts, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 434**, entitled:

An act to repeal sections 191.211 and 191.411, RSMo 2000, relating to funding for department of health programs, and to enact in lieu thereof three new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 486**, entitled:

An act to repeal section 321.703, RSMo 2000, section 321.701 as enacted by senate substitute for senate committee substitute for house committee substitute for house bills nos. 452, 203, 377, 472, 473, 556 & 647, eighty-eighth general assembly, first regular session and section 321.701 as enacted by conference committee substitute for senate substitute no. 2 for house committee substitute for house bills nos. 484, 199 & 72, eighty-eighth general assembly, first regular session, relating to fire protection districts, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 521**, entitled:

An act to repeal section 287.123, RSMo 2000, relating to workers' compensation insurance carriers, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 605**, entitled:

An act to repeal section 384.043, RSMo 2000, relating to surplus lines insurance, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 22**.

Senate Concurrent Resolution No. 22

BE IT RESOLVED by the members of the Senate of the Ninety-first General Assembly, First Regular Session, the House of Representatives concurring therein, that the Missouri Committee on Legislative Research shall prepare and cause to be collated, indexed, printed and bound all acts and resolutions of the Ninety-first General Assembly, First Regular Session, and shall examine the printed copies and compare them with and correct the same by the original rolls, together with an attestation under the hand of the Revisor of Statutes that he has compared the same with the original rolls in his office and has corrected the same thereby; and

BE IT FURTHER RESOLVED that the size and quality of the paper and binding shall be substantially the same used in prior session laws and the size and style of type shall be determined by the Revisor of Statutes; and

BE IT FURTHER RESOLVED that the Joint Committee on Legislative Research is authorized to print and bind copies of the acts and resolutions of the Ninety-first General Assembly, First Regular Session, with appropriate indexing; and

BE IT FURTHER RESOLVED that the Revisor of Statutes is authorized to determine the number of copies to be printed.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Foley, the House adjourned until 10:00 a.m., Wednesday, March 28, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Forty-third Day, Thursday, March 15, 2001, pages 739 and 740, roll call, by showing Representative Copenhaver voting "aye" rather than "no".

Correct House Journal, Forty-fifth Day, Monday, March 26, 2001, page 782, roll call, by showing Representative Liese voting "aye" rather than "absent with leave".

Pages 782 and 783, roll call, by showing Representative Bowman voting "aye" rather than "absent with leave".

Pages 785 and 786, roll call, by showing Representatives Bowman and Naeger voting "aye" rather than "absent with leave".

Pages 787 and 788, roll call, by showing Representative Bowman voting "aye" rather than "absent with leave".

Pages 789 and 790, roll call, by showing Representative Bowman voting "aye" rather than "absent with leave".

Page 793, roll call, by showing Representatives Bowman and Reynolds voting "aye" rather than "absent with leave".

Pages 793 and 794, roll call, by showing Representatives Secrest and Villa voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

APPROPRIATIONS - TRANSPORTATION

Thursday, March 29, 2001, 8:30 am. Hearing Room 7.
Presentations on funding formulas.

BUDGET

Wednesday, March 28, 2001, 8:00 am. Hearing Room 3.
Possible Executive Session.
To be considered - HB 13, HB 18, HB 19

BUDGET

Wednesday, March 28, 2001. Hearing Room 3 upon morning adjournment.
Possible Executive Session.
To be considered - HB 18, HB 19

BUDGET

Thursday, March 29, 2001, 8:00 am. Hearing Room 3.
Possible Executive Session.
To be considered - HB 18, HB 19

CIVIL AND ADMINISTRATIVE LAW

Wednesday, March 28, 2001. Hearing Room 1 upon morning adjournment.
Executive Session may follow. AMENDED.
To be considered - HB 759, HB 898, HB 908, HB 921

CONSERVATION, STATE PARKS AND MINING

Wednesday, March 28, 2001, 8:30 am. Hearing Room 1.
Executive Session may follow.
To be considered - HB 374, HB 379

EDUCATION - ELEMENTARY AND SECONDARY

Wednesday, March 28, 2001, 8:30 am. Hearing Room 4.
To be considered - HB 95, HB 128, HB 131, HB 649, HJR 18, Executive Session - HB 199,
Executive Session - HB 637

EDUCATION - HIGHER

Wednesday, March 28, 2001, 1:15 pm. Hearing Room 5.
Executive Session. To be considered - SB 25

FISCAL REVIEW AND GOVERNMENT REFORM

Wednesday, March 28, 2001. Hearing Room 6 upon morning adjournment.
(Fiscal Note).

To be considered - HB 256, HB 314, HB 501, HB 754, HB 762

JOINT COMMITTEE ON CORRECTIONS

Wednesday, March 28, 2001, 12:30 pm. Senate Committee Room 1.
Organizational meeting.

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, March 28, 2001, 9:30 am. Side gallery.

To be considered - Executive Session - HB 172, Executive Session - HB 186

RETIREMENT

Wednesday, March 28, 2001, 8:00 pm. Hearing Room 1.

To be considered - HB 659, HB 671, HB 672, HB 674

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Wednesday, March 28, 2001. Side gallery upon morning adjournment.
Executive Session.

SPECIAL COMMITTEE ON REDISTRICTING

Wednesday, March 28, 2001, 1:00 pm. Hearing Rooms 2A and 2B.
Organizational meeting.

SUBCOMMITTEE ON TOBACCO SETTLEMENT

Thursday, March 29, 2001. Hearing Room 3 upon adjournment.

To be considered - HB 14

UTILITIES REGULATION

Thursday, March 29, 2001, 8:15 am. Hearing Room 6.

Executive Session may follow.

To be considered - HB 823

HOUSE CALENDAR

FORTY-SEVENTH DAY, WEDNESDAY, MARCH 28, 2001

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 15 & 13 - Crawford
- 2 HJR 11 - Gambaro

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 924, 714, 685, 756, 734 & 518 - Wiggins
- 2 HB 891 - Smith
- 3 HCS HB 457, HA 2, as amended, tabled - Kreider
- 4 HB 915 - Graham
- 5 HB 612, HCA 1 - Ladd Baker
- 6 HB 349 - Hosmer
- 7 HCS HB 824 - Abel
- 8 HCS HB 581 - Ridgeway
- 9 HB 679 - Boykins
- 10 HCS HB 835, 90, 707, 373, 641, 510, 516 & 572 - Britt
- 11 HB 286, HCA 1 & HCA 2 - Smith
- 12 HCS HB 280, 69, 497 & 689 - Hoppe
- 13 HB 527 - Luetkenhaus
- 14 HB 736 - Liese
- 15 HB 366 - Champion
- 16 HB 678 - Seigfreid
- 17 HB 436 - Merideth
- 18 HCS HB 472 - Burton
- 19 HCS HB 488 - Koller
- 20 HB 592 - Williams
- 21 HCS HB 660 - Hagan-Harrell

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HB 882 - Crump

HOUSE BILLS FOR PERFECTION - CONSENT

(March 15, 2001)

- 1 HB 949 - Barry
- 2 HB 725 - Britt
- 3 HB 590 - Graham
- 4 HB 648 - Ostmann
- 5 HB 664 - Skaggs
- 6 HB 897 - Kreider
- 7 HB 716 - Burton
- 8 HB 796 - Hosmer
- 9 HB 865 - Davis
- 10 HB 458 - Lawson
- 11 HB 805 - Mayer
- 12 HB 821 - Hosmer

- 13 HB 285 - Riback Wilson (25)
- 14 HB 816 - Kennedy
- 15 HB 644 - Burton

(March 22, 2001)

- 1 HB 52 - Ward
- 2 HB 498 - Wagner
- 3 HB 704 - Gambaro
- 4 HB 922 - Gaskill
- 5 HB 951 - Gratz
- 6 HB 596 - Kennedy
- 7 HB 745 - Farnen
- 8 HB 945 - Hosmer
- 9 HB 909 - Davis
- 10 HB 606 - Kennedy
- 11 HB 955 - Green (73)
- 12 HB 410 - Holt
- 13 HB 402 - Boucher
- 14 HB 84 - Richardson
- 15 HB 954 - Hosmer
- 16 HB 825 - Kennedy
- 17 HB 881 - Scott
- 18 HB 408 - Kelley (47)
- 19 HB 933 - Reid
- 20 HB 904 - Merideth

HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 HCR 4, (3-26-01, pages 799 & 800) - Williams
- 2 HCR 10, (3-27-01) - Holand

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 754, 29, 300 & 505, (Fiscal Review 3-15-01) - Franklin
- 2 HS HCS HB 762, (Fiscal Review 3-15-01) - Barry
- 3 HB 501, (Fiscal Review 3-15-01) - Bowman
- 4 HB 314, (Fiscal Review 3-15-01) - Nordwald
- 5 HS HCS HB 327 - Rizzo

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 626 - Hosmer
- 2 HB 693 - Smith
- 3 HB 769 - Harlan
- 4 HB 537 - Ostmann
- 5 HB 544 - Holand
- 6 HB 318 - O'Toole
- 7 HB 385 - Franklin

SENATE CONCURRENT RESOLUTION FOR SECOND READING

SCR 22

SENATE BILLS FOR SECOND READING

- 1 SB 353
- 2 SB 434
- 3 SCS SB 486
- 4 SB 521
- 5 SB 605

SENATE BILL FOR THIRD READING

SB 256, HCA 1, E.C. (Fiscal Review 3-14-01) - O'Toole

HOUSE RESOLUTION

HR 152, (3-1-01, page 557) - Harlan

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

FORTY-SEVENTH DAY, WEDNESDAY, MARCH 28, 2001

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Almighty God: You power is displayed in all of Your creation. Help us, in this corner of Your world, in Missouri, to count our blessings. Grant to these men and women of the House, the patience needed to contend with the clamor of competing voices, and the ability to break with private goals often enough to ease some burden or right some wrong.

Keep their values strong and help them to use their power to care for those dependent upon the justice and mercy of our state; to You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Lauren Beasley, Lindsey Beasley, Tim Clark, Tim Dulin, Chris Werkmeister, Nikki Bisel, John Schwartz, Hannah Schwartz, Jeffrey Schwartz, Kent Branson, Kyle Branson, Kristy Branson, Kole Branson, Kristin Henke, Amanda Harris and Frank Weimer.

The Journal of the forty-sixth day was approved as printed by the following vote:

AYES: 152

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mays 50	McKenna	Merideth	Miller

Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Villa	Vogel	Wagner
Ward	Wiggins	Williams	Willoughby	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Baker	Harlan	Kelly 27	Kelly 36	Mayer
Van Zandt	Walton	Wilson 25		

VACANCIES: 003

Lauren Halfaker, VFW essay winner, addressed the House.

Representative Shields moved that Lauren Halfaker's essay appear in the Journal.

Which motion was adopted.

What Price Freedom?

She sits alone at her kitchen table, flipping through the weekly newspaper, just as she has for the past ten years. She scans the ads to see what is on sale this week at her grocery store. She notices that sugar is only 55 cents a pound, and green beans three cans for a dollar, so she adds these to her grocery list. She flips back to the front page and the headline catches her eye: "Seventeen killed in the explosion of USS Cole." The newsprint blurs as she feels the hot sting of tears.

The tea kettle whistles, but she is unaware, lost in the details of the article. Grandma feels familiar emotions from the past leap upon her. She remembers the agony of waiting after the 1967 explosion on the USS Forrestal. She relives the days spent sitting by the telephone and the nights spent watching the television reports after her son was listed as missing in action, praying that he would be found alive. The grief that she went through once his death was confirmed lingers still.

Her generation has first hand experience of the cost of war. Hitler, World War II, and the Korean War, are not just facts from a history book to her. She is truly one of Tom Brokaw's "Greatest Generation." She traveled to Norfolk, Virginia to marry my grandpa, who was training troupes for WW II. She has clear memories of Pearl Harbor and D-Day, and the horrors they learned after the war ended about Hitler's treatment of the Jews. Years later she watched her son go off to fight in Vietnam. She searched the news daily for information about the war, only to have her worst fears realized when he became a casualty.

With these life experiences, it is hard not to feel the effects of freedom's price. A life is lost in an instant, but the loss is felt for years. It took away not only her son, but also her future daughter-in-law and grandchildren. To others, a brother, friend, neighbor, and a good man was lost without warning. This scene has been replayed in many families across our country. Even though many other men did not lose their life in the war, they did lose their innocence, for their daily lives are still interrupted by the sights, sounds, smells, and feelings of war permanently etched upon their minds. These are the ones who financed the freedom I enjoy.

I am part of a generation that does not remember America ever being at war. The wars in Bosnia or the civil wars in Africa, are just events I see on television or discuss in current events class. I am grateful that no recent war has been fought on U.S. soil, but it means that I and others in my generation may not fully understand the price of freedom. We've read the facts and seen the Hollywood movies, but that is a far stretch from the reality of loss. To many teenagers, the price of freedom is nothing. It is taken for granted.

In his book Brave New World, Aldous Huxley shows us that the problem of living in a perfect world is that you can't appreciate something without feeling the reverse. He communicates the idea that you have to experience sadness to appreciate joy and pain to enjoy your health. I feel that same concept applies to freedom. In other words, if freedom is all that you've ever known, it won't have the same value to you as it would to someone who has had to struggle or fight to become free. My grandmother endured the heartache along with the victory, and because of this she values her freedom.

For many, freedom is taken for granted, because they have never experienced a threat to it. There has been no personal sacrifice required to protect their liberty. I also must look to my grandmother to learn from her life. She can tell me what price freedom is. Because she lives it every day. The dear price of freedom paid in the lives of honorable men and women who have faced atrocities and lost their lives or been permanently changed because of it. To these heroes, we owe a debt of understanding, compassion, kindness and respect. There is no way to reconcile the losses, but we can honor them in our hearts, minds, and actions. No memorial to any life lost can compensate for that loss, but it can serve as a reminder of what freedom's price is. So that some can learn about the price that others, like my grandma, will never forget.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1021	-	Representatives Ridgeway and Reinhart
House Resolution No. 1022	-	Representative Britt
House Resolution No. 1023	-	Representatives Scott and Boatright
House Resolution No. 1024	-	Representative Green (73), et al
House Resolution No. 1025	-	Representative Van Zandt
House Resolution No. 1026	-	Representative Luetkemeyer
House Resolution No. 1027	-	Representative Portwood
House Resolution No. 1028	-	Representative Hohulin

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 22 was read the second time.

SECOND READING OF SENATE BILLS

SB 353, SB 434, SCS SB 486, SB 521 and SB 605 were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 70, HCS HB 106, HB 120, HCS HB 274, HB 471, HCS HBs 533 & 724 and HB 662**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

THIRD READING OF HOUSE BILLS - CONSENT

HB 626, relating to marriage licenses, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HB 626** was read the third time and passed by the following vote:

AYES: 151

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker	Ballard	Gratz	Hartzler	Hohulin
Holand	Linton	Mayer	Scott	

VACANCIES: 003

Speaker Kreider declared the bill passed.

HB 693, relating to administrative hearing commission, was taken up by Representative Smith.

On motion of Representative Smith, **HB 693** was read the third time and passed by the following vote:

AYES: 153

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mays 50	McKenna	Merideth	Miller	Monaco
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 002

Hoppe	Hosmer
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PRESENT: 000

ABSENT WITH LEAVE: 005

Baker	Gratz	Kelly 27	Mayer	Moore
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VACANCIES: 003

Speaker Kreider declared the bill passed.

HB 769, relating to higher education savings program, was taken up by Representative Harlan.

On motion of Representative Harlan, **HB 769** was read the third time and passed by the following vote:

AYES: 157

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mays 50
McKenna	Merideth	Miller	Monaco	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Gratz Mayer Moore

VACANCIES: 003

Speaker Kreider declared the bill passed.

HB 537, relating to marriage, was taken up by Representative Ostmann.

On motion of Representative Ostmann, **HB 537** was read the third time and passed by the following vote:

AYES: 150

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mays 50	McKenna
Merideth	Miller	Monaco	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 001

Murphy

ABSENT WITH LEAVE: 009

Behnen	Ford	Gratz	Harlan	Hickey
Kelly 144	Linton	Mayer	Moore	

VACANCIES: 003

Speaker Kreider declared the bill passed.

PERFECTION OF HOUSE BILLS

HB 891, relating to disclosure of health information, was placed on the Informal Calendar.

HB 915, relating to sovereign immunity, was taken up by Representative Graham.

Representative Lograsso offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 915, Page 1, Section 537.617, Line 11, by adding at the end of said line the following:

“4. The provisions of this section shall, without limitation, apply to the Missouri State Capitol Building.”.

On motion of Representative Lograsso, **House Amendment No. 1** was adopted.

Representative Monaco offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 915, Page 1, Section A, Line 11, by adding the following after said line:

“5. The claimant herein shall be entitled to a jury trial in state court.”.

Representative Smith assumed the Chair.

Representative Monaco moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 077

Abel	Baker	Barry 100	Berkowitz	Bland
Bonner	Boucher	Boykins	Bray 84	Britt
Brooks	Carnahan	Clayton	Coleman	Copenhaver
Crump	Curls	Davis	Farnen	Franklin
Gambaro	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Harlan
Haywood	Hickey	Hilgemann	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Kelly 27	Kelly 36	Kennedy	Koller	Lawson
Liese	Lowe	Luetkenhaus	Mays 50	McKenna
Monaco	Moore	O'Connor	O'Toole	Overschmidt
Ransdall	Relford	Reynolds	Scheve	Selby
Shelton	Shoemyer	Skaggs	Smith	Thompson
Troupe	Van Zandt	Villa	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 076

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Behnen	Berkstresser	Black	Boatright
Burcham	Burton	Byrd	Campbell	Champion
Cierpiot	Cooper	Crawford	Crowell	Cunningham

Dempsey	Dolan	Enz	Fares	Froelker
Gaskill	Griesheimer	Hanaway	Hartzler	Hegeman
Henderson	Hendrickson	Hohulin	Holand	Hunter
Jetton	Kelley 47	Kelly 144	King	Legan
Levin	Linton	Lograsso	Luetkemeyer	Marble
Marsh	May 149	Merideth	Miller	Murphy
Myers	Naeger	Nordwald	Ostmann	Phillips
Portwood	Purgason	Rector	Reid	Reinhart
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Schwab	Scott	Secrest	Seigfreid
Shields	St. Onge	Surface	Townley	Vogel
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 007

Bowman	Foley	Ford	Fraser	Long
Mayer	Treadway			

VACANCIES: 003

On motion of Representative Graham, **HB 915, as amended**, was ordered perfected and printed.

PERFECTION OF HOUSE JOINT RESOLUTION

HJR 11, relating to the city of St. Louis, was taken up by Representative Gambaro.

Representative Gambaro offered **HS HJR 11**.

Representative Ford offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Joint Resolution No. 11, Page 2, Section 31, Line 9, by inserting after the word "state." the following:

"All city-wide officials in the city of St. Louis, including the school board members, recorder of deeds, public administrator, circuit clerk, collector of revenue, license collector, treasurer, comptroller, president of the board of aldermen, and sheriff, shall be appointed by the mayor of the city of St. Louis."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Ford moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

On motion of Representative Gambaro, **HS HJR 11** was adopted.

On motion of Representative Gambaro, **HS HJR 11** was ordered perfected and printed.

On motion of Representative Crump, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Kreider.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Catherine Gambaro, Maxwell Ostermeyer, Allison Krull, Claire Dapron, Margaret Gambaro, Mason Ostermeyer, Laura Krull and Brittany Cohoon.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1029 - Representative Ransdall
House Resolution No. 1030 - Representative Crawford
House Resolution No. 1031 - Representative Farnen
House Resolution No. 1032 - Representative Mayer
House Resolution No. 1033 - Representative Harding, et al

COMMITTEE REPORTS

Committee on Fiscal Review and Government Reform, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **SB 256**, (Fiscal Note) begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HB 314**, (Fiscal Note) begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HB 501**, (Fiscal Note) begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS HBs 754, 29, 300 & 505**, (Fiscal Note) begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HB 762**, (Fiscal Note) begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE BILLS - CONSENT

HB 544, relating to physician medical records, was taken up by Representative Holand.

On motion of Representative Holand, **HB 544** was read the third time and passed by the following vote:

AYES: 148

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Hegeman
Henderson	Hendrickson	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 002

Lograsso Murphy

PRESENT: 000

ABSENT WITH LEAVE: 010

Bowman	Byrd	Cierpiot	Ford	Haywood
Hickey	Kelly 27	Mayer	Reinhart	Townley

VACANCIES: 003

Speaker Kreider declared the bill passed.

HB 318, relating to public employee retirement, was taken up by Representative O'Toole.

On motion of Representative O'Toole, **HB 318** was read the third time and passed by the following vote:

AYES: 151

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Haywood
Hegeman	Henderson	Hendrickson	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Boucher	Bowman	Ford	Hartzler	Hickey
Kelly 27	Mayer	Reinhart	Townley	

VACANCIES: 003

Speaker Kreider declared the bill passed.

HB 385, relating to school retirement systems, was taken up by Representative Franklin.

On motion of Representative Franklin, **HB 385** was read the third time and passed by the following vote:

AYES: 153

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen

Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 001

Murphy

ABSENT WITH LEAVE: 006

Bowman	Ford	Hickey	Kelly 27	Mayer
Townley				

VACANCIES: 003

Speaker Kreider declared the bill passed.

PERFECTION OF HOUSE BILL

HB 612, with House Committee Amendment No. 1, relating to community first commission, was taken up by Representative Ladd Baker.

Representative Ladd Baker offered **HS HB 612**.

Representative Graham offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Bill No. 612, Page 5, Section 208.813, Line 2, by deleting “**Community First Commission**” and inserting in lieu thereof “**Olmstead Commission**”; and

Further amend said substitute, Page 5, Section 208.813, Line 7, by deleting “**community first commission**” and inserting in lieu thereof “**Olmstead commission**”; and

Further amend said substitute, Page 5, Section 208.813, Line 12, by deleting “**community first commission**” and inserting in lieu thereof “**Olmstead commission**”; and

Further amend said substitute, Page 5, Section 208.813, Line 22, by deleting “**community first commission**” and inserting in lieu thereof “**Olmstead commission**”; and

Further amend said substitute, Page 5, Section 208.813, Line 23, by deleting “**twenty-one**” and inserting in lieu thereof “**twenty-two**”; and

Further amend said substitute, Page 6, Section 208.813, Line 21, by inserting after the word “**senate.**” the following: “**(10) One member of the judiciary.**”; and

Further amend said substitute, Page 7, Section 208.813, Line 15, by deleting “**community first commission**” and inserting in lieu thereof “**Olmstead commission**”.

Representative Graham moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Graham offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Substitute for House Bill No. 612, Page 7, Section 208.816, Line 17, by deleting said section; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Graham, **House Amendment No. 2** was adopted.

Representative Lograsso offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Substitute for House Bill No. 612, Page 6, Section 208.813, Line 4, by deleting the “;” and adding in lieu thereof the following:

“**and also including those related to developmental disabilities;**”; and

Further amend said section and page, Line 17, by deleting the word “**both**” and inserting in lieu thereof the words “**each of the two major**”; and

Further amend said section and page, Line 20, by deleting the word “**both**” and inserting in lieu thereof the words “**each of the two major**”.

On motion of Representative Lograsso, **House Amendment No. 3** was adopted.

Representative Ward offered **House Amendment No. 4**.

House Amendment No. 4 was withdrawn.

Representative Scott offered **House Amendment No. 4**.

House Amendment No. 4 was withdrawn.

Representative Hollingsworth offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Bill No. 612, Page 4, Section 208.146, Line 19, by inserting after the word “**section**” the following:

“208.151. 1. For the purpose of paying medical assistance on behalf of needy persons and to comply with Title XIX, Public Law 89-97, 1965 amendments to the federal Social Security Act (42 U.S.C. section 301 et seq.) as amended, the following needy persons shall be eligible to receive medical assistance to the extent and in the manner hereinafter provided:

- (1) All recipients of state supplemental payments for the aged, blind and disabled;
- (2) All recipients of aid to families with dependent children benefits, including all persons under nineteen years of age who would be classified as dependent children except for the requirements of subdivision (1) of subsection 1 of section 208.040;
- (3) All recipients of blind pension benefits;
- (4) All persons who would be determined to be eligible for old age assistance benefits, permanent and total disability benefits, or aid to the blind benefits under the eligibility standards in effect December 31, 1973, or less restrictive standards as established by rule of the division of family services, who are sixty-five years of age or over and are patients in state institutions for mental diseases or tuberculosis;
- (5) All persons under the age of twenty-one years who would be eligible for aid to families with dependent children except for the requirements of subdivision (2) of subsection 1 of section 208.040, and who are residing in an intermediate care facility, or receiving active treatment as inpatients in psychiatric facilities or programs, as defined in 42 U.S.C. 1396d, as amended;
- (6) All persons under the age of twenty-one years who would be eligible for aid to families with dependent children benefits except for the requirement of deprivation of parental support as provided for in subdivision (2) of subsection 1 of section 208.040;
- (7) All persons eligible to receive nursing care benefits;
- (8) All recipients of family foster home or nonprofit private child-care institution care, subsidized adoption benefits and parental school care wherein state funds are used as partial or full payment for such care;
- (9) All persons who were recipients of old age assistance benefits, aid to the permanently and totally disabled, or aid to the blind benefits on December 31, 1973, and who continue to meet the eligibility requirements, except income, for these assistance categories, but who are no longer receiving such benefits because of the implementation of Title XVI of the federal Social Security Act, as amended;
- (10) Pregnant women who meet the requirements for aid to families with dependent children, except for the existence of a dependent child in the home;
- (11) Pregnant women who meet the requirements for aid to families with dependent children, except for the existence of a dependent child who is deprived of parental support as provided for in subdivision (2) of subsection 1 of section 208.040;

(12) Pregnant women or infants under one year of age, or both, whose family income does not exceed an income eligibility standard equal to one hundred eighty-five percent of the federal poverty level as established and amended by the federal Department of Health and Human Services, or its successor agency;

(13) Children who have attained one year of age but have not attained six years of age who are eligible for medical assistance under 6401 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989). The division of family services shall use an income eligibility standard equal to one hundred thirty-three percent of the federal poverty level established by the Department of Health and Human Services, or its successor agency;

(14) Children who have attained six years of age but have not attained nineteen years of age. For children who have attained six years of age but have not attained nineteen years of age, the division of family services shall use an income assessment methodology which provides for eligibility when family income is equal to or less than equal to one hundred percent of the federal poverty level established by the Department of Health and Human Services, or its successor agency. As necessary to provide Medicaid coverage [under] **pursuant to** this subdivision, the department of social services may revise the state Medicaid plan to extend coverage under 42 U.S.C. 1396a (a)(10)(A)(i)(III) to children who have attained six years of age but have not attained nineteen years of age as permitted by paragraph (2) of subsection (n) of 42 U.S.C. 1396d using a more liberal income assessment methodology as authorized by paragraph (2) of subsection (r) of 42 U.S.C. 1396a;

(15) The following children with family income which does not exceed two hundred percent of the federal poverty guideline for the applicable family size:

(a) Infants who have not attained one year of age with family income greater than one hundred eighty-five percent of the federal poverty guideline for the applicable family size;

(b) Children who have attained one year of age but have not attained six years of age with family income greater than one hundred thirty-three percent of the federal poverty guideline for the applicable family size; and

(c) Children who have attained six years of age but have not attained nineteen years of age with family income greater than one hundred percent of the federal poverty guideline for the applicable family size. Coverage [under] **pursuant to** this subdivision shall be subject to the receipt of notification by the director of the department of social services and the revisor of statutes of approval from the secretary of the U.S. Department of Health and Human Services of applications for waivers of federal requirements necessary to promulgate regulations to implement this subdivision. The director of the department of social services shall apply for such waivers. The regulations may provide for a basic primary and preventive health care services package, not to include all medical services covered by section 208.152, and may also establish co-payment, coinsurance, deductible, or premium requirements for medical assistance [under] **pursuant to** this subdivision. Eligibility for medical assistance [under] **pursuant to** this subdivision shall be available only to those infants and children who do not have or have not been eligible for employer-subsidized health care insurance coverage for the six months prior to application for medical assistance. Children are eligible for employer-subsidized coverage through either parent, including the noncustodial parent. The division of family services may establish a resource eligibility standard in assessing eligibility for persons [under] **pursuant to** this subdivision. The division of medical services shall define the amount and scope of benefits which are available to individuals [under] **pursuant to** this subdivision in accordance with the requirement of federal law and regulations. Coverage [under] **pursuant to** this subdivision shall be subject to appropriation to provide services approved [under] **pursuant to** the provisions of this subdivision;

(16) The division of family services shall not establish a resource eligibility standard in assessing eligibility for persons [under] **pursuant to** subdivision (12), (13) or (14) of this subsection. The division of medical services shall define the amount and scope of benefits which are available to individuals eligible [under] **pursuant to** each of the subdivisions (12), (13), and (14) of this subsection, in accordance with the requirements of federal law and regulations promulgated thereunder except that the scope of benefits shall include case management services;

(17) Notwithstanding any other provisions of law to the contrary, ambulatory prenatal care shall be made available to pregnant women during a period of presumptive eligibility pursuant to 42 U.S.C. section 1396r-1, as amended;

(18) A child born to a woman eligible for and receiving medical assistance [under] **pursuant to** this section on the date of the child's birth shall be deemed to have applied for medical assistance and to have been found eligible for such assistance under such plan on the date of such birth and to remain eligible for such assistance for a period of time determined in accordance with applicable federal and state law and regulations so long as the child is a member of the woman's household and either the woman remains eligible for such assistance or for children born on or after January 1, 1991, the woman would remain eligible for such assistance if she were still pregnant. Upon notification of such child's birth, the division of family services shall assign a medical assistance eligibility identification number to the child

so that claims may be submitted and paid under such child's identification number;

(19) Pregnant women and children eligible for medical assistance pursuant to subdivision (12), (13) or (14) of this subsection shall not as a condition of eligibility for medical assistance benefits be required to apply for aid to families with dependent children. The division of family services shall utilize an application for eligibility for such persons which eliminates information requirements other than those necessary to apply for medical assistance. The division shall provide such application forms to applicants whose preliminary income information indicates that they are ineligible for aid to families with dependent children. Applicants for medical assistance benefits [under] **pursuant to** subdivision (12), (13) or (14) shall be informed of the aid to families with dependent children program and that they are entitled to apply for such benefits. Any forms utilized by the division of family services for assessing eligibility [under] **pursuant to** this chapter shall be as simple as practicable;

(20) Subject to appropriations necessary to recruit and train such staff, the division of family services shall provide one or more full-time, permanent case workers to process applications for medical assistance at the site of a health care provider, if the health care provider requests the placement of such case workers and reimburses the division for the expenses including but not limited to salaries, benefits, travel, training, telephone, supplies, and equipment, of such case workers. The division may provide a health care provider with a part-time or temporary case worker at the site of a health care provider if the health care provider requests the placement of such a case worker and reimburses the division for the expenses, including but not limited to the salary, benefits, travel, training, telephone, supplies, and equipment, of such a case worker. The division may seek to employ such case workers who are otherwise qualified for such positions and who are current or former welfare recipients. The division may consider training such current or former welfare recipients as case workers for this program;

(21) Pregnant women who are eligible for, have applied for and have received medical assistance [under] **pursuant to** subdivision (2), (10), (11) or (12) of this subsection shall continue to be considered eligible for all pregnancy-related and postpartum medical assistance provided [under] **pursuant to** section 208.152 until the end of the sixty-day period beginning on the last day of their pregnancy;

(22) Case management services for pregnant women and young children at risk shall be a covered service. To the greatest extent possible, and in compliance with federal law and regulations, the department of health shall provide case management services to pregnant women by contract or agreement with the department of social services through local health departments organized [under] **pursuant to** the provisions of chapter 192, RSMo, or chapter 205, RSMo, or a city health department operated under a city charter or a combined city-county health department or other department of health designees. To the greatest extent possible the department of social services and the department of health shall mutually coordinate all services for pregnant women and children with the crippled children's program, the prevention of mental retardation program and the prenatal care program administered by the department of health. The department of social services shall by regulation establish the methodology for reimbursement for case management services provided by the department of health. For purposes of this section, the term "case management" shall mean those activities of local public health personnel to identify prospective Medicaid-eligible high-risk mothers and enroll them in the state's Medicaid program, refer them to local physicians or local health departments who provide prenatal care under physician protocol and who participate in the Medicaid program for prenatal care and to ensure that said high-risk mothers receive support from all private and public programs for which they are eligible and shall not include involvement in any Medicaid prepaid, case-managed programs;

(23) By January 1, 1988, the department of social services and the department of health shall study all significant aspects of presumptive eligibility for pregnant women and submit a joint report on the subject, including projected costs and the time needed for implementation, to the general assembly. The department of social services, at the direction of the general assembly, may implement presumptive eligibility by regulation promulgated pursuant to chapter 207, RSMo;

(24) All recipients who would be eligible for aid to families with dependent children benefits except for the requirements of paragraph (d) of subdivision (1) of section 208.150;

(25) All persons who would be determined to be eligible for old age assistance benefits, permanent and total disability benefits, or aid to the blind benefits, under the eligibility standards in effect December 31, 1973, [or those supplemental security income recipients who would be determined eligible for general relief benefits under the eligibility standards in effect December 31, 1973, except income; or less restrictive standards as established by rule of the division of family services.] **except that less restrictive income methodologies, as authorized under 42 U.S.C. 1396a (r) (2), shall be used to raise the income limit to one hundred percent of the federal poverty level.** If federal law or regulation authorizes the division of family services to, by rule, exclude the income or resources of a parent or parents of a person under the age of eighteen and such exclusion of income or resources can be limited to such parent or parents,

then notwithstanding the provisions of section 208.010:

(a) The division may by rule exclude such income or resources in determining such person's eligibility for permanent and total disability benefits; and

(b) Eligibility standards for permanent and total disability benefits shall not be limited by age;

(26) Within thirty days of the effective date of an initial appropriation authorizing medical assistance on behalf of "medically needy" individuals for whom federal reimbursement is available under 42 U.S.C. 1396a (a)(10)(c), the department of social services shall submit an amendment to the Medicaid state plan to provide medical assistance on behalf of, at a minimum, an individual described in subclause (I) or (II) of clause 42 U.S.C. 1396a (a)(10)(C)(ii).

2. Rules and regulations to implement this section shall be promulgated in accordance with section 431.064, RSMo, and chapter 536, RSMo. No rule or portion of a rule promulgated [under] **pursuant to** the authority of this chapter shall become effective unless it has been promulgated pursuant to the provisions of [section 536.024] **chapter 536**, RSMo.

3. After December 31, 1973, and before April 1, 1990, any family eligible for assistance pursuant to 42 U.S.C. 601 et seq., as amended, in at least three of the last six months immediately preceding the month in which such family became ineligible for such assistance because of increased income from employment shall, while a member of such family is employed, remain eligible for medical assistance for four calendar months following the month in which such family would otherwise be determined to be ineligible for such assistance because of income and resource limitation. After April 1, 1990, any family receiving aid pursuant to 42 U.S.C. 601 et seq., as amended, in at least three of the six months immediately preceding the month in which such family becomes ineligible for such aid, because of hours of employment or income from employment of the caretaker relative, shall remain eligible for medical assistance for six calendar months following the month of such ineligibility as long as such family includes a child as provided in 42 U.S.C. 1396r-6. Each family which has received such medical assistance during the entire six-month period described in this section and which meets reporting requirements and income tests established by the division and continues to include a child as provided in 42 U.S.C. 1396r-6 shall receive medical assistance without fee for an additional six months. The division of medical services may provide by rule the scope of medical assistance coverage to be granted to such families.

4. For purposes of section 1902(1), (10) of Title XIX of the federal Social Security Act, as amended, any individual who, for the month of August, 1972, was eligible for or was receiving aid or assistance pursuant to the provisions of Titles I, X, XIV, or Part A of Title IV of such act and who, for such month, was entitled to monthly insurance benefits under Title II of such act, shall be deemed to be eligible for such aid or assistance for such month thereafter prior to October, 1974, if such individual would have been eligible for such aid or assistance for such month had the increase in monthly insurance benefits under Title II of such act resulting from enactment of Public Law 92-336 amendments to the federal Social Security Act (42 U.S.C. 301 et seq.), as amended, not been applicable to such individual.

5. When any individual has been determined to be eligible for medical assistance, such medical assistance will be made available to him **or her** for care and services furnished in or after the third month before the month in which he **or she** made application for such assistance if such individual was, or upon application would have been, eligible for such assistance at the time such care and services were furnished; provided, further, that such medical expenses remain unpaid.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hollingsworth, **House Amendment No. 4** was adopted.

Representative Portwood offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Bill No. 612, Page 4, Section 208.146, Line 7, by inserting after the number “6.”, the following:

“If the department elects to pay employer-sponsored insurance pursuant to subsection 4 of this section then”.

On motion of Representative Portwood, **House Amendment No. 5** was adopted.

Representative Ward offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for House Bill No. 612, Page 5, Section 208.813, Line 23, by deleting “**twenty-one**” and inserting in lieu thereof “**twenty-four**”; and

Further amend said substitute, Page 6, Section 208.813, Line 21, by inserting after the word “**senate**” the following:

- “(10) **The President of ARC of Missouri;**
- (11) The Director of the Division of Extended Employment; and**
- (12) One member of the judiciary.”; and**

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Ward, **House Amendment No. 6** was adopted.

Representative Purgason offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Substitute for House Bill No. 612, Page 2, Section 208.146, Line 6, by inserting after the phrase “**spousal assets**” the following: “**up to \$100,000**”; and

Further amend said substitute, Page 1, Section 208.146, Line 22, by inserting after the word “**spouse**” the following: “**up to \$100,000**”.

On motion of Representative Purgason, **House Amendment No. 7** was adopted.

On motion of Representative Ladd Baker, **HS HB 612, as amended**, was adopted.

On motion of Representative Ladd Baker, **HS HB 612, as amended**, was ordered perfected and printed.

THIRD READING OF SENATE BILL

SB 256, with House Committee Amendment No. 1, relating to political subdivisions, was taken up by Representative O'Toole.

On motion of Representative O'Toole, **House Committee Amendment No. 1** was adopted.

Representative O'Toole offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Bill No. 256, Page 2, Section 644.572, Lines 1 to 5, by striking all of said lines; and

Further amend said bill and page, Section 644.574, Lines 1 to 5, by striking all of said lines; and

Further amend said bill and page, Section 644.576, Lines 1 to 5, by striking all of said lines and inserting in lieu thereof the following:

"Section 1. In addition to those sums authorized prior to August 28, 2002, the board of fund commissioners of the state of Missouri, as authorized by section 37(e) of article III of the Constitution of the state of Missouri, may borrow on the credit of this state the sum of ten million dollars in the manner described, and for the purposes set out, in chapter 640, RSMo, and this chapter.

Section 2. In addition to those sums authorized prior to August 28, 2002, the board of fund commissioners of the state of Missouri, as authorized by section 37(g) of article III of the Constitution of the state of Missouri, may borrow on the credit of this state the sum of ten million dollars in the manner described, and for the purposes set out, in chapter 640, RSMo, and in this chapter.

Section 3. In addition to those sums authorized prior to August 28, 2002, the board of fund commissioners of the state of Missouri, as authorized by section 37(h) of article III of the Constitution of the state of Missouri, may borrow on the credit of this state the sum of twenty million dollars in the manner described, and for the purposes set out, in chapter 640, RSMo, and in this chapter."; and

Further amend the title and enacting clause accordingly.

On motion of Representative O'Toole, **House Amendment No. 1** was adopted.

On motion of Representative O'Toole, **SB 256, as amended**, was read the third time and passed by the following vote:

AYES: 148

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Rizzo	Roark	Robirds	Ross	Scheve

Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 001

Murphy

ABSENT WITH LEAVE: 011

Baker	Bowman	Boykins	Dolan	Ford
Hegeman	Holand	Kelly 27	Mayer	Ridgeway
Treadway				

VACANCIES: 003

Speaker Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 139

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Bonner	Boucher
Bray 84	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Harding	Harlan
Hartzler	Haywood	Henderson	Hickey	Hilgemann
Hollingsworth	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 008

Hanaway	Hendrickson	Hohulin	Hunter	Kelly 144
Murphy	Rector	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 013

Baker	Boatright	Bowman	Boykins	Dolan
Ford	Hegeman	Holand	Kelly 27	Lograsso
Mayer	Ridgeway	Treadway		

VACANCIES: 003

PERFECTION OF HOUSE BILLS

HCS HB 824, relating to prescription drugs for seniors, was taken up by Representative Abel.

Representative Abel offered **HS HCS HB 824**.

Representative Abel offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 824, Page 7, Section 135.095, Line 5, by inserting after the word “**expensive**” the following: “**The department may implement higher co-payments.**”; and

Further amend said bill, page and section, Line 14, by deleting the following:

“**and take measures necessary to obtain the best available quarterly voluntary manufacturer rebate. The dispensing rate and ingredient reimbursement rate shall be equal to the medicaid reimbursement rate.**”

On motion of Representative Abel, **House Amendment No. 1** was adopted.

Representative Cooper requested a division of the question on **HS HCS HB 824, as amended**.

On motion of Representative Abel, **Part I of HS HCS HB 824** was adopted by the following vote:

AYES: 092

Abel	Baker	Barry 100	Berkowitz	Black
Bland	Bonner	Boucher	Boykins	Bray 84
Britt	Brooks	Burton	Campbell	Carnahan
Coleman	Copenhaver	Crawford	Crump	Curls
Davis	Farnen	Foley	Franklin	Fraser
Gambaro	Gaskill	George	Graham	Gratz
Green 73	Griesheimer	Hagan-Harrell	Hampton	Harding
Hartzler	Haywood	Hegeman	Henderson	Hickey
Hilgemann	Hollingsworth	Holt	Hosmer	Johnson 61
Johnson 90	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Liese	Long

Lowe	Luetkemeyer	Luetkenhaus	Marsh	Mays 50
McKenna	Merideth	Monaco	Murphy	Myers
O'Connor	O'Toole	Overschmidt	Ransdall	Relford
Reynolds	Richardson	Rizzo	Robirds	Shelton
Shields	Skaggs	Smith	Surface	Thompson
Treadway	Troupe	Van Zandt	Villa	Vogel
Walton	Ward	Wiggins	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 060

Ballard	Barnett	Barnitz	Bartelmeyer	Bartle
Bearden	Behnen	Berkstresser	Boatright	Burcham
Byrd	Champion	Cierpiot	Clayton	Cooper
Crowell	Cunningham	Dempsey	Enz	Fares
Froelker	Green 15	Hanaway	Hendrickson	Hohulin
Holand	Hoppe	Hunter	Jetton	Jolly
Kelley 47	Kelly 144	Levin	Linton	Lograsso
Marble	May 149	Miller	Moore	Naeger
Nordwald	Ostmann	Phillips	Portwood	Purgason
Rector	Reid	Reinhart	Roark	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shoemyer	St. Onge	Townley	Wright

PRESENT: 000

ABSENT WITH LEAVE: 008

Bowman	Dolan	Ford	Harlan	Mayer
Ridgeway	Wagner	Williams		

VACANCIES: 003

Representative Naeger offered **House Amendment No. 1 to Part II of HS HCS HB 824.**

*House Amendment No. 1
to
Part II
of
House Substitute
for
House Committee Substitute
for
House Bill No. 824*

AMEND Part II of House Substitute for House Committee Substitute for House Bill No. 824, Page 1, In the Title, Line 6 of said page, by inserting after the word "**section**" the following: "**and an emergency clause for a certain section**"; and

Further amend said Bill, Page 9, Section 208.550, Line 11 of said page, by inserting after all of said line the following:

"208.800. 1. The department of social services shall apply to the federal Department of Health and Human Services for a Medicaid waiver amendment to the section 1115 demonstration waiver or any additional Medicaid waivers necessary and desirable to establish a pharmacy discount program that provides discounted prescription drugs to eligible persons.

2. Upon receipt of the necessary waivers pursuant to subsection 1 of this section, the department of social services shall establish a pharmacy assistance program. Any Medicare eligible person whose household income is three hundred percent of the federal poverty level or less and who has no Medicare supplemental insurance policy that covers prescription drugs shall be eligible to participate in the program. Eligible persons shall enroll in the program through the department or a community pharmacy Medicaid provider. Community pharmacy Medicaid providers may charge a two-dollar sign-up fee for each application to cover administrative costs. Participants in the program shall renew their enrollment annually. The department shall prescribe by rule the application form, which shall be no more than one two-sided page.

3. The department shall take the necessary steps to ensure that the state of Missouri participates to the fullest extent possible in the national rebate program available to states that establish a pharmacy discount program. Any national rebate projected by the state shall be distributed as follows:

(1) Thirty percent of the rebate shall be credited at the point of sale as a discount to the enrollees. Participating community pharmacies shall be reimbursed monthly for the total amount of discounts given to enrollees;

(2) Forty-seven percent of the rebate shall be given to participating community pharmacies as a service fee on a monthly basis; and

(3) Twenty-three percent of the rebate shall be retained by the department to cover the administrative costs associated with the program.

4. At the time of purchase, enrollees in the pharmacy discount program shall receive prescription drugs at a price that is equivalent to the price that Medicaid pays minus the enrollee's thirty percent share of the national rebate. In no case shall the charge to the enrollee exceed the usual and customary charge of the pharmacy for the prescription. Participants in the pharmacy discount program shall not receive any other Medicaid benefits.

5. Participants in the pharmacy discount program shall be issued an identification card for use at a participating community pharmacy which shall be consistent with the department of insurance and subsequent third-party requirements. The participating community pharmacy shall use the state's online adjudication system to determine the amount to collect from the enrollee which shall simultaneously submit a claim to the state Medicaid agency to collect the difference between the amount the enrollee paid and the fee on file. The state shall pay the pharmacy and submit a claim to collect the national rebate available under the Medicaid program.

6. The state shall, at least once every two years, conduct a statistically valid study to determine the average cost of filling a prescription exclusive of any profit by a Missouri pharmacy. A certified accounting firm or the faculty of the department of pharmacy administration of a Missouri school of pharmacy shall conduct the study. The findings shall be used to set the reimbursement formula for all Medicaid prescriptions and other prescriptions paid for by this state using the Medicaid price as a basis for reimbursement. The state shall pay each pharmacy no less than the determined cost of filling a prescription exclusive of any profit as determined by the study or the study adjusted for the inflation factor in the year not conducted."; and

Further amend said Bill, Page 9, Section B, Line 13 of said page, by inserting after all of said line the following:

"Section C. Because immediate action is necessary to ensure the state's participation in a federal pharmacy discount program the enactment of section 208.800 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 208.800 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Gambaro raised a point of order that **House Amendment No. 1 to Part II of HS HCS HB 824** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Abel requested a division of the question on **House Amendment No. 1 to Part II of HS HCS HB 824**.

*House Amendment No. 1
to
Part II
of
House Substitute
for
House Committee Substitute
for
House Bill No. 824*

PART I

AMEND Part II of House Substitute for House Committee Substitute for House Bill No. 824, Page 9, Section 208.550, Line 11 of said page, by inserting after all of said line the following:

"208.800. 1. The department of social services shall apply to the federal Department of Health and Human Services for a Medicaid waiver amendment to the section 1115 demonstration waiver or any additional Medicaid waivers necessary and desirable to establish a pharmacy discount program that provides discounted prescription drugs to eligible persons."

On motion of Representative Naeger, **Part I of House Amendment No. 1 to Part II of HS HCS HB 824** was adopted by the following vote:

AYES: 150

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge

Surface	Thompson	Townley	Treadway	Van Zandt
Villa	Vogel	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker	Bowman	Ford	Harlan	Hickey
Mayer	Troupe	Wagner	Mr. Speaker	

VACANCIES: 003

*House Amendment No. 1
to
Part II
of
House Substitute
for
House Committee Substitute
for
House Bill No. 824*

PART II

AMEND Part II of House Substitute for House Committee Substitute for House Bill No. 824, Page 9, Section 208.550, Line 11 of said page, by inserting after all of said line the following:

“208.800 1. Upon receipt of the necessary waivers pursuant to subsection 1 of this section, the department of social services shall establish a pharmacy assistance program. Any Medicare eligible person whose household income is three hundred percent of the federal poverty level or less and who has no Medicare supplemental insurance policy that covers prescription drugs shall be eligible to participate in the program. Eligible persons shall enroll in the program through the department or a community pharmacy Medicaid provider. Community pharmacy Medicaid providers may charge a two-dollar sign-up fee for each application to cover administrative costs. Participants in the program shall renew their enrollment annually. The department shall prescribe by rule the application form, which shall be no more than one two-sided page.

2. The department shall take the necessary steps to ensure that the state of Missouri participates to the fullest extent possible in the national rebate program available to states that establish a pharmacy discount program. Any national rebate projected by the state shall be distributed as follows:

(1) Thirty percent of the rebate shall be credited at the point of sale as a discount to the enrollees. Participating community pharmacies shall be reimbursed monthly for the total amount of discounts given to enrollees;

(2) Forty-seven percent of the rebate shall be given to participating community pharmacies as a service fee on a monthly basis; and

(3) Twenty-three percent of the rebate shall be retained by the department to cover the administrative costs associated with the program.

3. At the time of purchase, enrollees in the pharmacy discount program shall receive prescription drugs at a price that is equivalent to the price that Medicaid pays minus the enrollee's thirty percent share of the national rebate. In no case shall the charge to the enrollee exceed the usual and customary charge of the pharmacy for the prescription. Participants in the pharmacy discount program shall not receive any other Medicaid benefits.

4. Participants in the pharmacy discount program shall be issued an identification card for use at a participating community pharmacy which shall be consistent with the department of insurance and subsequent third-party requirements. The participating community pharmacy shall use the state's online adjudication system to determine the amount to collect from the enrollee which shall simultaneously submit a claim to the state Medicaid agency to collect the difference between the amount the enrollee paid and the fee on file. The state shall pay the pharmacy and submit a claim to collect the national rebate available under the Medicaid program.

5. The state shall, at least once every two years, conduct a statistically valid study to determine the average cost of filling a prescription exclusive of any profit by a Missouri pharmacy. A certified accounting firm or the faculty of the department of pharmacy administration of a Missouri school of pharmacy shall conduct the study. The findings shall be used to set the reimbursement formula for all Medicaid prescriptions and other prescriptions paid for by this state using the Medicaid price as a basis for reimbursement. The state shall pay each pharmacy no less than the determined cost of filling a prescription exclusive of any profit as determined by the study or the study adjusted for the inflation factor in the year not conducted."; and

Further amend said Bill, Page 9, Section B, Line 13 of said page, by inserting after all of said line the following:

"Section C. Because immediate action is necessary to ensure the state's participation in a federal pharmacy discount program the enactment of section 208.800 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 208.800 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Naeger moved that **Part II of House Amendment No. 1 to Part II of HS HCS HB 824** be adopted.

Which motion was defeated by the following vote:

AYES: 074

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Froelker	Gaskill	Griesheimer
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Hunter	Jetton	Kelley 47
Kelly 144	King	Lawson	Legan	Levin
Linton	Lograsso	Long	Luetkemeyer	Marble
Marsh	May 149	Miller	Moore	Murphy
Myers	Naeger	Nordwald	Ostmann	Phillips
Portwood	Purgason	Rector	Reinhart	Reynolds
Richardson	Ridgeway	Roark	Robirds	Ross
Schwab	Scott	Secrest	Shields	St. Onge
Surface	Townley	Vogel	Wright	

NOES: 081

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Coleman	Copenhaver	Crump	Curls	Davis
Farnen	Foley	Franklin	Fraser	Gambaro

George	Graham	Gratz	Green 15	Green 73
Hagan-Harrell	Hampton	Harding	Harlan	Haywood
Hilgemann	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Kelly 27	Kelly 36
Kennedy	Koller	Liese	Lowe	Luetkenhaus
Mays 50	McKenna	Merideth	Monaco	O'Connor
O'Toole	Overschmidt	Ransdall	Reid	Relford
Rizzo	Scheve	Seigfreid	Selby	Shelton
Shoemyer	Skaggs	Smith	Thompson	Treadway
Van Zandt	Villa	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 005

Bowman	Ford	Hickey	Mayer	Troupe
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VACANCIES: 003

Representative Campbell offered **House Amendment No. 2 to Part II of HS HCS HB 824.**

*House Amendment No. 2
to
Part II
of
House Substitute
for
House Committee Substitute
for
House Bill No. 824*

AMEND PART II of House Substitute for House Committee Substitute for House Bill No. 824, Page 7, Section 135.095, Line 12, by inserting the word “**not**” after the words “**the department may**”.

On motion of Representative Campbell, **House Amendment No. 2 to Part II of HS HCS HB 824** was adopted.

Representative Crawford offered **House Amendment No. 3 to Part II of HS HCS HB 824.**

Representative Monaco raised a point of order that **House Amendment No. 3 to Part II of HS HCS HB 824** goes beyond the scope and is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Froelker offered **House Amendment No. 3 to Part II of HS HCS HB 824.**

House Amendment No. 3
to
Part II
of
House Substitute
for
House Committee Substitute
for
House Bill No. 824

AMEND Part II of House Substitute for House Committee Substitute for House Bill No. 824, Page 3, Line 1, by deleting the number “**six**” and inserting in lieu thereof the number “**twelve**”; and

Further amend said bill, Page 4, Line 21, by deleting the number “**five**” and inserting in lieu thereof the number “**six**”; and

Further amend said bill, Page 5, Line 5, by deleting the word “**family**”; and

Further amend said bill, Page 5, Line 7, by deleting the number “**ten**” and inserting in lieu thereof the number “**twelve**”.

On motion of Representative Froelker, **House Amendment No. 3 to Part II of HS HCS HB 824** was adopted.

On motion of Representative Abel, **Part II of HS HCS HB 824, as amended**, was adopted by the following vote:

AYES: 141

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Behnen	Berkowitz	Black	Bland
Boatright	Bonner	Boucher	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hilgemann	Hollingsworth	Holt	Hoppe	Hosmer
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Liese	Linton
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marsh
May 149	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigffreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Van Zandt

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Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright				

NOES: 007

Bartelsmeyer	Gaskill	Hohulin	Holand	Hunter
Marble	Rector			

PRESENT: 002

Levin	Naeger
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ABSENT WITH LEAVE: 010

Baker	Ballard	Berkstresser	Bowman	Ford
Hickey	Long	Mayer	Troupe	Mr. Speaker

VACANCIES: 003

On motion of Representative Abel, **HS HCS HB 824, as amended**, was ordered perfected and printed.

HCS HB 581, relating to the farmland protection act, was taken up by Representative Ridgeway.

Representative Ridgeway offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 581, Page 3, Section 262.802(11), Lines 46-48, by striking “**rural water supply districts formed by small rural communities as defined by the clean water commission for purposes of chapter 644, RSMo, except that a rural**” and inserting in lieu thereof the following:

“**public water supply districts as defined by chapter 247.010, RSMo, to and including chapter 247.227, RSMo, except that a public**”.

On motion of Representative Ridgeway, **House Amendment No. 1** was adopted.

Representative Ridgeway offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 581, Page 3, Section 262.802(13), Line 76, by deleting the words “**or for any other reason or to prevent a landowner from claiming protection pursuant to sections 262.800 to 262.810**”.

On motion of Representative Ridgeway, **House Amendment No. 2** was adopted.

Representative Lograsso offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 581, Page 4, Section 262.810, Line 3, by adding the following at the end of said line:

“[347.189] 347.048. Any limited liability company that owns and rents or leases real property, **or owns unoccupied real property**, located within any home rule city with a population of more than four hundred thousand inhabitants which is located in more than one county, shall file with that city’s clerk an affidavit listing the name and address of at least one person, who has management control and responsibility for the real property owned and leased or rented by the limited liability company, **or owned by the limited liability company and unoccupied.**”.

Representative Lograsso moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

On motion of Representative Ridgeway, **HCS HB 581, as amended**, was adopted.

On motion of Representative Ridgeway, **HCS HB 581, as amended**, was ordered perfected and printed.

HB 679, relating to organ donation, was taken up by Representative Boykins.

Representative Froelker offered **House Amendment No. 1**.

Representative Monaco raised a point of order that **House Amendment No. 1** goes beyond the scope and is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Dempsey offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 679, Page 1, Section 105.266, Line 1, by striking “**agencies or political subdivisions**,” and inserting in lieu thereof “**or agencies**.”.

On motion of Representative Dempsey, **House Amendment No. 1** was adopted by the following vote:

AYES: 142

Baker	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Black
Bland	Boatright	Bonner	Boucher	Boykins
Bray 84	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Fraser	Froelker	Gambaro	Gaskill

George	Graham	Gratz	Green 15	Griesheimer
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Lowe	Luetkemeyer	Marble
Marsh	May 149	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Ridgeway	Rizzo	Roark	Robirds	Ross
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 002

Franklin Hagan-Harrell

PRESENT: 000

ABSENT WITH LEAVE: 016

Abel	Ballard	Berkstresser	Bowman	Ford
Green 73	Harlan	Hickey	Hoppe	Long
Luetkenhaus	Mayer	Richardson	Scheve	Treadway
Troupe				

VACANCIES: 003

On motion of Representative Boykins, **HB 679, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 6 - Civil and Administrative Law
HJR 9 - Education-Elementary and Secondary
HJR 14 - Miscellaneous Bills & Resolutions
HJR 16 - Transportation

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 471 - Fiscal Review and Government Reform (Fiscal Note)
HB 31 - Agriculture
HB 32 - Civil and Administrative Law
HB 34 - Judiciary
HB 36 - Miscellaneous Bills & Resolutions
HB 37 - Local Government and Related Matters
HB 39 - Ways and Means
HB 40 - Ways and Means
HB 65 - Public Safety, Law Enforcement and Veteran Affairs
HB 85 - Public Safety, Law Enforcement and Veteran Affairs
HB 93 - Public Safety, Law Enforcement and Veteran Affairs
HB 103 - Ways and Means
HB 119 - Ways and Means
HB 121 - Fiscal Review and Government Reform
HB 168 - Ways and Means
HB 169 - Ways and Means
HB 201 - Critical Issues, Consumer Protection and Housing
HB 206 - Motor Vehicle and Traffic Regulations
HB 261 - Ways and Means
HB 335 - Banks and Financial Institutions
HB 433 - Fiscal Review and Government Reform
HB 449 - Insurance
HB 450 - Judiciary
HB 451 - Children, Families and Health
HB 487 - Miscellaneous Bills & Resolutions
HB 490 - Local Government and Related Matters
HB 492 - Ways and Means
HB 493 - Ways and Means
HB 494 - Ways and Means
HB 495 - Ways and Means
HB 519 - Retirement
HB 532 - Miscellaneous Bills & Regulations
HB 584 - Miscellaneous Bills & Resolutions
HB 601 - Agriculture
HB 669 - Education-Elementary and Secondary
HB 670 - Motor Vehicle and Traffic Regulations
HB 735 - Miscellaneous Bills & Resolutions
HB 787 - Fiscal Review and Government Reform
HB 828 - Motor Vehicle and Traffic Regulations
HB 832 - Public Safety, Law Enforcement and Veteran Affairs
HB 836 - Utilities Regulation

HB 864 - Education-Elementary and Secondary
HB 890 - Local Government and Related Matters
HB 964 - Children, Families and Health

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred (By Consent) **HB 285, HB 458, HB 590, HB 644, HB 648, HB 664, HB 716, HB 725, HB 796, HB 805, HB 816, HB 821, HB 865, HB 897** and **HB 949**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Committee on Miscellaneous Bills & Resolutions, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HR 394**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Resolution No. 394

WHEREAS, the members of the Missouri House of Representatives enjoy a long, proud tradition of meeting their responsibilities to the citizens of this state while upholding the virtues represented by the "Glory of Missouri": Knowledge, Liberty, Equality, Law, Justice, Fraternity, Education, Progress, Honor, Truth, Virtue, Temperance, Enterprise, and Charity; and

WHEREAS, these virtues are engraved in the House Chamber of the State Capitol with the inscription: "All the foregoing human qualities bind into one theme, the Glory of Missouri because no people attain these virtues unless they are great"; and

WHEREAS, the "Glory of Missouri" Award was created to encourage the values held by the early leaders of Missouri and to recognize those standards as exemplified in our schools and communities by this state's young people, the future of Missouri:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, unanimously join in granting permission for the House Chamber to be used for the purpose of presenting the "Glory of Missouri" Award to the young citizens of this great state on Monday, April 9, 2001, from 12:15 p.m. to 1:30 p.m.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 15**, entitled:

An act to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2001.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 201**, entitled:

An act to amend chapter 9, RSMo, by adding thereto one new section relating to Missouri lifelong learning month.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 431**, entitled:

An act to authorize the conveyance of certain state property to the Clarence Cannon Wholesale Water Commission, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 515**, entitled:

An act to repeal sections 59.310 and 59.313, RSMo 2000, relating to county recorders of deeds, and to enact in lieu thereof three new sections relating to the same subject, with an effective date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 623**, entitled:

An act to repeal section 301.453, RSMo 2000, relating to congressional license plates, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, March 29, 2001.

COMMITTEE MEETINGS

APPROPRIATIONS - TRANSPORTATION

Thursday, March 29, 2001, 8:30 am. Hearing Room 7.

Presentations on funding formulas.

BUDGET

Thursday, March 29, 2001, 8:00 am. Hearing Room 3.

Possible Executive Session. CANCELLED.

To be considered - HB 18, HB 19

BUDGET

Monday, April 2, 2001, 3:00 pm. Hearing Room 3.

Executive Session on previously heard bills.

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, April 3, 2001. Hearing Room 7 upon morning adjournment.

Executive Session may follow.

To be considered - HB 843

SPECIAL COMMITTEE ON SPORTSMANSHIP, SAFETY AND FIREARMS

Tuesday, April 3, 2001. Hearing Room 3 upon morning adjournment.

Executive Session may follow.

To be considered - HB 258, HB 853, HB 1013

SUBCOMMITTEE ON TOBACCO SETTLEMENT

Thursday, March 29, 2001. Hearing Room 3 upon adjournment.

To be considered - HB 14

UTILITIES REGULATION

Thursday, March 29, 2001, 8:15 am. Hearing Room 6.

Executive Session may follow.

To be considered - HB 823

HOUSE CALENDAR

FORTY-EIGHTH DAY, THURSDAY, MARCH 29, 2001

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 15 & 13 - Crawford

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 924, 714, 685, 756, 734 & 518 - Wiggins
- 2 HCS HB 457, HA 2, as amended, tabled - Kreider
- 3 HB 349 - Hosmer
- 4 HCS HB 835, 90, 707, 373, 641, 510, 516 & 572 - Britt
- 5 HB 286, HCA 1 & HCA 2 - Smith
- 6 HCS HB 280, 69, 497 & 689 - Hoppe
- 7 HB 527 - Luetkenhaus

- 8 HB 736 - Liese
- 9 HB 366 - Champion
- 10 HB 678 - Seigfreid
- 11 HB 436 - Merideth
- 12 HCS HB 472 - Burton
- 13 HCS HB 488 - Koller
- 14 HB 592 - Williams
- 15 HCS HB 660 - Hagan-Harrell

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HB 882 - Crump
- 3 HB 891 - Smith

HOUSE BILLS FOR PERFECTION - CONSENT

(March 22, 2001)

- 1 HB 52 - Ward
- 2 HB 498 - Wagner
- 3 HB 704 - Gambaro
- 4 HB 922 - Gaskill
- 5 HB 951 - Gratz
- 6 HB 596 - Kennedy
- 7 HB 745 - Farnen
- 8 HB 945 - Hosmer
- 9 HB 909 - Davis
- 10 HB 606 - Kennedy
- 11 HB 955 - Green (73)
- 12 HB 410 - Holt
- 13 HB 402 - Boucher
- 14 HB 84 - Richardson
- 15 HB 954 - Hosmer
- 16 HB 825 - Kennedy
- 17 HB 881 - Scott
- 18 HB 408 - Kelley (47)
- 19 HB 933 - Reid
- 20 HB 904 - Merideth

HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 HCR 4, (3-26-01, pages 799 & 800) - Williams
- 2 HCR 10, (3-27-01, page 830) - Holand

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 754, 29, 300 & 505 - Franklin
- 2 HS HCS HB 762 - Barry
- 3 HB 501 - Bowman
- 4 HB 314 - Nordwald
- 5 HS HCS HB 327 - Rizzo
- 6 HCS HB 106 - Johnson (61)
- 7 HB 471, (Fiscal Review 3-28-01) - Jolly
- 8 HCS HB 274, E.C. - Shields
- 9 HB 662 - Green (73)
- 10 HB 70 - Koller
- 11 HB 120 - O'Connor
- 12 HCS HB 533 & 724 - Johnson (90)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 949 - Barry
- 2 HB 725 - Britt
- 3 HB 590 - Graham
- 4 HB 648 - Ostmann
- 5 HB 664 - Skaggs
- 6 HB 897 - Kreider
- 7 HB 716 - Burton
- 8 HB 796 - Hosmer
- 9 HB 865 - Davis
- 10 HB 458 - Lawson
- 11 HB 805 - Mayer
- 12 HB 821 - Hosmer
- 13 HB 285 - Riback Wilson (25)
- 14 HB 816 - Kennedy
- 15 HB 644 - Burton

SENATE BILLS FOR SECOND READING

- 1 SB 201
- 2 SCS SB 431
- 3 SCS SB 515
- 4 SCS SB 623

HOUSE BILL WITH SENATE AMENDMENTS

- SCS HCS HB 15 - Green (73)

HOUSE RESOLUTIONS

- 1 HR 152, (3-1-01, page 557) - Harlan
- 2 HR 394, (3-28-01) - Hendrickson

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

FORTY-EIGHTH DAY, THURSDAY, MARCH 29, 2001

Speaker Pro Tem Abel in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God: You have promised to lead us into Your truth, prepare our hearts and minds for the business of this day that the men and women of the House, and those who support them, may behave with courtesy and honor.

Let us be just in our dealings. Let our motives be above suspicion. Let our word be our bond. O Lord, You have the answers. Make us willing to listen; and to You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Crystal Baker, Malcah DeGraffenried, Amanda Leadbetter, Kristine Scott, Jessica Baker, Skylar Batley, Stephanie Bird, Brandon Chiu, Marie Deiermann, Miranda Ford, Jacob Garner, Victoria Mitchell, Erica Morrow, Bethany Olson, Elizabeth Perryman, Andrew Ratliff, Eric Rueseler, Cody Senn, Kassie Stovall, Drew Westcott, John Morlan, Mychal Ahmann, Zachary Gear, Brennan Weems, Joshua Zigler, Jeremy Gear, Adam Killian, Keth Landers, T. J. Vogt, Chris Venable, Andrew Shoemyer, Jay Dalton, Alexander Dalton, Chandler Dalton, Alexandra Dalton and Daniel Svejda.

The Journal of the forty-seventh day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1034	-	Representative Rizzo
House Resolution No. 1035	-	Representatives Rizzo and Scheve
House Resolution No. 1036	-	Representative Miller
House Resolution No. 1037	-	Representative Reynolds, et al
House Resolution No. 1038	-	Representative Henderson
House Resolution No. 1039	-	Representative Gambaro
House Resolution No. 1040	-	Representative Johnson (61)
House Resolution No. 1041	-	Representative Gratz
House Resolution No. 1042	-	Representatives Ross and Lograsso
House Resolution No. 1043	-	Representative Ford, et al
House Resolution No. 1044	-	Representative Seigfreid

House Resolution No. 1045

and

House Resolution No. 1046 - Representative Gaskill

SECOND READING OF SENATE BILLS

SB 201, SCS SB 431, SCS SB 515 and SCS SB 623 were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HJR 11, HCS HB 581, HS HB 612, HB 679, HS HCS HB 824 and HB 915**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

THIRD READING OF HOUSE BILLS - CONSENT

HB 949, relating to hospital whistleblower protections, was taken up by Representative Barry.

On motion of Representative Barry, **HB 949** was read the third time and passed by the following vote:

AYES: 155

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds

Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Bowman	Cooper	Kelly 27	Mayer	Shoemyer
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VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HB 725, relating to transfers of school funds, was taken up by Representative Britt.

On motion of Representative Britt, **HB 725** was read the third time and passed by the following vote:

AYES: 157

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt

Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Bowman	Harlan	Mayer
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VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HB 590, relating to tax credits for small businesses, was taken up by Representative Graham.

On motion of Representative Graham, **HB 590** was read the third time and passed by the following vote:

AYES: 145

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Bonner	Boucher
Bray 84	Britt	Brooks	Burcham	Burton
Campbell	Carnahan	Champion	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marsh	May 149	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 008

Ballard	Boatright	Byrd	Hendrickson	Marble
Murphy	Phillips	Townley		

PRESENT: 000

ABSENT WITH LEAVE: 007

Bowman	Boykins	Cierpiot	Harlan	Kelley 47
Liese	Mayer			

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HB 648, relating to temporary driver's permits, was taken up by Representative Ostmann.

On motion of Representative Ostmann, **HB 648** was read the third time and passed by the following vote:

AYES: 151

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Bowman	Boykins	Cierpiot	Crump	Kelley 47
Liese	Mayer	Mays 50	Wright	

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HB 664, relating to charitable gift annuities, was taken up by Representative Skaggs.

On motion of Representative Skaggs, **HB 664** was read the third time and passed by the following vote:

AYES: 145

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Campbell	Carnahan	Champion
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Linton	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Myers	Naeger	Nordwald	O'Connor
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 002

Lograsso	Murphy
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PRESENT: 000

ABSENT WITH LEAVE: 013

Ballard	Bowman	Byrd	Cierpiot	Harlan
Haywood	Kelley 47	Liese	Long	Mayer
O'Toole	Ostmann	Reinhart		

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HOUSE BILL WITH SENATE AMENDMENT

SCS HCS HB 15, relating to appropriations, was taken up by Representative Green (73).

Representative Green (73) moved that the House refuse to adopt **SCS HCS HB 15** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

THIRD READING OF HOUSE BILLS

HB 501, relating to water pollution bonds, was taken up by Representative O'Toole.

On motion of Representative O'Toole, **HB 501** was read the third time and passed by the following vote:

AYES: 151

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Bland	Boatright	Bonner
Boucher	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Levin	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest

Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 001

Hendrickson

PRESENT: 000

ABSENT WITH LEAVE: 008

Black	Bowman	Hickey	Kelley 47	Kennedy
Liese	Lograsso	Mayer		

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HB 314, relating to social workers, was taken up by Representative Nordwald.

On motion of Representative Nordwald, **HB 314** was read the third time and passed by the following vote:

AYES: 145

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Boykins	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Linton	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scott	Secrest
Seigfreid	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel

Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 001

Selby

PRESENT: 000

ABSENT WITH LEAVE: 014

Ballard	Berkstresser	Bowman	Bray 84	Green 73
Hickey	Kelley 47	Levin	Liese	Lograsso
Long	Mayer	Scheve	Schwab	

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

Speaker Kreider assumed the Chair.

Speaker Pro Tem Abel resumed the Chair.

HS HCS HB 327, relating to petroleum storage tank insurance fund, was taken up by Representative Rizzo.

On motion of Representative Rizzo, **HS HCS HB 327** was read the third time and passed by the following vote:

AYES: 086

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Bland	Bonner	Boucher	Britt
Brooks	Burcham	Burton	Clayton	Crawford
Crump	Curls	Davis	Dempsey	Dolan
Farnen	Foley	Ford	Franklin	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Hegeman
Henderson	Hohulin	Holt	Hoppe	Johnson 90
Jolly	Kelly 36	Koller	Lawson	Lograsso
Long	Luetkenhaus	Marble	Mays 50	McKenna
Miller	Monaco	Naeger	Nordwald	O'Connor
Ostmann	Overschmidt	Ransdall	Reinhart	Relford
Reynolds	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schwab	Shields	Shoemyer	Skaggs
Smith	Townley	Treadway	Villa	Vogel
Wagner	Ward	Wiggins	Willoughby	Wilson 42
Mr. Speaker				

NOES: 068

Baker	Black	Boatright	Boykins	Bray 84
Byrd	Campbell	Carnahan	Champion	Cierpiot
Coleman	Cooper	Copenhaver	Crowell	Cunningham

Enz	Fares	Fraser	Froelker	Gambaro
Gaskill	George	Harlan	Haywood	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Hunter
Jetton	Johnson 61	Kelly 144	Kelly 27	Kennedy
King	Legan	Levin	Linton	Lowe
Luetkemeyer	Marsh	May 149	Merideth	Moore
Murphy	Myers	O'Toole	Phillips	Portwood
Purgason	Rector	Reid	Richardson	Roark
Scott	Secrest	Seigfreid	Selby	Shelton
St. Onge	Thompson	Troupe	Van Zandt	Walton
Williams	Wilson 25	Wright		

PRESENT: 001

Hosmer

ABSENT WITH LEAVE: 005

Bowman	Kelley 47	Liese	Mayer	Surface
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VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

REFERRAL OF HOUSE RESOLUTIONS

The following House Resolutions were referred to the Committee indicated:

HR 229 - Miscellaneous Bills and Resolutions
HR 650 - Miscellaneous Bills and Resolutions
HR 773 - Miscellaneous Bills and Resolutions
HR 922 - Miscellaneous Bills and Resolutions
HR 1008 - Miscellaneous Bills and Resolutions

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 19 - Urban Affairs
HJR 21 - Judiciary

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 962 - Fiscal Review and Government Reform
HB 963 - Urban Affairs
HB 965 - Civil and Administrative Law
HB 967 - Education-Elementary and Secondary
HB 968 - Insurance

HB 969 - Miscellaneous Bills & Resolutions
HB 970 - Workers Compensation and Employment Security
HB 971 - Workers Compensation and Employment Security
HB 972 - Civil and Administrative Law
HB 973 - Criminal Law
HB 974 - Civil and Administrative Law
HB 975 - Critical Issues, Consumer Protection and Housing
HB 976 - Criminal Law
HB 977 - Criminal Law
HB 978 - Social Services, Medicaid and the Elderly
HB 979 - Education-Elementary and Secondary
HB 982 - Ways and Means
HB 983 - Labor
HB 984 - Tourism, Recreation and Cultural Affairs
HB 986 - Motor Vehicle and Traffic Regulations
HB 987 - Social Services, Medicaid and the Elderly
HB 988 - Commerce and Economic Development
HB 989 - Workers Compensation and Employment Security
HB 990 - Ways and Means
HB 991 - Critical Issues, Consumer Protection and Housing
HB 992 - Missouri Tobacco Settlement
HB 993 - Social Services, Medicaid and the Elderly
HB 994 - Ways and Means
HB 995 - Miscellaneous Bills & Resolutions
HB 996 - Judiciary
HB 997 - Judiciary
HB 998 - Education-Elementary and Secondary
HB 999 - Critical Issues, Consumer Protection and Housing
HB 1001 - Insurance
HB 1002 - Judiciary
HB 1003 - Ways and Means
HB 1004 - Judiciary
HB 1005 - Judiciary
HB 1006 - Agriculture
HB 1009 - Children, Families and Health
HB 1010 - Commerce and Economic Development
HB 1011 - Urban Affairs
HB 1014 - Workers Compensation and Employment Security
HB 1015 - Labor
HB 1016 - Professional Registration and Licensing
HB 1017 - Professional Registration and Licensing
HB 1018 - Missouri Tobacco Settlement
HB 1019 - Public Safety, Law Enforcement and Veteran Affairs
HB 1020 - Miscellaneous Bills & Resolutions
HB 1021 - Ways and Means

HB 1022 - Ways and Means
HB 1023 - Local Government and Related Matters
HB 1024 - Local Government and Related Matters
HB 1026 - Education-Elementary and Secondary
HB 1027 - Ways and Means

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The following Senate Concurrent Resolutions were referred to the Committee indicated:

SCS SCR 3 - Education-Elementary and Secondary
SCR 6 - Miscellaneous Bills & Resolutions
SCS SCR 10 - Miscellaneous Bills & Resolutions
SS SCR 13 - Conservation, State Parks and Mining
SCR 16 - Public Safety, Law Enforcement and Veteran Affairs
SCR 18 - Utilities Regulation
SCR 19 - Children, Families and Health

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SB 4 - Urban Affairs
SB 7 - Local Government and Related Matters
SCS SB 10 - Judiciary
SB 12 - Judiciary
SCS SB 13 - Motor Vehicle and Traffic Regulations
SCS SBs 26 & 126 - Public Safety, Law Enforcement and Veteran Affairs
SCS SB 36 - Criminal Law
SCS SB 41 - Education-Higher
SCS SBs 44 & 59 - Children, Families and Health
SS SCS SBs 46 & 47 - Children, Families and Health
SB 58 - Education-Elementary and Secondary
SB 72 - Civil and Administrative Law
SB 76 - Urban Affairs
SB 86 - Miscellaneous Bills & Resolutions
SB 87 - Civil and Administrative Law
SB 110 - Children, Families and Health
SB 111 - Motor Vehicle and Traffic Regulations
SB 125 - Local Government and Related Matters
SB 128 - Judiciary
SCS SB 136 - Children, Families and Health
SB 142 - Motor Vehicle and Traffic Regulations
SB 148 - Elections
SCS SB 149 - Environment and Energy

SCS SB 151 - Insurance
SCS SB 178 - Local Government and Related Matters
SB 179 - Banks and Financial Institutions
SB 185 - Motor Vehicle and Traffic Regulations
SCS SB 186 - Banks and Financial Institutions
SB 191 - Local Government and Related Matters
SCS SB 197 - Judiciary
SB 200 - Correctional and State Institutions
SB 201 - Education-Elementary and Secondary
SB 203 - Miscellaneous Bills & Resolutions
SB 207 - Professional Registration and Licensing
SB 216 - Professional Registration and Licensing
SB 219 - Children, Families and Health
SB 223 - Criminal Law
SB 224 - Public Safety, Law Enforcement and Veteran Affairs
SB 227 - Insurance
SCS SB 234 - Ways and Means
SCS SB 236 - Social Services, Medicaid and the Elderly
SCS SB 241 - Insurance
SS SB 244 - Transportation
SB 252 - Correctional and State Institutions
SB 258 - Judiciary
SCS SB 264 - Critical Issues, Consumer Protection and Housing
SCS SB 270 - Judiciary
SB 274 - Critical Issues, Consumer Protection and Housing
SB 275 - Motor Vehicle and Traffic Regulations
SCS SB 290 - Urban Affairs
SCS SB 352 - Local Government and Related Matters
SB 365 - Tourism, Recreation and Cultural Affairs
SB 366 - Workers Compensation and Employment Security
SB 370 - Civil and Administrative Law
SB 380 - Workers Compensation and Employment Security
SCS SB 382 - Banks and Financial Institutions
SB 416 - Miscellaneous Bills & Resolutions
SB 430 - Municipal Corporations
SB 449 - Social Services, Medicaid and the Elderly
SCS SB 486 - Local Government and Related Matters
SCS SB 491 - Local Government and Related Matters

COMMITTEE REPORTS

Committee on Rules, Joint Rules, and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred (By Consent) **HB 52, HB 84, HB 402, HB 408, HB 410, HB 498, HB 596, HB 606, HB 704, HB 745, HB 825, HB 881, HB 904, HB 909, HB 922, HB 933, HB 945, HB 951, HB 954 and HB 955**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Committee on Civil and Administrative Law, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **HB 831**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Conservation, State Parks and Mining, Chairman Relford reporting:

Mr. Speaker: Your Committee on Conservation, State Parks and Mining, to which was referred **HCR 6**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Concurrent Resolution No. 6

WHEREAS, the Federal Fish and Wildlife Service and the United States Army Corps of Engineers plan to continue the practice of increasing the flow of the Missouri River in the spring and reducing the flow of the Missouri River in the summer and fall of each year; and

WHEREAS, such practice results in an increase in river levels in the spring which creates a greater risk of flooding along the Missouri River and causes a decrease in river levels in late summer and fall resulting in a reduction in barge traffic on the Missouri and Mississippi Rivers; and

WHEREAS, these regulatory practices of the Federal Fish and Wildlife Service and the United States Army Corps of Engineers have a severe impact on any industry which uses the Missouri River to transport products and cause flooding in river communities and on farm land in the Missouri and lower Mississippi River basins; and

WHEREAS, the governors of the states of North Dakota, South Dakota, Wyoming and Montana have supported the practices of the Federal Fish and Wildlife Service and the United States Army Corps of Engineers because these regulatory practices benefit those states by allowing them to hold water in their federal reservoirs on the Missouri River during the summer; and

WHEREAS, the regulatory practices of the Federal Fish and Wildlife Service and the United States Army Corps of Engineers does adequately address the concerns and needs of states in the lower Missouri and Mississippi River basins; and

WHEREAS, the Missouri departments of natural resources and transportation have opposed the regulations of the Federal Fish and Wildlife Service and the United States Army Corps of Engineers and have taken actions to reduce the negative impacts of these regulatory practices on the state's river communities, lands and businesses:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-first General Assembly, First Regular Session, with the Senate concurring therein, hereby urge the Governor to protest against the regulatory practice of the Federal Fish and Wildlife Service and United States Army Corps of Engineers to control the flow of the Missouri River in such a manner which negatively impacts the state of Missouri; and

BE IT FURTHER RESOLVED that the members of the General Assembly urge the Department of Natural Resources and the Department of Transportation to continue their efforts to lessen the negative impacts of these regulatory practices on the state's river communities, lands and businesses; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Federal Fish and Wildlife Service, the United States Army Corps of Engineers, the Governor, the Director of the Department of Natural Resources and the Director of the Department of Transportation.

Committee on Critical Issues, Consumer Protection and Housing, Chairman Harlan reporting:

Mr. Speaker: Your Committee on Critical Issues, Consumer Protection and Housing, to which was referred **HB 593**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Miscellaneous Bills & Resolutions, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HCR 24**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Concurrent Resolution No. 24

WHEREAS, recent high fuel prices have alerted us to the need to improve our nation's policies on fuel production; and

WHEREAS, the Organization of Petroleum Exporting Countries (OPEC) has recently suggested that they will reduce crude oil production again in an attempt to manipulate prices; and

WHEREAS, reductions in crude oil production have resulted in sharp increases in prices for natural gas, gasoline and home heating oil; and

WHEREAS, the United States has become dangerously dependent on foreign petroleum; and

WHEREAS, Missouri consumers are experiencing higher prices at the pump and in home heating costs, and the economic stability of many areas of the state which rely on tourism may be jeopardized if the number of persons traveling to Missouri's vacation destinations is significantly reduced due to increased gasoline prices; and

WHEREAS, the trucking industry, heavily dependent on the availability and price of gasoline and diesel fuel, has been especially hard hit by the increase in fuel costs that have resulted in a significant increase in the transportation costs associated with the delivery of consumer goods throughout the state. Such an increase in cost to the trucking industry will inevitably be passed along to consumers as an increase in the price of consumer goods; and

WHEREAS, the increased petroleum fuel costs is particularly detrimental to Missouri family farmers because it comes at a time when overall market prices are low; and

WHEREAS, fuel prices could be reduced by increasing domestic production and encouraging the development of markets for products that can be used as the source material for renewable alternative fuels:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-first General Assembly, First Regular Session, the Senate concurring therein, hereby urge the United States Congress to actively address the issue of fuel prices and take immediate actions necessary to reduce our nation's dependency on foreign petroleum sources and boost our own economy by:

(1) Enacting reasonable price supports for domestically produced crude oil and in other ways encouraging exploration for domestic petroleum sources in a manner that does not adversely impact the environment;

(2) Encouraging and creating incentives for fuel conservation measures that do not harm the economy; and

(3) Encouraging and creating incentives for research, development and use of alternative fuel sources, including ethanol and other fuels made from renewable materials that would not only reduce our dependency on foreign petroleum, but also have the potential to improve environmental protection and boost local economies; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Speaker of the United States House of Representatives, the President of the United States Senate and each member of the Missouri Congressional delegation.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HB 555**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Public Safety, Law Enforcement and Veteran Affairs, Chairman Boucher reporting:

Mr. Speaker: Your Committee on Public Safety, Law Enforcement and Veteran Affairs, to which was referred **HB 428**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Retirement, Chairman Hagan-Harrell reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 426**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Utilities Regulation, Chairman Mays (50) reporting:

Mr. Speaker: Your Committee on Utilities Regulation, to which was referred **HCR 5**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Concurrent Resolution No. 5

WHEREAS, telecommunications services and energy services and sources are vital to the economic vitality and well-being of the state of Missouri; and

WHEREAS, the nationwide trend toward deregulation of telecommunications services and energy services and sources has created competitive markets and made available new services and customer choices; and

WHEREAS, the state and political subdivisions have imposed taxes, fees and other assessments on various telecommunications and energy services which vary widely based on locality and, within a locality, may vary widely due to increasingly related and competitive services, such as telephone and cable television; and

WHEREAS, the current nationwide trend toward competition in the production, distribution and sale of energy, including electricity, natural gas and other energy sources has potential benefits and adverse effects on energy producers, distributors, retailers, customers and the citizens of this state; and

WHEREAS, ensuring adequate and affordable telecommunications services and energy services and sources necessitate a fair and equitable tax structure across different telecommunications and energy services and across different regions of the state; and

WHEREAS, the issue of whether governmental entities should expend public resources to compete with private telecommunications and energy entities should be explored; and

WHEREAS, a Joint Interim Committee on Telecommunications and Energy has studied the above-mentioned issues during the tenure of the Ninetieth General Assembly and recommends that a similar study committee be established to continue the study during the tenure of the Ninety-first General Assembly:

NOW, THEREFORE, BE IT RESOLVED by the members of the House of Representatives of the Ninety-first General Assembly, First Regular Session, the Senate concurring therein, that a joint legislative study committee of the General Assembly be created to be composed of seven members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, and seven members of the Senate, to be appointed jointly by the President Pro Tem and Co-Pro Tem of the Senate, and that said committee be authorized to function throughout the Ninety-first General Assembly; and

BE IT FURTHER RESOLVED that said committee continue and expand the in-depth studies conducted by prior Joint Interim Committees on Telecommunications and Energy and make appropriate recommendations concerning financial, legal, social, taxation, environmental, technological and economic issues of telecommunications, cable television, all Internet services, including asymmetrical digital subscriber lines (ADSL) and service via cable lines, and energy services taxation, competition between governmental entities and private telecommunication entities, and any other issues the committee deems relevant; and

BE IT FURTHER RESOLVED that said committee continue and expand the in-depth studies conducted by prior Joint Interim Committees on Telecommunications and Energy and make appropriate recommendations concerning financial, legal, social, taxation, environmental, technological and economic issues of deregulation and increasing competition in energy production, distribution and sale, including consideration of the effects on residential customers, small and large business customers, utility shareholders and other stakeholders, and any other issues the committee deems relevant; and

BE IT FURTHER RESOLVED that said committee prepare an interim report, together with its recommendations for any legislative action it deems necessary for submission to the General Assembly prior to the commencement of the Second Regular Session of the Ninety-first General Assembly and a final report, together with its recommendations for any legislative action it deems necessary for submission to the General Assembly prior to the commencement of the First Regular Session of the Ninety-second General Assembly; and

BE IT FURTHER RESOLVED that said committee may solicit any input and information necessary to fulfill its obligations from the Missouri Public Service Commission, the Department of Economic Development, the Division of Energy within the Department of Natural Resources, the Office of Public Counsel, political subdivisions of this state, telecommunications and energy service providers, energy utilities and representatives of all telecommunications and energy customer groups; and

BE IT FURTHER RESOLVED that House Research, the Committee on Legislative Research, and Senate Research shall provide such legal, research, clerical, technical and bill drafting services as the committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the actual and necessary expenses of the committee, its members and any staff personnel assigned to the committee incurred in attending meetings of the committee or any subcommittee thereof shall be paid from the Joint Contingent Fund.

Mr. Speaker: Your Committee on Utilities Regulation, to which was referred **HCR 12**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Concurrent Resolution No. 12

WHEREAS, the recent dramatic increase in utility rates for utility companies providing heating fuels has had a devastating financial affect on many middle and low income Missourians who cannot afford to pay utility bills which have more than doubled in recent months; and

WHEREAS, many Missourians on fixed and limited incomes may be forced to eliminate other essential purchases, such as food and medicines, from their limited budgets in order to pay the exorbitant utility bills; and

WHEREAS, due to the extraordinary circumstances in which Missourians find themselves, members of Congress should consider taking extraordinary steps to protect the interests of all of the people of the United States:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-first General Assembly, First Regular Session, the Senate concurring therein, hereby request that the United States Congress consider establishing a strong remedial federal energy policy that delegates emergency powers to individual states; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the President of the United States Senate, the Speaker of the United States House of Representatives and each member of the Missouri Congressional delegation.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 284** , entitled:

An act to amend chapter 170, RSMo, by adding thereto one new section relating to American sign language.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 307**, entitled:

An act to repeal sections 140.010 and 140.730, RSMo 2000, relating to property taxes, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 384**, entitled:

An act to repeal sections 324.212 and 324.217, RSMo 2000, relating to licensure of dietitians, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 406**, entitled:

An act to repeal section 302.173, RSMo 2000, relating to drivers' examination for licensure, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 451**, entitled:

An act to repeal section 640.665, RSMo, relating to the energy set-aside program fund, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 470**, entitled:

An act to amend chapter 8, RSMo, by adding thereto three new sections relating to the second state capitol commission.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 514**, entitled:

An act to repeal section 196.100, RSMo 2000, relating to labeling of drugs, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 520**, entitled:

An act to repeal sections 301.057 and 301.058, RSMo 2000, relating to motor vehicles, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 544**, entitled:

An act to authorize the conveyance of an easement on property owned by Missouri Veterans Commission to Spectra Communications.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 553**, entitled:

An act to authorize the conveyance of property interest owned by Northwest Missouri State University to the Missouri National Guard and City of Maryville.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 556**, entitled:

An act to repeal section 313.840, RSMo 2000, relating to liquor licenses on boats and premises, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 563**, entitled:

An act to repeal sections 136.035 and 144.190, RSMo 2000, relating to the notarization of sales tax refund documents, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 568**, entitled:

An act to authorize the exchange of property interest owned by the state and certain cities.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 575**, entitled:

An act to repeal section 160.522, RSMo 2000, and to enact in lieu thereof one new section relating to building-level school accountability report cards.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 591**, entitled:

An act to repeal sections 204.300 and 204.370, RSMo, relating to common sewer districts, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 610**, entitled:

An act to repeal sections 52.300 and 54.330, RSMo 2000, relating to bonds for deputies for county collectors and treasurer ex officio collectors, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 619**, entitled:

An act to repeal section 190.109, RSMo 2000, and to enact in lieu thereof three new sections relating to the state fair, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SCR 14**.

SENATE COMMITTEE SUBSTITUTE
FOR
SENATE CONCURRENT RESOLUTION NO. 14

WHEREAS, growing numbers of underinsured Missourians, an increasingly price-driven health care marketplace, and continued growth in enrollment of Medicaid beneficiaries are having critical implications for the future soundness of Missouri's health care safety net that serves a large portion of low-income and uninsured Missourians; and

WHEREAS, despite the nation's robust economy, certain populations in the state of Missouri continue to remain outside the medical and economic mainstream, having little or no access to stable health care coverage; and

WHEREAS, these populations include uninsured citizens of Missouri, low-income underinsured individuals, Medicaid beneficiaries, and patients with special health care needs who rely on safety providers for their care; and

WHEREAS, institutions and physicians in the state of Missouri that have a high level of demonstrated commitment to caring for the uninsured and underserved patients of Missouri are experiencing serious financial problems due to that commitment; and

WHEREAS, these providers in the state include ConnectCare in St. Louis, Truman Medical Centers in Kansas City and University of Missouri Health Care in Columbia, the only state-owned acute care facility serving the state's rural population, comprise Missouri's health care safety net; and

WHEREAS, the number of financially vulnerable people in the state is growing, the direct and indirect subsidies that have helped finance uncompensated care are eroding, and the rapid growth of Medicaid managed care are having significant adverse effects:

NOW, THEREFORE, BE IT RESOLVED by the Missouri Senate, Ninety-first General Assembly, First Regular Session, the House of Representatives concurring therein, hereby establish a Joint Interim Committee on Health Care to study the current funding system for safety net providers and develop legislative and budgetary policy that will ensure appropriate compensation as well as preserve the long-term viability of Missouri's safety net providers in recognition of the critical contribution these health care programs have made to the welfare of Missouri's citizens; and

BE IT FURTHER RESOLVED that said committee shall be composed of five members of the Senate, to be appointed by the President Pro Tem of the Senate, and five members of the House of Representatives, to be appointed by the Speaker of the House of Representatives; and

BE IT FURTHER RESOLVED that said committee prepare a report, together with its recommendations for any legislative action it deems necessary for submission to the General Assembly prior to the commencement of the Second Regular Session of the Ninety-first General Assembly; and

BE IT FURTHER RESOLVED that Senate Research, the Committee on Legislative Research, and House Research shall provide such legal, research, clerical, technical and bill drafting services as the committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the actual and necessary expenses of the committee, its members and any staff personnel assigned to the committee incurred in attending meetings of the committee or any subcommittee thereof shall be paid from the Joint Contingent Fund.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCA 1** and **HA 1** and has taken up and passed **SB 256, as amended**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 538**, entitled:

An act to repeal sections 443.803, 443.805, 443.809, 443.810, 443.812, 443.819, 443.821, 443.825, 443.827, 443.833, 443.839, 443.841, 443.849, 443.851, 443.855, 443.857, 443.859, 443.863, 443.867, 443.869, 443.879, 443.881, and 443.887, RSMo 2000, relating to mortgages and mortgage brokers, and to enact in lieu thereof twenty-three new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 543**, entitled:

An act to repeal section 165.011, RSMo 2000, relating to transfers of funds in certain school districts, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 25**.

SENATE CONCURRENT RESOLUTION NO. 25

WHEREAS, Missouri law requires parental consent of at least one parent in order for a minor to obtain an abortion, unless excused by a court; and

WHEREAS, Illinois law contains no such parental consent requirement; and

WHEREAS, as a result, Missouri resident minors may cross the state border to Illinois to access abortion providers in order to avoid state law:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninety-first General Assembly, First Regular Session, the House of Representatives concurring therein, hereby implore the General Assembly of the State of Illinois to enact a law to require parental consent prior to allowing a minor to obtain an abortion; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution to Governor George H. Ryan of Illinois and the President Pro Tempore James "Pate" Philip and Speaker of the House Michael Madigan for the State of Illinois.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 26**.

SENATE CONCURRENT RESOLUTION NO. 26

WHEREAS, providing public education is the primary duty of the state after paying state debts, as provided pursuant to Article III, Section 36 of the Missouri Constitution; and

WHEREAS, public school buildings in Missouri have historically been funded mainly by local funds; and

WHEREAS, the ability of school districts to pay for buildings, as measured by a district's assessed value per pupil, varies by a factor of roughly seventeen between the wealthiest and least wealthy district in this state; and

WHEREAS, the Department of Elementary and Secondary Education recently conducted a comprehensive review of school district building needs and found the existing statewide need for new construction and renovation to be in excess of four billion dollars; and

WHEREAS, public education is a labor intensive operation with roughly three-fourths of operating cost supporting salaries and benefits of staff, and most of those salaries being paid to certificated teachers; and

WHEREAS, state school operating aid has increased significantly since the passage of SB 380 in 1993; and

WHEREAS, state minimum salary requirements for teachers have not been increased to keep up with increases in the cost of living; and

WHEREAS, state cost to fully fund state school aid continues to increase significantly each year and requires funds which create hardships for other sectors of society needing access to state funds; and

WHEREAS, the adequacy and equity of funding available to public schools has again become a serious concern across the state, highlighted by the wide range of available operating funding for Missouri school districts, which ranges from \$3500 per pupil to over \$11,000 per pupil:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri Senate, Ninety-first General Assembly, First Regular Session, the House of Representatives concurring therein, that a joint interim committee on education be created to be composed of seven members of the Senate, to be appointed by the President Pro Tem of the Senate, and seven members of the House of Representatives, to be appointed by the Speaker of the House of Representatives; and

BE IT FURTHER RESOLVED that said committee conduct an in-depth study concerning all issues relating to funding for school buildings and building renovation, teachers' salaries, equity and adequacy of distribution of state school aid and overall funding levels for schools and any other education-related issues the committee deems relevant; and

BE IT FURTHER RESOLVED, that the committee conduct an in depth review of funding sources for public education that could serve as a replacement for the property tax; and

BE IT FURTHER RESOLVED that said committee prepare a report, together with its recommendations for any legislative action it deems necessary for submission to the General Assembly prior to the commencement of the Second Regular Session of the Ninety-first General Assembly; and

BE IT FURTHER RESOLVED that said committee may solicit any input and information necessary to fulfill its obligations from the Missouri Department of Elementary and Secondary Education, the State Board of Education, the Department of Higher Education, the Coordinating Board for Higher Education, the State Tax Commission, all school districts and other political subdivisions of this state, teachers and teacher groups, business and other commercial interests and any other interested persons; and

BE IT FURTHER RESOLVED that House Research, the Committee on Legislative Research, and Senate Research shall provide such legal, research, clerical, technical and bill drafting services as the committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the actual and necessary expenses of the committee, its members and any staff personnel assigned to the committee incurred in attending meetings of the committee or any subcommittee thereof shall be paid from the Joint Contingent Fund and the committee shall prepare a report, together with its recommendations for any legislative action it deems necessary for submission to the Governor and the General Assembly by January 15, 2002. The committee shall be authorized to function until January 15, 2002.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 460**, entitled:

An act to repeal section 144.815, RSMo 2000, relating to sales tax exemptions, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 4:00 p.m., Monday, April 2, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Forty-seventh Day, Wednesday, March 28, 2001, pages 838 and 839, roll call, by showing Representatives Kelly (36) and Riback Wilson (25) voting "aye" rather than "absent with leave".

Pages 841 and 842, roll call, by showing Representative Gratz voting "aye" rather than "absent with leave".

Page 842, roll call, by showing Representatives Gratz and Kelly (27) voting "aye" rather than "absent with leave".

Page 843, roll call, by showing Representative Gratz voting "aye" rather than "absent with leave".

Page 844, roll call, by showing Representatives Behnen, Gratz and Kelly (144) voting "aye" rather than "absent with leave".

Pages 845 and 846, roll call, by showing Representative Troupe voting "present" rather than "aye".

Page 848, roll call, by showing Representatives Haywood, Kelly (27) and Reinhart voting "aye" rather than "absent with leave".

Pages 848 and 849, roll call, by showing Representatives Boucher, Kelly (27) and Reinhart voting "aye" rather than "absent with leave".

Pages 849 and 850, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Pages 857 and 858, roll call, by showing Representatives Hegeman and Kelly (27) voting "aye" rather than "absent with leave".

Pages 858 and 859, roll call, by showing Representatives Boatright and Hegeman voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, April 4, 2001. Hearing Room 7 upon morning adjournment.

Executive Session to follow. Presentation by FAPRI.

To be considered - HB 31, HB 601, HB 941

BUDGET

Monday, April 2, 2001, 3:00 pm. Hearing Room 3.

Executive Session on previously heard bills.

CHILDREN, FAMILIES, AND HEALTH

Tuesday, April 3, 2001. Hearing Room 4 upon morning adjournment.

Possible Executive Session.

To be considered - HB 134, HB 807, HB 892, HB 964

COMMERCE

Tuesday, April 3, 2001. Hearing Room 6 upon morning adjournment.

Executive Session may follow.

To be considered - HB 599, HB 837, HCR 26

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, April 3, 2001, 8:00 pm. Hearing Room 7.

Executive Session may follow.

To be considered - HB 150, HB 231, HB 346, HB 880

CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING

Monday, April 2, 2001, 8:00 pm. Hearing Room 3.

To be considered - HB 201, HB 911

EDUCATION - HIGHER

Monday, April 2, 2001, 3:45 pm. Side gallery.

To be considered - Executive Session - SB 25

FISCAL REVIEW AND GOVERNMENT REFORM

Tuesday, April 3, 2001, 9:30 am. Hearing Room 7. (Fiscal Note).

To be considered - HB 471

INSURANCE

Tuesday, April 3, 2001. Hearing Room 5 upon afternoon adjournment/6:00p.m.

To be considered - HB 900, Executive Session - HB 764, Executive Session - HB 900

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, April 3, 2001. Hearing Room 7 upon morning adjournment.

Executive Session may follow.

To be considered - HB 843

MISSOURI TOBACCO SETTLEMENT

Monday, April 2, 2001. Hearing Room 1 upon adjournment.

Organizational meeting.

SPECIAL COMMITTEE ON PUBLIC-PRIVATE PARTNERSHIPS

Monday, April 2, 2001, 2:30 pm. Hearing Room 6.

To be considered - HCR 25

SPECIAL COMMITTEE ON SPORTSMANSHIP, SAFETY AND FIREARMS

Tuesday, April 3, 2001. Hearing Room 3 upon morning adjournment.

Executive Session may follow.

To be considered - HB 258, HB 853, HB 1013

SUBCOMMITTEE ON REDISTRICTING FOR CONGRESSIONAL DISTRICTS 4,5,6,7,8,9

Thursday, April 5, 2001, 5:00 pm.

Pulaski County Courthouse, Waynesville.

Public Hearing on Congressional Redistricting.

SUBCOMMITTEE ON REDISTRICTING FOR CONGRESSIONAL DISTRICTS 4,5,6,7,8,9

Friday, April 6, 2001, 12:00 pm.

SMS University Alumni Center., 300 S. Jefferson,

1st Floor Hospitality Room.

Public hearing Congressional Redistricting.

SUBCOMMITTEE ON REDISTRICTING FOR CONGRESSIONAL DISTRICTS 4,5,6,7,8,9

Monday, April 9, 2001, 7:00 pm.

Audrain County Courthouse, Commissioner's Offices.

Public hearing on Congressional Redistricting.

SUBCOMMITTEE ON REDISTRICTING FOR CONGRESSIONAL DISTRICTS 4,5,6,7,8,9

Thursday, April 12, 2001, 5:30 pm.

Penn Valley Community College, Room 503.

Public hearing on Congressional Redistricting.

SUBCOMMITTEE ON TOBACCO SETTLEMENT

Monday, April 2, 2001. Hearing Room 7 upon evening adjournment.

To be considered - HB 14

HOUSE CALENDAR

FORTY-NINTH DAY, MONDAY, APRIL 2, 2001

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 15 & 13 - Crawford

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 924, 714, 685, 756, 734 & 518 - Wiggins
- 2 HCS HB 457, HA 2, as amended, tabled - Kreider
- 3 HB 349 - Hosmer
- 4 HCS HB 835, 90, 707, 373, 641, 510, 516 & 572 - Britt
- 5 HB 286, HCA 1 & HCA 2 - Smith
- 6 HCS HB 280, 69, 497 & 689 - Hoppe
- 7 HB 527 - Luetkenhaus
- 8 HB 736 - Liese
- 9 HB 366 - Champion
- 10 HB 678 - Seigfreid
- 11 HB 436 - Merideth
- 12 HCS HB 472 - Burton
- 13 HCS HB 488 - Koller
- 14 HB 592 - Williams
- 15 HCS HB 660 - Hagan-Harrell
- 16 HB 555 - Foley
- 17 HCS HB 426 - O'Toole
- 18 HCS HB 831 - Carnahan
- 19 HCS HB 428 - Kelly (36)
- 20 HCS HB 593 - Riback Wilson (25)
- 21 HCS HB 170 - Froelker
- 22 HCS HB 239 - Smith

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HB 882 - Crump
- 3 HB 891 - Smith

HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 HCR 4, (3-26-01, pages 799 & 800) - Williams
- 2 HCR 10, (3-27-01, page 830) - Holand
- 3 HCR 12, (3-29-01) - Haywood
- 4 HCR 24, (3-29-01) - Boucher

- 5 HCR 5, (3-29-01) - Mays (50)
- 6 HCR 6, (3-29-01) - Myers

HOUSE JOINT RESOLUTION FOR THIRD READING

HS HJR 11 - Gambaro

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 754, 29, 300 & 505 - Franklin
- 2 HS HCS HB 762 - Barry
- 3 HCS HB 106 - Johnson (61)
- 4 HB 471, (Fiscal Review 3-28-01) - Jolly
- 5 HCS HB 274, E.C. - Shields
- 6 HB 662 - Green (73)
- 7 HB 70 - Koller
- 8 HB 120 - O'Connor
- 9 HCS HB 533 & 724 - Johnson (90)
- 10 HB 915, E.C. - Graham
- 11 HS HB 612 - Ladd Baker
- 12 HS HCS HB 824 - Abel
- 13 HCS HB 581 - Ridgeway
- 14 HB 679 - Boykins

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 897 - Kreider
- 2 HB 716 - Burton
- 3 HB 796 - Hosmer
- 4 HB 865 - Davis
- 5 HB 458 - Lawson
- 6 HB 805 - Mayer
- 7 HB 821 - Hosmer
- 8 HB 285 - Riback Wilson (25)
- 9 HB 816 - Kennedy
- 10 HB 644 - Burton
- 11 HB 52 - Ward
- 12 HB 498 - Wagner
- 13 HB 704 - Gambaro
- 14 HB 922 - Gaskill
- 15 HB 951 - Gratz
- 16 HB 596 - Kennedy
- 17 HB 745 - Farnen
- 18 HB 945 - Hosmer
- 19 HB 909 - Davis

- 20 HB 606 - Kennedy
- 21 HB 955 - Green (73)
- 22 HB 410 - Holt
- 23 HB 402 - Boucher
- 24 HB 84 - Richardson
- 25 HB 954 - Hosmer
- 26 HB 825 - Kennedy
- 27 HB 881 - Scott
- 28 HB 408 - Kelley (47)
- 29 HB 933 - Reid
- 30 HB 904 - Merideth

SENATE CONCURRENT RESOLUTIONS FOR SECOND READING

- 1 SCS SCR 14
- 2 SCR 25
- 3 SCR 26

SENATE BILLS FOR SECOND READING

- 1 SCS SB 284
- 2 SB 307
- 3 SCS SB 384
- 4 SB 406
- 5 SB 451
- 6 SB 460
- 7 SB 470
- 8 SCS SB 514
- 9 SCS SB 520
- 10 SB 538
- 11 SB 543
- 12 SB 544
- 13 SB 553
- 14 SB 556
- 15 SB 563
- 16 SCS SB 568
- 17 SB 575
- 18 SCS SB 591
- 19 SB 610
- 20 SCS SB 619

BILL CARRYING REQUEST MESSAGE

SCS HCS HB 15, (req. Senate recede/grant conf.) - Green (73)

HOUSE RESOLUTIONS

- 1 HR 152, (3-1-01, page 557) - Harlan
- 2 HR 394, (3-28-01, page 871) - Hendrickson
- 3 HR 537, (3-1-01, page 557) - Williams
- 4 HR 223, (3-1-01, page 557) - Williams

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

FORTY-NINTH DAY, MONDAY, APRIL 2, 2001

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

God of progress, help these women and men continue in their activities to advance their goals for this session of our legislature. A lot has been accomplished. Many projects, programs, ideas and dreams remain unfulfilled. Invigorate us all anew in character and fortitude to press on with the work here in this chamber, in our representatives' offices, and in the hearing rooms. A new week presents itself with fresh challenges. With You at our helm, the week will find its end more in tune with Your loving will for our communities, for this state, and for this nation. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Samantha Jolly, Erin Baldwin, Leslie Russell, Jamie Russell, Tara Williams, David Spencer, Hunter Hendricks and Joseph Baldwin.

The Journal of the forty-eighth day was approved as corrected by the following vote:

AYES: 083

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Haywood	Hickey	Hilgemann	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Kelly 27	Kelly 36	Kennedy	Koller	Lawson
Lowe	Luetkenhaus	Mays 50	McKenna	Merideth
Monaco	O'Connor	O'Toole	Overschmidt	Ransdall
Relford	Reynolds	Rizzo	Scheve	Seigfreid
Selby	Shoemyer	Skaggs	Smith	Thompson
Treadway	Troupe	Van Zandt	Villa	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 073

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan

Enz	Fares	Froelker	Gaskill	Griesheimer
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Hunter	Jetton	Kelley 47
Kelly 144	King	Legan	Levin	Linton
Lograsso	Long	Luetkemeyer	Marble	Marsh
May 149	Mayer	Miller	Moore	Murphy
Myers	Naeger	Nordwald	Ostmann	Phillips
Portwood	Purgason	Rector	Reid	Reinhart
Richardson	Ridgeway	Roark	Robirds	Ross
Schwab	Scott	Shields	St. Onge	Surface
Townley	Vogel	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 004

Harlan	Liese	Secrest	Shelton
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VACANCIES: 003

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1047	-	Representative Treadway
House Resolution No. 1048	-	Representative Behnen
House Resolution No. 1049	-	Representative Selby, et al
House Resolution No. 1050	-	Representative Bartle
House Resolution No. 1051 through		
House Resolution No. 1055	-	Representatives Ross and Lograsso
House Resolution No. 1056	-	Representative Ford, et al
House Resolution No. 1057	-	Representative Johnson (90)
House Resolution No. 1058	-	Representative Dolan
House Resolution No. 1059 and		
House Resolution No. 1060	-	Representative Hampton
House Resolution No. 1061 and		
House Resolution No. 1062	-	Representative Kelly (144)
House Resolution No. 1063 and		
House Resolution No. 1064	-	Representative Griesheimer
House Resolution No. 1065	-	Representative Hanaway, joined by members of the Missouri Republican Caucus

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

SCS SCR 14, SCR 25, and SCR 26 were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 284, SB 307, SCS SB 384, SB 406, SB 451, SB 460, SB 470, SCS SB 514, SCS SB 520, SB 538, SB 543, SB 544, SB 553, SB 556, SB 563, SCS SB 568, SB 575, SCS SB 591, SB 610, and SCS SB 619 were read the second time.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 15** and grants the House a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SCS HCS HB 15: Representatives Green (73), Graham, Wilson (42), Legan and Shields

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SCS HCS HB 15:** Senators Russell, Rohrbach, Westfall, Goode and Wiggins.

THIRD READING OF HOUSE BILL - CONSENT

HB 716, relating to physical therapy, was taken up by Representative Burton.

On motion of Representative Burton, **HB 716** was read the third time and passed by the following vote:

AYES: 152

Abel	Baker	Ballard	Barnett	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61

Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Seigfreid	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 003

Barnitz	Murphy	Selby
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PRESENT: 001

Brooks

ABSENT WITH LEAVE: 004

Harlan	Liese	Secrest	Shelton
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VACANCIES: 003

Speaker Kreider declared the bill passed.

SIGNING OF SENATE BILL

All other business of the House was suspended while **SB 256** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Speaker Pro Tem Abel assumed the Chair.

THIRD READING OF HOUSE BILLS - CONSENT

HB 865, relating to school building report cards, was taken up by Representative Davis.

On motion of Representative Davis, **HB 865** was read the third time and passed by the following vote:

AYES: 147

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell

Carnahan	Champion	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	Lawson	Legan	Liese
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Seigfreid
Selby	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 005

Ballard	Cierpiot	King	Linton	Murphy
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ABSENT WITH LEAVE: 008

Harlan	Koller	Levin	Long	Secrest
Shelton	Treadway	Troupe		

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HB 458, relating to use of warning signals, was taken up by Representative Lawson.

On motion of Representative Lawson, **HB 458** was read the third time and passed by the following vote:

AYES: 154

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey

Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Seigfreid	Selby	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Treadway	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 001

Townley

PRESENT: 000

ABSENT WITH LEAVE: 005

Ford	Graham	Secrest	Shelton	Troupe
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VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HB 805, relating to temporary instruction permit, was placed on the Informal Calendar.

HB 821, relating to organ transplant program, was placed on the Informal Calendar.

Representative Coleman assumed the Chair.

Speaker Pro Tem Abel resumed the Chair.

HB 285, relating to centers of excellence in women's health, was taken up by Representative Riback Wilson (25).

On motion of Representative Riback Wilson (25), **HB 285** was read the third time and passed by the following vote:

AYES: 115

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Behnen	Berkowitz	Black	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Coleman	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dolan	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Haywood	Hegeman	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Johnson 61
Johnson 90	Jolly	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Levin	Liese
Lowe	Luetkenhaus	Marsh	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Portwood	Ransdall	Reid	Relford	Reynolds
Rizzo	Ross	Scheve	Scott	Seigfreid
Selby	Shields	Shoemyer	Skaggs	Smith
Thompson	Treadway	Troupe	Van Zandt	Villa
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 032

Ballard	Bearden	Berkstresser	Boatright	Cierpiot
Cooper	Enz	Gaskill	Hartzler	Hendrickson
Hohulin	Hunter	Jetton	Kelley 47	Kelly 144
Linton	Lograsso	Luetkemeyer	Marble	May 149
Myers	Phillips	Purgason	Rector	Reinhart
Ridgeway	Roark	Robirds	Schwab	St. Onge
Townley	Vogel			

PRESENT: 004

Bartelsmeyer	Henderson	Murphy	Naeger
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ABSENT WITH LEAVE: 009

Clayton	Dempsey	Ford	Legan	Long
Richardson	Secrest	Shelton	Surface	

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HS HB 612 - Fiscal Review and Government Reform (Fiscal Note)

HS HCS HB 824 - Fiscal Review and Government Reform (Fiscal Note)

HB 915 - Fiscal Review and Government Reform (Fiscal Note)

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SB 32 - Education-Elementary and Secondary
SB 123 - Sportsmanship, Safety and Firearms
SCS SB 284 - Education-Elementary and Secondary
SCS SB 287 - Public Safety, Law Enforcement and Veteran Affairs
SB 288 - Judiciary
SB 293 - Commerce and Economic Development
SB 295 - Education-Higher
SCS SB 301 - Correctional and State Institutions
SB 303 - Education-Elementary and Secondary
SCS SB 304 - Judiciary
SB 307 - Ways and Means
SB 316 - Retirement
SB 321 - Education-Elementary and Secondary
SCS SB 341 - Public Safety, Law Enforcement and Veteran Affairs
SCS SB 344 - Insurance
SB 345 - Local Government and Related Matters
SB 348 - Children, Families and Health
SB 353 - Education-Elementary and Secondary
SCS SB 357 - Professional Registration and Licensing
SB 371 - Miscellaneous Bills & Resolutions
SCS SB 383 - Urban Affairs
SCS SB 384 - Professional Registration and Licensing
SCS SB 393 - Professional Registration and Licensing
SB 394 - Correctional and State Institutions
SB 406 - Transportation
SCS SB 407 - Motor Vehicle and Traffic Regulations
SB 422 - Public Safety, Law Enforcement and Veteran Affairs
SCS SB 431 - Correctional and State Institutions
SB 434 - Children, Families and Health
SB 435 - Transportation
SB 436 - Transportation
SB 441 - Local Government and Related Matters
SB 442 - Motor Vehicle and Traffic Regulations
SB 443 - Public Safety, Law Enforcement and Veteran Affairs
SB 451 - Utilities Regulation
SB 460 - Ways and Means
SB 470 - Miscellaneous Bills & Resolutions
SCS SB 514 - Children, Families and Health
SCS SB 515 - Local Government and Related Matters
SCS SB 520 - Motor Vehicle and Traffic Regulations
SB 521 - Workers Compensation and Employment Security

SB 538 - Banks and Financial Institutions
SB 543 - Education-Elementary and Secondary
SB 544 - Correctional and State Institutions
SB 553 - Correctional and State Institutions
SB 556 - Local Government and Related Matters
SB 563 - Ways and Means
SCS SB 568 - Correctional and State Institutions
SB 575 - Education-Elementary and Secondary
SCS SB 591 - Local Government and Related Matters
SB 605 - Insurance
SB 610 - Local Government and Related Matters
SCS SB 619 - Local Government and Related Matters
SCS SB 623 - Motor Vehicle and Traffic Regulations

COMMITTEE REPORTS

Committee on Budget, Chairman Green (73) reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 13**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 18**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 19**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Education-Higher, Chairman Williams reporting:

Mr. Speaker: Your Committee on Education-Higher, to which was referred **SB 25**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Tuesday, April 3, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Forty-eighth Day, Thursday, March 29, 2001, pages 878 and 879, roll call, by showing Representatives Cooper, Kelly (27) and Shoemyer voting “aye” rather than “absent with leave”.

Pages 881 and 882, roll call, by showing Representative Wright voting “aye” rather than “absent with leave”.

Pages 882 and 883, roll call, by showing Representative Reinhart voting “aye” rather than “absent with leave”.

Pages 883 and 884, roll call, by showing Representatives Black and Kennedy voting “aye” rather than “absent with leave”.

Pages 885 and 886, roll call, by showing Representative Surface voting “aye” rather than “absent with leave”.

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, April 4, 2001. Hearing Room 7 upon morning adjournment.
Executive Session to follow. Presentation by FAPRI.
To be considered - HB 31, HB 601, HB 941

CHILDREN, FAMILIES, AND HEALTH

Tuesday, April 3, 2001. Hearing Room 4 upon morning adjournment.
Possible Executive Session.
To be considered - HB 134, HB 807, HB 892, HB 964

CIVIL AND ADMINISTRATIVE LAW

Wednesday, April 4, 2001. Hearing Room 1 upon morning adjournment.
Executive Session may follow.
To be considered - SB 72, SB 87, SB 370

COMMERCE AND ECONOMIC DEVELOPMENT

Tuesday, April 3, 2001. Hearing Room 6 upon morning adjournment.
Executive Session may follow.
To be considered - HB 599, HB 837, HCR 26

CONSERVATION, STATE PARKS AND MINING

Wednesday, April 4, 2001, 8:30 am. Hearing Room 1.
To be considered - SCR 13

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, April 3, 2001, 8:00 pm. Hearing Room 7.
Executive Session may follow.
To be considered - HB 150, HB 231, HB 346, HB 880

EDUCATION - ELEMENTARY AND SECONDARY

Wednesday, April 4, 2001, 8:30 am. Hearing Room 3.
To be considered - HB 305, HB 326, HB 903, HB 926, Executive Session - HB 128,
Executive Session - HB 199, Executive Session - HB 637, Executive Session - HJR 18

FISCAL REVIEW AND GOVERNMENT REFORM

Tuesday, April 3, 2001, 9:30 am. Hearing Room 7.

(Fiscal Note). To be considered - HB 471

INSURANCE

Tuesday, April 3, 2001. Hearing Room 5 upon afternoon adjournment/6:00p.m.

To be considered - HB 900, Executive Session - HB 764, Executive Session - HB 900

JUDICIARY

Tuesday, April 3, 2001. Hearing Room 5 upon morning adjournment.

Executive Session may follow.

To be considered - HB 272, HB 651, HB 996, HB 997, HB 1005

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, April 3, 2001. Hearing Room 7 upon morning adjournment.

Executive Session may follow.

To be considered - HB 843

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, April 4, 2001, 8:00 am. Hearing Room 6.

To be considered - HB 1007, HB 1025, SB 203, SB 416, SCR 6, SCR 10, SCR 20

MISSOURI TOBACCO SETTLEMENT

Tuesday, April 3, 2001. Hearing Room 1 upon morning adjournment.

Overview of the Missouri Tobacco Settlement.

MISSOURI TOBACCO SETTLEMENT

Wednesday, April 4, 2001, 8:00 am. Hearing Room 7.

To be considered - HB 888, HB 916, HB 942, HB 943, HJR 17

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Tuesday, April 3, 2001, 8:00 am. Hearing Room 6.

Executive Session will follow.

To be considered - SB 26, SB 224, SCR 16

SPECIAL COMMITTEE ON SPORTSMANSHIP, SAFETY AND FIREARMS

Tuesday, April 3, 2001. Hearing Room 3 upon morning adjournment.

Executive Session may follow.

To be considered - HB 258, HB 853, HB 1013

SUBCOMMITTEE ON REDISTRICTING FOR CONGRESSIONAL DISTRICTS 4,5,6,7,8,9

Thursday, April 5, 2001, 5:00 pm. Pulaski County Courthouse, Waynesville.

Public Hearing on Congressional Redistricting.

SUBCOMMITTEE ON REDISTRICTING FOR CONGRESSIONAL DISTRICTS 4,5,6,7,8,9

Friday, April 6, 2001, 12:00 pm.

SMS University Alumni Center, 300 S. Jefferson, 1st Floor Hospitality Room.

Public hearing on Congressional Redistricting.

SUBCOMMITTEE ON REDISTRICTING FOR CONGRESSIONAL DISTRICTS 4,5,6,7,8,9

Monday, April 9, 2001, 7:00 pm. Audrain County Courthouse, Commissioner's Offices.

Public hearing on Congressional Redistricting.

SUBCOMMITTEE ON REDISTRICTING FOR CONGRESSIONAL DISTRICTS 4,5,6,7,8,9

Thursday, April 12, 2001, 5:30 pm. Penn Valley Community College Room 503.

Public hearing on Congressional Redistricting.

TRANSPORTATION

Wednesday, April 4, 2001. Hearing Room 6 upon morning adjournment.

To be considered - HB 917, HJR 16, SB 244

WAYS AND MEANS

Tuesday, April 3, 2001. Hearing Room 2 upon morning adjournment.

Executive Session to be held.

To be considered - HB 818, HB 944, SB 234

HOUSE CALENDAR

FIFTIETH DAY, TUESDAY, APRIL 3, 2001

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 15 & 13 - Crawford

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

- 1 HCS HB 13 - Bonner
- 2 HCS HB 18 - Green (73)
- 3 HCS HB 19 - Green (73)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 924, 714, 685, 756, 734 & 518 - Wiggins
- 2 HCS HB 457, HA 2, as amended, tabled - Kreider
- 3 HB 349 - Hosmer
- 4 HCS HB 835, 90, 707, 373, 641, 510, 516 & 572 - Britt
- 5 HB 286, HCA 1 & HCA 2 - Smith
- 6 HCS HB 280, 69, 497 & 689 - Hoppe
- 7 HB 527 - Luetkenhaus

- 8 HB 736 - Liese
- 9 HB 366 - Champion
- 10 HB 678 - Seigfreid
- 11 HB 436 - Merideth
- 12 HCS HB 472 - Burton
- 13 HCS HB 488 - Koller
- 14 HB 592 - Williams
- 15 HCS HB 660 - Hagan-Harrell
- 16 HB 555 - Foley
- 17 HCS HB 426 - O'Toole
- 18 HCS HB 831 - Carnahan
- 19 HCS HB 428 - Kelly (36)
- 20 HCS HB 593 - Riback Wilson (25)
- 21 HCS HB 170 - Froelker
- 22 HCS HB 239 - Smith

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HB 882 - Crump
- 3 HB 891 - Smith

HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 HCR 4, (3-26-01, pages 799 & 800) - Williams
- 2 HCR 10, (3-27-01, page 830) - Holand
- 3 HCR 12, (3-29-01, page 894) - Haywood
- 4 HCR 24, (3-29-01, pages 891 & 892) - Boucher
- 5 HCR 5, (3-29-01, pages 892 & 893) - Mays (50)
- 6 HCR 6, (3-29-01, page 890) - Myers

HOUSE JOINT RESOLUTION FOR THIRD READING

HS HJR 11 - Gambaro

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 754, 29, 300 & 505 - Franklin
- 2 HS HCS HB 762 - Barry
- 3 HCS HB 106 - Johnson (61)
- 4 HB 471, (Fiscal Review 3-28-01) - Jolly
- 5 HCS HB 274, E.C. - Shields
- 6 HB 662 - Green (73)
- 7 HB 70 - Koller
- 8 HB 120 - O'Connor

- 9 HCS HB 533 & 724 - Johnson (90)
- 10 HB 915, E.C. (Fiscal Review 4-2-01) - Graham
- 11 HS HB 612, (Fiscal Review 4-2-01) - Ladd Baker
- 12 HS HCS HB 824, (Fiscal Review 4-2-01) - Abel
- 13 HCS HB 581 - Ridgeway
- 14 HB 679 - Boykins

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 897 - Kreider
- 2 HB 796 - Hosmer
- 3 HB 816 - Kennedy
- 4 HB 644 - Burton
- 5 HB 52 - Ward
- 6 HB 498 - Wagner
- 7 HB 704 - Gambaro
- 8 HB 922 - Gaskill
- 9 HB 951 - Gratz
- 10 HB 596 - Kennedy
- 11 HB 745 - Farnen
- 12 HB 945 - Hosmer
- 13 HB 909 - Davis
- 14 HB 606 - Kennedy
- 15 HB 955 - Green (73)
- 16 HB 410 - Holt
- 17 HB 402 - Boucher
- 18 HB 84 - Richardson
- 19 HB 954 - Hosmer
- 20 HB 825 - Kennedy
- 21 HB 881 - Scott
- 22 HB 408 - Kelley (47)
- 23 HB 933 - Reid
- 24 HB 904 - Merideth

HOUSE BILLS FOR THIRD READING - CONSENT - INFORMAL

- 1 HB 805 - Mayer
- 2 HB 821 - Hosmer

BILL IN CONFERENCE

SCS HCS HB 15 - Green (73)

HOUSE RESOLUTIONS

- 1 HR 152, (3-1-01, page 557) - Harlan
- 2 HR 394, (3-28-01, page 871) - Hendrickson
- 3 HR 537, (3-1-01, page 557) - Williams
- 4 HR 223, (3-1-01, page 557) - Williams

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

FIFTIETH DAY, TUESDAY, APRIL 3, 2001

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

The Hebrew Scriptures say, "Holiness befits Your House, O Lord, for length of days."

Please, God, may those words echo true in this House. We don't need the pious kind of holiness which looks clean and sanitary, but the deep holiness of men and women pursuing life, health, happiness, and wholeness for the citizens of this state.

On these walls are personified the virtues which make for that wholeness. May those virtues form and inform this day's decisions and the souls of these representatives. So may it be, God. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jackie Nott, Taressa Cade, Owen Reid, Melle Robinson, Tabitha Burge, Alyssa Kincaid, Carl Knox, Clayton Williams, Daniel Vargas, Kim Kerr, Amanda Balabon, Larry Culbertson, Erin Underwood, Patrick Woods, Megan Mueller, Chris Hilliard, Heather Kitrel, Anthony Lyons, Nichole Fluegge, Sarah Hulse, Mayann Che, Michael Thacker, Doug Wood, Julia Stepp, Natalie Bailey, Amy Ezell, Scott Pummill and Katie Weaver.

The Journal of the forty-ninth day was approved as corrected by the following vote:

AYES: 091

Abel	Barnitz	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Bray 84	Britt
Brooks	Burton	Campbell	Carnahan	Clayton
Coleman	Copenhaver	Crump	Curls	Davis
Dolan	Fares	Farnen	Foley	Ford
Franklin	Fraser	Gambaro	George	Graham
Gratz	Green 15	Green 73	Hagan-Harrell	Hampton
Harding	Haywood	Hegeman	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Jetton	Johnson 61	Johnson 90	Jolly	Kelly 27
Kelly 36	Kennedy	Koller	Lawson	Legan
Liese	Lowe	Luetkenhaus	Mays 50	McKenna
Merideth	Monaco	Murphy	O'Connor	O'Toole
Overschmidt	Ransdall	Relford	Reynolds	Roberts
Scheve	Seigfreid	Selby	Shoemaker	Skaggs
Smith	Surface	Thompson	Townley	Treadway
Van Zandt	Villa	Wagner	Walton	Ward

Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 054

Barnett	Bartelsmeyer	Bartle	Bearden	Behnen
Berkstresser	Black	Boatright	Burcham	Byrd
Champion	Cierpiot	Cooper	Crawford	Crowell
Cunningham	Dempsey	Enz	Gaskill	Griesheimer
Hanaway	Henderson	Hendrickson	Hohulin	Hunter
Kelley 47	Kelly 144	King	Levin	Linton
Lograsso	Luetkemeyer	Marble	Marsh	May 149
Mayer	Miller	Moore	Myers	Naeger
Nordwald	Ostmann	Phillips	Portwood	Purgason
Reinhart	Roark	Ross	Schwab	Scott
Shields	St. Onge	Vogel	Wright	

PRESENT: 001

Froelker

ABSENT WITH LEAVE: 014

Baker	Ballard	Boykins	Harlan	Hartzler
Long	Rector	Reid	Richardson	Ridgeway
Rizzo	Secrest	Shelton	Troupe	

VACANCIES: 003

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1066	-	Representative Holt
House Resolution No. 1067		
and		
House Resolution No. 1068	-	Representative Ridgeway
House Resolution No. 1069		
and		
House Resolution No. 1070	-	Representative Purgason
House Resolution No. 1071	-	Representatives Hollingsworth and McKenna

COMMITTEE REPORT

Committee on Fiscal Review and Government Reform, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HB 471** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Representative Coleman assumed the Chair.

Speaker Pro Tem Abel assumed the Chair.

THIRD READING OF HOUSE BILLS - CONSENT

HB 796, relating to labeling of drugs and devices, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HB 796** was read the third time and passed by the following vote:

AYES: 154

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Seigfreid	Selby	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Boykins	Ford	Lograsso	Secrest	Shelton
Troupe				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

Representative Bowman assumed the Chair.

Speaker Pro Tem Abel resumed the Chair.

HB 816, relating to tax refunds, was taken up by Representative Kennedy.

On motion of Representative Kennedy, **HB 816** was read the third time and passed by the following vote:

AYES: 146

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 002

Hohulin Kelly 27

PRESENT: 006

Bartelsmeyer	Berkstresser	Hartzler	Hunter	Moore
Purgason				

ABSENT WITH LEAVE: 006

Campbell	Ford	Lograsso	Secrest	Shelton
Troupe				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HB 644, relating to nonprobate transfers, was placed on the Informal Calendar.

Representative Bowman resumed the Chair.

Speaker Pro Tem Abel resumed the Chair.

HB 52, relating to prosecutors, was taken up by Representative Ward.

On motion of Representative Ward, **HB 52** was read the third time and passed by the following vote:

AYES: 131

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Bonner	Boucher
Bowman	Britt	Brooks	Burcham	Burton
Champion	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kennedy	Koller	Lawson	Legan	Levin
Linton	Lowe	Luetkemeyer	Luetkenhaus	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Naeger	Nordwald	O'Connor
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Seigfreid
Selby	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Treadway	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 001

Hohulin

PRESENT: 003

Byrd	Lograsso	Myers
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ABSENT WITH LEAVE: 025

Baker	Boatright	Boykins	Bray 84	Campbell
Carnahan	Cierpiot	Ford	Hagan-Harrell	Harlan
Hickey	Kelly 36	King	Liese	Long
Marble	Moore	Murphy	O'Toole	Ridgeway
Secrest	Shelton	Townley	Troupe	Van Zandt

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 14**, entitled:

An act to repeal section 221.425, RSMo 2000, relating to authorizing a sales tax for regional jail districts and associated court facilities, and to enact in lieu thereof two new sections relating to the same subject, with an expiration date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS #2 SCS SBs 39 & 269**, entitled:

An act to repeal section 537.675, RSMo 2000, relating to judicial and administrative procedures, and to enact in lieu thereof seven new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 50**, entitled:

An act to repeal section 21.183, RSMo 2000, relating to the general assembly, and to enact in lieu thereof three new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 97**, entitled:

An act to repeal sections 160.400, 160.405 and 160.415, RSMo, relating to the department of elementary and secondary education, and to enact in lieu thereof six new sections relating to the same subject, with an emergency clause.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 130**, entitled:

An Act to amend chapter 311, RSMo, by adding thereto one new section relating to liquor control.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 220**, entitled:

An act to repeal sections 28.600, 28.603, 28.606, 28.609, 28.612, 28.615, 28.618, 28.621, 28.624, 28.627, 28.630, 28.633, 28.636, 28.639, 28.642, 28.645, 28.648, 28.651, 28.654, 28.657, 28.660, 28.663, 28.666, 28.669, 28.672, 28.675, and 28.678, RSMo 2000, and section 28.681 as enacted by senate bill 680 during the second regular session of the eighty-ninth general assembly, relating to the uniform electronic transactions act, and to enact in lieu thereof seventeen new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 317**, entitled:

An act to repeal sections 700.015, 700.025, 700.045, 700.050, 700.090 and 700.100, RSMo 2000, relating to housing, and to enact in lieu thereof fourteen new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 319**, entitled:

An act to repeal section 160.518, RSMo 2000, and to enact in lieu thereof one new section relating to assessment of students for whom English is a second language.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 381**, entitled:

An act to amend chapter 431, RSMo, by adding thereto one new section relating to contracts.

In which the concurrence of the House is respectfully requested.

On motion of Representative Crump, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Kreider.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jordan Young, Josh Blackford, Matt Jasinski, Emily Giffin, Jessica Baker, Brandi Burch and Valerie Strueby.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1072

through

House Resolution No. 1085	-	Representative Levin
House Resolution No. 1086	-	Representative Riback Wilson (25)
House Resolution No. 1087	-	Representative Moore
House Resolution No. 1088	-	Representative Treadway
House Resolution No. 1089	-	Representative Moore
House Resolution No. 1090	-	Representative Ladd Baker

Representative Bowman resumed the Chair.

THIRD READING OF HOUSE BILLS - CONSENT

Speaker Pro Tem Abel resumed the Chair.

HB 498, relating to third class cities, was taken up by Representative Wagner.Representative Wagner moved that **HB 498** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 079

Abel	Barnett	Barnitz	Barry 100	Berkowitz
Black	Bland	Bonner	Boucher	Bowman
Boykins	Britt	Burton	Campbell	Carnahan
Clayton	Copenhaver	Crump	Curls	Davis
Enz	Farnen	Foley	Franklin	Fraser
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Harding
Haywood	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Kelly 27	Kennedy
Koller	Lawson	Liese	Lowe	Marsh
Mays 50	Merideth	Nordwald	O'Connor	O'Toole
Overschmidt	Ransdall	Reid	Relford	Schwab
Seigfreid	Selby	Shoemyer	Skaggs	Smith
Surface	Thompson	Townley	Treadway	Van Zandt
Villa	Wagner	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 005

Hendrickson	Hohulin	Jetton	McKenna	Reynolds
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PRESENT: 057

Ballard	Bartelsmeyer	Bartle	Bearden	Behnen
Berkstresser	Boatright	Brooks	Burcham	Champion
Cierpiot	Cooper	Crawford	Crowell	Cunningham
Dempsey	Dolan	Fares	Hanaway	Hartzler

Hegeman	Henderson	Holand	Hunter	Kelley 47
Kelly 144	King	Legan	Levin	Linton
Lograsso	Luetkemeyer	Luetkenhaus	Marble	May 149
Mayer	Miller	Moore	Myers	Naeger
Ostmann	Phillips	Portwood	Purgason	Rector
Reinhart	Richardson	Ridgeway	Roark	Robirds
Ross	Shields	St. Onge	Troupe	Vogel
Walton	Wright			

ABSENT WITH LEAVE: 019

Baker	Bray 84	Byrd	Coleman	Ford
Froelker	Green 73	Harlan	Hickey	Hilgemann
Kelly 36	Long	Monaco	Murphy	Rizzo
Scheve	Scott	Secrest	Shelton	

VACANCIES: 003

Representative Gratz assumed the Chair.

Representative Ransdall assumed the Chair.

Speaker Pro Tem Abel resumed the Chair.

HB 704, relating to liens on real property, was taken up by Representative Gambaro.

On motion of Representative Gambaro, **HB 704** was read the third time and passed by the following vote:

AYES: 099

Abel	Baker	Barnitz	Barry 100	Bartle
Berkowitz	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Campbell	Carnahan	Clayton	Coleman	Copenhaver
Crawford	Crump	Curls	Davis	Dempsey
Farnen	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 15
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Haywood	Hickey	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelly 27	Kelly 36	Kennedy
Koller	Lawson	Levin	Liese	Lowe
Luetkenhaus	Marsh	Mays 50	McKenna	Merideth
Monaco	O'Connor	O'Toole	Ostmann	Overschmidt
Ransdall	Reid	Relford	Reynolds	Rizzo
Roark	Scheve	Schwab	Seigfreid	Selby
Shields	Shoemyer	Skaggs	Smith	St. Onge
Thompson	Treadway	Troupe	Van Zandt	Villa
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 052

Ballard	Barnett	Bartelsmeyer	Bearden	Behnen
Berkstresser	Boatright	Burcham	Burton	Byrd
Champion	Cierpiot	Cooper	Crowell	Cunningham
Enz	Froelker	Gaskill	Griesheimer	Hartzler
Hegeman	Henderson	Hendrickson	Hohulin	Kelley 47
Kelly 144	Legan	Linton	Lograsso	Luetkemeyer
Marble	May 149	Mayer	Miller	Moore
Murphy	Myers	Naeger	Phillips	Portwood
Purgason	Rector	Reinhart	Richardson	Ridgeway
Robirds	Ross	Scott	Surface	Townley
Vogel	Wright			

PRESENT: 003

Dolan	Fares	King
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ABSENT WITH LEAVE: 006

Green 73	Hilgemann	Long	Nordwald	Secrest
Shelton				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HB 922, relating to annexation, was placed on the Informal Calendar.

HB 951, relating to conveyance in Cole County, was taken up by Representative Gratz.

On motion of Representative Gratz, **HB 951** was read the third time and passed by the following vote:

AYES: 132

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burcham
Burton	Campbell	Carnahan	Champion	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Curls	Davis	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Hickey
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Lowe	Luetkemeyer	Luetkenhaus	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Purgason	Ransdall	Reid	Reinhart	Relford

Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Seigfreid	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 007

Boatright	Gaskill	Henderson	Hendrickson	Hohulin
Marble	Selby			

PRESENT: 011

Ballard	Cierpiot	Cunningham	Dempsey	Dolan
Kelly 144	Linton	Lograsso	Phillips	Portwood
Rector				

ABSENT WITH LEAVE: 010

Brooks	Byrd	Green 73	Harlan	Hilgemann
Long	Secrest	Shelton	Troupe	Van Zandt

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HB 596, relating to planned industrial expansion authority, was taken up by Representative Kennedy.

On motion of Representative Kennedy, **HB 596** was read the third time and passed by the following vote:

AYES: 143

Abel	Ballard	Barnett	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crump	Cunningham	Curls	Davis
Dempsey	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Lowe	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole

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Ostmann	Overschmidt	Phillips	Portwood	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Seigfreid
Selby	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 004

Hohulin	Kelly 144	Lograsso	Purgason
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PRESENT: 004

Cierpiot	Crowell	Dolan	Luetkemeyer
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ABSENT WITH LEAVE: 009

Baker	Barnitz	Hickey	Hilgemann	Linton
Long	Secrest	Shelton	Van Zandt	

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

Representative Harding assumed the Chair.

Speaker Pro Tem Abel resumed the Chair.

HB 745, relating to unclaimed property, was taken up by Representative Farnen.

On motion of Representative Farnen, **HB 745** was read the third time and passed by the following vote:

AYES: 134

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Britt	Brooks	Burton
Byrd	Campbell	Carnahan	Champion	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crump
Cunningham	Curls	Davis	Dolan	Enz
Farnen	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Jetton	Johnson 90	Jolly
Kelley 47	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
Mayer	Mays 50	McKenna	Merideth	Miller

Monaco	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Seigfreid	Selby	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 009

Bartelsmeyer	Burcham	Crowell	Fares	Hartzler
Kelly 144	May 149	Purgason	Rector	

PRESENT: 005

Cierpiot	Dempsey	Hunter	Linton	Moore
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ABSENT WITH LEAVE: 012

Ballard	Bray 84	Foley	Green 73	Hilgemann
Hohulin	Johnson 61	Lograsso	Long	Secrest
Shelton	Troupe			

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

Representative Harding resumed the Chair.

HB 909, relating to conveyance in Lafayette County, was taken up by Representative Davis.

On motion of Representative Davis, **HB 909** was read the third time and passed by the following vote:

AYES: 146

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Froelker
Gambaro	Gaskill	George	Graham	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lowe

Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 005

Ballard	Cierpiot	Crowell	Hunter	Ridgeway
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ABSENT WITH LEAVE: 009

Fraser	Gratz	Hilgemann	Hohulin	Lograsso
Long	Secrest	Shelton	Troupe	

VACANCIES: 003

Representative Harding declared the bill passed.

Speaker Pro Tem Abel resumed the Chair.

Representative Harding resumed the Chair.

HB 945, relating to juror compensation, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HB 945** was read the third time and passed by the following vote:

AYES: 098

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Berkowitz	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Clayton	Coleman	Copenhaver	Crump
Cunningham	Curls	Davis	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Green 15	Hagan-Harrell	Hampton
Harding	Haywood	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Kelly 27	Kelly 36	Kennedy	Koller	Lawson
Legan	Liese	Lowe	Luetkenhaus	Marsh
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	O'Connor	O'Toole	Overschmidt	Ransdall
Reid	Relford	Richardson	Rizzo	Roark

Scheve	Seigfreid	Selby	Shoemyer	Skaggs
Smith	Surface	Thompson	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 047

Ballard	Bartle	Bearden	Behnen	Berkstresser
Boatright	Cierpiot	Cooper	Crowell	Dempsey
Enz	Fares	Griesheimer	Hanaway	Hartzler
Hegeman	Henderson	Hendrickson	Hunter	Jetton
Kelley 47	Kelly 144	King	Levin	Lograsso
Luetkemeyer	Marble	May 149	Moore	Murphy
Myers	Naeger	Nordwald	Ostmann	Phillips
Portwood	Purgason	Rector	Reinhart	Reynolds
Ridgeway	Robirds	Ross	Schwab	Shields
St. Onge	Townley			

PRESENT: 003

Crawford	Dolan	Linton
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ABSENT WITH LEAVE: 012

Baker	Ford	Gratz	Green 73	Harlan
Hickey	Hilgemann	Hohulin	Long	Scott
Secrest	Shelton			

VACANCIES: 003

Representative Harding declared the bill passed.

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 866 - Public Safety, Law Enforcement and Veteran Affairs

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 267**, entitled:

An act to repeal sections 43.503, 56.085, 67.133, 210.140, 287.610, 303.025, 452.556, 455.040, 476.010, 478.610, 479.150, 482.330, 483.500, 487.020, 488.426, 488.445, 488.607, 488.5336, 490.130, 491.300, 494.410, 508.190, 534.070, 550.120, 565.030, 574.075, 575.200 and 610.105, RSMo 2000, section 303.041 as enacted by senate substitute for house substitute for house committee substitute for house bill no. 1797, ninetieth general assembly, second regular session and section 303.041 as enacted by conference committee substitute for house substitute for senate substitute for senate committee substitute for senate bill no. 19, ninetieth general assembly, first regular session, relating to court procedures, and to enact in lieu thereof thirty-seven new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, April 4, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Forty-ninth Day, Monday, April 2, 2001, pages 910 and 911, roll call, by showing Representatives Koller and Levin voting “aye” rather than “absent with leave”.

Page 913, roll call, by showing Representative Dempsey voting “no” rather than “absent with leave”.

Page 913, roll call, by showing Representative Surface voting “aye” rather than “absent with leave”.

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, April 4, 2001. Hearing Room 7 upon morning adjournment.
Executive Session to follow. Presentation by FAPRI.
To be considered - HB 31, HB 601, HB 941

BUDGET

Wednesday, April 4, 2001. Hearing Room 3 upon morning adjournment.
Possible Executive Session.
To be considered - HB 14

CIVIL AND ADMINISTRATIVE LAW

Wednesday, April 4, 2001. Hearing Room 1 upon morning adjournment.
Executive Session may follow.
To be considered - SB 72, SB 87, SB 370

CONSERVATION, STATE PARKS AND MINING

Wednesday, April 4, 2001, 8:30 am. Hearing Room 1.
To be considered - SCR 13

CRIMINAL LAW

Wednesday, April 4, 2001, 8:00 pm. Hearing Room 7.
Executive Session may follow.
To be considered - HB 1012, SB 36, SB 223

EDUCATION - ELEMENTARY AND SECONDARY

Wednesday, April 4, 2001, 8:30 am. Hearing Room 3.

To be considered - HB 305, HB 326, HB 903, HB 926, Executive Session - HB 128,
Executive Session - HB 199, Executive Session - HB 637, Executive Session - HJR 18

FISCAL REVIEW AND GOVERNMENT REFORM

Thursday, April 5, 2001, 8:30 am. Hearing Room 1.

(Fiscal Note).

To be considered - HB 612, HB 824

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, April 4, 2001, 8:00 am. Hearing Room 6. AMENDED.

To be considered - HB 532, HB 1007, SB 203, SB 416, SCR 6, SCR 10, SCR 20

MISSOURI TOBACCO SETTLEMENT

Wednesday, April 4, 2001, 8:00 am. Hearing Room 7.

To be considered - HB 888, HB 916, HB 942, HB 943, HJR 17

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Wednesday, April 4, 2001. Side gallery upon morning adjournment.

To be considered - Executive Session - SB 26, Executive Session - SB 224

RETIREMENT

Wednesday, April 11, 2001, 8:00 pm. Hearing Room 1.

Executive Session following hearing.

To be considered - HB 519, SB 316

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, April 10, 2001, 7:00 pm. Hearing Room 6.

Presentation by DFS on Child Care.

To be considered - HB 877, HB 987, SB 236, SB 449

SPECIAL COMMITTEE ON PUBLIC-PRIVATE PARTNERSHIPS

Wednesday, April 4, 2001. Side gallery upon morning adjournment.

To be considered - Executive Session - HCR 25

SUBCOMMITTEE ON LEGISLATIVE RESEARCH & OVERSIGHT

Wednesday, April 4, 2001, 12:30 pm. Senate Committee Room 2.

Challenge Fiscal Note. AMENDED.

To be considered - HB 512, HB 550, SB 318

SUBCOMMITTEE ON REDISTRICTING FOR CONGRESSIONAL DISTRICTS 4,5,6,7,8,9

Thursday, April 5, 2001, 5:00 pm. Pulaski County Courthouse, Waynesville.

Public Hearing on Congressional Redistricting.

SUBCOMMITTEE ON REDISTRICTING FOR CONGRESSIONAL DISTRICTS 4,5,6,7,8,9
Friday, April 6, 2001, 12:00 pm.

SMS University Alumni Center, 300 S. Jefferson, 1st Floor Hospitality Room.

Public hearing on Congressional Redistricting.

SUBCOMMITTEE ON REDISTRICTING FOR CONGRESSIONAL DISTRICTS 4,5,6,7,8,9
Monday, April 9, 2001, 7:00 pm. Audrain County Courthouse, Commissioner's Offices.

Public hearing on Congressional Redistricting.

SUBCOMMITTEE ON REDISTRICTING FOR CONGRESSIONAL DISTRICTS 4,5,6,7,8,9
Thursday, April 12, 2001, 5:30 pm. Penn Valley Community College, Room 503.

Public hearing on Congressional Redistricting.

TOURISM, RECREATION AND CULTURAL AFFAIRS

Monday, April 9, 2001, 8:00 pm. Hearing Room 7.

Executive Session may follow.

To be considered - HB 984, SB 365

TRANSPORTATION

Wednesday, April 4, 2001. Hearing Room 6 upon morning adjournment.

To be considered - HB 917, HJR 16, SB 244

URBAN AFFAIRS

Tuesday, April 10, 2001, 8:00 pm. Hearing Room 1.

To be considered - HB 963, HB 1011, HJR 19, SB 4, SB 76, SB 290, SB 383

UTILITIES REGULATION

Thursday, April 5, 2001, 8:15 am. Hearing Room 6.

Work session to follow. Executive Session may follow.

To be considered - HB 778, SCR 18

HOUSE CALENDAR

FIFTY-FIRST DAY, WEDNESDAY, APRIL 4, 2001

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 15 & 13 - Crawford

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

- 1 HCS HB 13 - Bonner
- 2 HCS HB 18 - Green (73)
- 3 HCS HB 19 - Green (73)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 924, 714, 685, 756, 734 & 518 - Wiggins
- 2 HCS HB 457, HA 2, as amended, tabled - Kreider
- 3 HB 349 - Hosmer
- 4 HCS HB 835, 90, 707, 373, 641, 510, 516 & 572 - Britt
- 5 HB 286, HCA 1 & HCA 2 - Smith
- 6 HCS HB 280, 69, 497 & 689 - Hoppe
- 7 HB 527 - Luetkenhaus
- 8 HB 736 - Liese
- 9 HB 366 - Champion
- 10 HB 678 - Seigfreid
- 11 HB 436 - Merideth
- 12 HCS HB 472 - Burton
- 13 HCS HB 488 - Koller
- 14 HB 592 - Williams
- 15 HCS HB 660 - Hagan-Harrell
- 16 HB 555 - Foley
- 17 HCS HB 426 - O'Toole
- 18 HCS HB 831 - Carnahan
- 19 HCS HB 428 - Kelly (36)
- 20 HCS HB 593 - Riback Wilson (25)
- 21 HCS HB 170 - Froelker
- 22 HCS HB 239 - Smith

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HB 882 - Crump
- 3 HB 891 - Smith

HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 HCR 4, (3-26-01, pages 799 & 800) - Williams
- 2 HCR 10, (3-27-01, page 830) - Holand
- 3 HCR 12, (3-29-01, page 894) - Haywood
- 4 HCR 24, (3-29-01, pages 891 & 892) - Boucher
- 5 HCR 5, (3-29-01, pages 892 & 893) - Mays (50)
- 6 HCR 6, (3-29-01, page 890) - Myers

HOUSE JOINT RESOLUTION FOR THIRD READING

HS HJR 11 - Gambaro

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 754, 29, 300 & 505 - Franklin
- 2 HS HCS HB 762 - Barry
- 3 HCS HB 106 - Johnson (61)
- 4 HB 471 - Jolly
- 5 HCS HB 274, E.C. - Shields
- 6 HB 662 - Green (73)
- 7 HB 70 - Koller
- 8 HB 120 - O'Connor
- 9 HCS HB 533 & 724 - Johnson (90)
- 10 HB 915, E.C. (Fiscal Review 4-2-01) - Graham
- 11 HS HB 612, (Fiscal Review 4-2-01) - Ladd Baker
- 12 HS HCS HB 824, (Fiscal Review 4-2-01) - Abel
- 13 HCS HB 581 - Ridgeway
- 14 HB 679 - Boykins

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 897 - Kreider
- 2 HB 606 - Kennedy
- 3 HB 955 - Green (73)
- 4 HB 410 - Holt
- 5 HB 402 - Boucher
- 6 HB 84 - Richardson
- 7 HB 954 - Hosmer
- 8 HB 825 - Kennedy
- 9 HB 881 - Scott
- 10 HB 408 - Kelley (47)
- 11 HB 933 - Reid
- 12 HB 904 - Merideth

HOUSE BILLS FOR THIRD READING - CONSENT - INFORMAL

- 1 HB 805 - Mayer
- 2 HB 821 - Hosmer
- 3 HB 644 - Burton
- 4 HB 922 - Gaskill

SENATE BILLS FOR SECOND READING

- 1 SS SB 14
- 2 SS#2 SCS SB 39 & 269
- 3 SB 50
- 4 SB 97

- 5 SCS SB 130
- 6 SS SB 220
- 7 SS SCS SB 267
- 8 SCS SB 317
- 9 SB 319
- 10 SB 381

BILL IN CONFERENCE

SCS HCS HB 15 - Green (73)

HOUSE RESOLUTIONS

- 1 HR 152, (3-1-01, page 557) - Harlan
- 2 HR 394, (3-28-01, page 871) - Hendrickson
- 3 HR 537, (3-1-01, page 557) - Williams
- 4 HR 223, (3-1-01, page 557) - Williams

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

FIFTY-FIRST DAY, WEDNESDAY, APRIL 4, 2001

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God: When we are perplexed, but must do something, help us not only to ask “Will it work?”, but also to ask “Is it right?”. Bless these men and women of the House, and those who support them. Protect them from asking the wrong questions as they govern our state. Keep them supportive of life and sensitive to the most needy among us.

May they know that You are near and if they will listen they will find Your gracious guidance. Help us to wait upon You; and to You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Danyelle Meyer, Chelsea Crofford, Devin Hopkins, Gabrielle Kniery, Jessica Bennett, Kyle Cupp, Maggie Brown, Clark Downing, Andrea Rosa, Austin Kings, Aerial Smith, Tommy Gillispie, Cassi Packham, Bryan Wilson, Nicholas Hill, Brandon Norris, Tamara Arredondo, William Hoverder, Courtney Torres, Matthew Walterbach, Alec Feloges, Sage Feloges, David Danaher, Andrew Gieselmann, Joy Ming, Mercedes O’Bryant, Jeffrey Marshall and Sean Funcik.

The Journal of the fiftieth day was approved as corrected by the following vote:

AYES: 085

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hampton	Harding	Harlan
Haywood	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Kelly 36	Kennedy	Koller	Lawson
Liese	Lowe	Mays 50	McKenna	Merideth
Monaco	O'Connor	O'Toole	Overschmidt	Ransdall
Relford	Reynolds	Rizzo	Scheve	Seigfreid
Selby	Shelton	Shoemyer	Skaggs	Smith
Surface	Thompson	Treadway	Troupe	Van Zandt
Villa	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 069

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Enz
Fares	Froelker	Gaskill	Griesheimer	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Hunter	Jetton	Kelley 47	Kelly 144	King
Legan	Levin	Linton	Lograsso	Luetkemeyer
Marble	Marsh	May 149	Mayer	Miller
Moore	Murphy	Myers	Naeger	Nordwald
Ostmann	Phillips	Portwood	Purgason	Rector
Reid	Reinhart	Richardson	Ridgeway	Roark
Robirds	Ross	Schwab	Scott	Shields
St. Onge	Townley	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 006

Dolan	Hagan-Harrell	Kelly 27	Long	Luetkenhaus
Secrest				

VACANCIES: 003

Speaker Pro Tem Abel assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1091	-	Representative Jetton
House Resolution No. 1092	-	Representative Britt
House Resolution No. 1093	-	Representative Burcham
House Resolution No. 1094		
through		
House Resolution No. 1107	-	Representative Levin
House Resolution No. 1108	-	Representative Bonner
House Resolution No. 1109	-	Representatives Bonner and Monaco
House Resolution No. 1110		
and		
House Resolution No. 1111	-	Representative Farnen

SECOND READING OF SENATE BILLS

SS SB 14, SS #2 SCS SBs 39 & 269, SB 50, SB 97, SB 130, SS SB 220, SS SCS SB 267, SCS SB 317, SB 319, and SB 381 were read the second time.

Speaker Kreider resumed the Chair.

THIRD READING OF HOUSE BILLS - CONSENT

HB 955, relating to medicaid hospital reimbursement, was taken up by Representative Green (73).

On motion of Representative Green (73), **HB 955** was read the third time and passed by the following vote:

AYES: 151

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 001

Ridgeway

ABSENT WITH LEAVE: 008

Dolan	Hagan-Harrell	Harlan	Henderson	Hohulin
Hunter	Long	Secrest		

VACANCIES: 003

Speaker Kreider declared the bill passed.

HB 606, relating to recorders of deeds, was taken up by Representative Kennedy.

Representative Crump moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hampton	Harding	Harlan
Haywood	Hickey	Hilgemann	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Kelly 27	Kelly 36	Kennedy	Koller	Lawson
Liese	Lowe	Luetkenhaus	Mays 50	McKenna
Merideth	Monaco	O'Connor	O'Toole	Overschmidt
Ransdall	Relford	Reynolds	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Thompson	Treadway	Troupe	Van Zandt
Villa	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 068

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Froelker	Gaskill	Griesheimer	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Hunter	Jetton	Kelley 47	Kelly 144	King
Legan	Levin	Linton	Luetkemeyer	Marble
Marsh	May 149	Mayer	Miller	Moore
Murphy	Myers	Naeger	Nordwald	Ostmann
Phillips	Portwood	Purgason	Rector	Reid
Reinhart	Richardson	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Shields	St. Onge
Surface	Vogel	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 007

Fares	Hagan-Harrell	Holand	Lograsso	Long
Secrest	Townley			

VACANCIES: 003

On motion of Representative Kennedy, **HB 606** was read the third time and passed by the following vote:

AYES: 130

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bearden	Behnen	Berkowitz	Black
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crump	Cunningham	Curls	Davis	Dolan
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 73	Griesheimer	Hampton	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lowe	Luetkemeyer
Luetkenhaus	Marsh	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Seigfreid
Selby	Shelton	Shields	Shoemyer	Surface
Thompson	Townley	Treadway	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 019

Bartelsmeyer	Bartle	Boatright	Crowell	Dempsey
Enz	Ford	Hanaway	Hendrickson	Jetton
Marble	May 149	Phillips	Portwood	Purgason
Roark	Smith	St. Onge	Wright	

PRESENT: 001

Berkstresser

ABSENT WITH LEAVE: 010

Green 15	Hagan-Harrell	Hohulin	Lograsso	Long
Moore	Murphy	Secrest	Skaggs	Troupe

VACANCIES: 003

Speaker Kreider declared the bill passed.

THIRD READING OF HOUSE BILL

HS HCS HB 762, relating to women's health services, was taken up by Representative Barry.

Representative Crump moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hampton	Harding	Harlan
Haywood	Hickey	Hilgemann	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Kelly 27	Kelly 36	Kennedy	Koller	Lawson
Liese	Lowe	Luetkenhaus	Mays 50	McKenna
Merideth	Monaco	O'Connor	O'Toole	Overschmidt
Ransdall	Relford	Reynolds	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Thompson	Treadway	Troupe	Van Zandt
Villa	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 070

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Enz
Fares	Froelker	Gaskill	Griesheimer	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Hunter	Jetton	Kelley 47	Kelly 144	King
Legan	Levin	Linton	Lograsso	Luetkemeyer
Marble	Marsh	May 149	Mayer	Miller
Moore	Murphy	Myers	Naeger	Nordwald
Ostmann	Phillips	Portwood	Purgason	Rector
Reid	Reinhart	Richardson	Ridgeway	Roark
Robirds	Ross	Schwab	Scott	Shields
St. Onge	Surface	Townley	Vogel	Wright

PRESENT: 000

ABSENT WITH LEAVE: 005

Dolan	Hagan-Harrell	Holand	Long	Secrest
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VACANCIES: 003

On motion of Representative Barry, **HS HCS HB 762** was read the third time and passed by the following vote:

AYES: 148

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump

Cunningham	Curls	Davis	Dempsey	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Holt	Hoppe	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Ross
Scheve	Schwab	Scott	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 003

Hohulin	Robirds	Townley
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PRESENT: 000

ABSENT WITH LEAVE: 009

Bowman	Dolan	Green 73	Hagan-Harrell	Hollingsworth
Hosmer	Kelly 27	Long	Secrest	

VACANCIES: 003

Speaker Kreider declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SJR 9**, entitled:

Submitting to the qualified voters of Missouri, an amendment repealing sections 31, 32(a) and 32(b) of article VI of the Constitution of Missouri relating to the city of St. Louis, and adopting four new sections in lieu thereof relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 23**, entitled:

SENATE CONCURRENT RESOLUTION NO. 23

WHEREAS, the current crisis in the domestic steel industry which began in 1997 has led fourteen steel companies to file for bankruptcy, and now led to the bankruptcy of GS Industries and the announced closure of GST Steel in Kansas City which will cause job losses at GST and for vendors around the state resulting in hardship in those communities across the state of Missouri; and

WHEREAS, this crisis has been generated by surges in United States imports of steel, both from countries whose currencies have depreciated and from steel producing countries that are no longer able to export steel to the countries in economic crisis; and

WHEREAS, foreign government trade restrictions and private restraints of trade distort international trade and investment patterns and result in burdens on United States commerce, including absorption of a disproportionate share of diverted steel trade, which ultimately have a detrimental effect on this state's economy; and

WHEREAS, there is a well-recognized need for improvements in the enforcement of United States trade laws to provide an effective response to these situations:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-First General Assembly, First Regular Session, the House of Representatives concurring therein, hereby requests the President of the United States to commence immediate action to determine the entry into the customs territory of the United States of all steel products that are the product of or manufactured in Australia, China, South Africa, Ukraine, Kazakhstan, Indonesia, India, Japan, Russia, South Korea, Mexico or Brazil to determine whether the governments of those countries are abiding by the spirit and letter of international trade agreements with respect to imports of steel products into the United States, and take all actions necessary to enforce applicable trade agreements and laws of the United States pertaining to steel imports; and

BE IT FURTHER RESOLVED that the Missouri General Assembly requests the President of the United States to immediately impose a one-year ban on imports of all steel products of or are manufactured in Australia, China, South Africa, Ukraine, Kazakhstan, Indonesia, India, Japan, Russia, South Korea, Mexico or Brazil if the President finds that the governments of those countries are not abiding by the spirit and letter of international trade agreements with respect to imports of steel products into the United States; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President of the United States and the members of the Missouri Congressional delegation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 27**, entitled:

SENATE CONCURRENT RESOLUTION NO. 27

WHEREAS, it is in the best interest of the State of Missouri, as an employer, to recruit and retain a high performance workforce; and

WHEREAS, the State of Missouri has established a benefits policy that encourages employees to continue in state employment with a career goal of 30 years of state service; and

WHEREAS, the State of Missouri has adopted specific benefit incentives associated with achieving this objective, which include:

- a) Creating a comprehensive benefits package that is externally competitive with the marketplace, and that is

internally equitable;

- b) Implementing a benefits package that provides employees with options for meeting their individual and family needs, and yet assures that basic levels of health care coverage will be maintained;
- c) Ensuring equitable employer contributions for health care coverage for all state employees, retirees and dependents that assures high quality care in a cost-effective manner; and
- d) Allowing career state employees to maintain a reasonable standard of living at retirement; and

WHEREAS, achieving benefit equity and adequacy in the retiree health care area necessitates a subsidy which is dependent upon the length of state service rendered by former employees; and

WHEREAS, such state subsidy for retiree medical coverage would ensure that quality health care services are available to both the highest and lowest paid former employees:

NOW THEREFORE BE IT RESOLVED by the Missouri Senate, the House of Representatives concurring therein, that the State of Missouri hereby wishes to reward employees who make a career of state service through equitable retiree health care subsidies; and

BE IT FURTHER RESOLVED that, within the constraints of the available appropriations, the state contribution for medical coverage for retirees should be based upon a formula that has a direct relationship between the amount of the state subsidy and each retiree's length of service with the state, provided that any subsidy for retiree dependent coverage should be based upon a similar formula, but should not exceed the average state subsidy provided for dependents of active employees; and

BE IT FURTHER RESOLVED that former state employees who retired prior to the effective date of this policy may receive a state subsidy, depending on Medicare eligibility and available appropriations, of no less than the dollar amount subsidy resulting from the amount appropriated to the plan for calendar year 2001; and

BE IT FURTHER RESOLVED that it is recommended that the health care coverage for state retirees be based upon a service-based subsidy rate formula subject to available appropriations and is consistent with the goals that are established in the state's retirement plans.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 48**, entitled:

An act to repeal sections 210.900, 210.903, 210.906, 210.909, 210.915, 210.921, 210.927, 210.930 and 210.936, RSMo 2000, relating to dependent care, and to enact in lieu thereof nine new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 193**, entitled:

An act to repeal sections 148.400, 375.012, 375.014, 375.016, 375.017, 375.018, 375.019, 375.020, 375.021, 375.022, 375.025, 375.027, 375.031, 375.033, 375.035, 375.037, 375.039, 375.046, 375.051, 375.061, 375.065, 375.071, 375.076, 375.081, 375.082, 375.086, 375.091, 375.096, 375.101, 375.106, 375.116, 375.121, 375.136, 375.141, 375.142, 375.158, 379.356, and 384.043, RSMo 2000, and to enact in lieu thereof twenty-nine new sections relating to insurance producers, with penalty provisions and an effective date for certain sections.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 266**, entitled:

An act to amend chapter 192, RSMo, by adding thereto one new section relating to a state systemic lupus erythematosus program in the department of health.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 339**, entitled:

An act to repeal sections 34.140 and 313.835, RSMo 2000, relating to veterans, and to enact in lieu thereof two new sections relating to the same subject, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 374**, entitled:

An act to amend chapter 643, RSMo, by adding thereto one new section relating to emissions banking and trading.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 392**, entitled:

An act to repeal section 135.230, RSMo 2000, relating to tax credits for new business facilities within enterprise zones, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 400**, entitled:

An act to repeal sections 407.815, 407.816, 407.820, 407.822 and 407.825, RSMo 2000, relating to motor vehicle franchise practices, and to enact in lieu thereof seven new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 540**, entitled:

An act to repeal section 39.091, RSMo 2000, relating to motor vehicle records, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 542**, entitled:

An act to repeal section 307.100, RSMo 2000, relating to the use of warning signals on motor vehicles, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SRB 606**, entitled:

An act to repeal sections 72.424, 141.265, 142.027, 208.453, 208.455, 208.457, 208.459, 208.461, 208.463, 208.465, 208.467, 208.469, 208.471, 208.473, 208.475, 208.479, 208.480, 313.353, 347.740, 351.127, 355.023, 356.233, 359.653, 400.9-508, 417.018, 620.1310, 640.169, 640.170, 640.172, 640.175, 640.177, 640.179, 640.180, 640.182, 640.185, 640.195, 640.200, 640.203, 640.205, 640.207, 640.210, 640.212, 640.215 and 640.218, RSMo 2000, and section 217.440 as enacted by senate committee substitute for senate bill no. 430 of the eighty-ninth general assembly, first regular session, for the purpose of repealing expired provisions of law and section made obsolete by expired provisions of law, with an effective date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 617**, entitled:

An act to repeal section 135.200 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house committee substitute for house bill no. 701, ninetieth general assembly, first regular session, section 135.200 as enacted by conference committee substitute for house committee substitute for senate bill no. 1, eighty-ninth general assembly, second extraordinary session and section 135.200 as enacted by senate substitute for senate committee substitute for house substitute for house committee substitute for house bill no. 1656, eighty-ninth general assembly, second regular session, relating to enterprise zones, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

On motion of Representative Crump, the House recessed until 2:15 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Kreider.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Teri Smith.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1112
through
House Resolution No. 1125 - Representative Levin
House Resolution No. 1126
through
House Resolution No. 1129 - Representative Purgason
House Resolution No. 1130
and
House Resolution No. 1131 - Representative Foley
House Resolution No. 1132
and
House Resolution No. 1133 - Representative Hunter

HOUSE RESOLUTIONS

HR 152, relating to use of chamber, was taken up by Representative Harlan.

On motion of Representative Harlan, **HR 152** was adopted.

HR 537, relating to use of chamber, was taken up by Representative Williams.

On motion of Representative Williams, **HR 537** was adopted.

HR 223, relating to use of chamber, was taken up by Representative Williams.

On motion of Representative Williams, **HR 223** was adopted.

HR 394, relating to use of chamber, was taken up by Representative Hendrickson.

On motion of Representative Hendrickson, **HR 394** was adopted.

Speaker Pro Tem Abel resumed the Chair.

THIRD READING OF HOUSE BILLS

HCS HBs 754, 29, 300 & 505, relating to teacher salary supplements, was taken up by Representative Franklin.

On motion of Representative Franklin, **HCS HBs 754, 29, 300 & 505** was read the third time and passed by the following vote:

AYES: 122

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Curls	Davis	Dempsey
Dolan	Fares	Farnen	Foley	Ford
Franklin	Fraser	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	Koller	Lawson	Liese
Lowe	Luetkemeyer	Luetkenhaus	Marsh	May 149
Mayer	Mays 50	McKenna	Monaco	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Purgason	Ransdall	Reid	Relford	Reynolds
Rizzo	Robirds	Ross	Scheve	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Surface	Thompson	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 033

Ballard	Bartelsmeyer	Bearden	Cierpiot	Cunningham
Enz	Froelker	Griesheimer	Hanaway	Hendrickson
Hohulin	Hunter	Jetton	King	Legan
Levin	Linton	Marble	Merideth	Miller
Moore	Nordwald	Phillips	Portwood	Rector
Reinhart	Richardson	Ridgeway	Roark	Schwab
Scott	St. Onge	Townley		

PRESENT: 000

ABSENT WITH LEAVE: 005

Lograsso	Long	Murphy	Secrest	Shoemyer
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VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HCS HB 106, relating to the statewide lupus program, was taken up by Representative Johnson (61).

On motion of Representative Johnson (61), **HCS HB 106** was read the third time and passed by the following vote:

AYES: 152

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	Merideth	Miller
Monaco	Moore	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 001

Townley

PRESENT: 000

ABSENT WITH LEAVE: 007

Baker	Hartzler	Lograsso	Long	McKenna
Murphy	Secrest			

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HB 471, relating to drug trafficking, was taken up by Representative Jolly.

On motion of Representative Jolly, **HB 471** was read the third time and passed by the following vote:

AYES: 156

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Myers	Naeger	Nordwald	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Long	Murphy	O'Connor	Secrest
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VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HCS HB 274, relating to school attendance, was taken up by Representative Shields.

On motion of Representative Shields, **HCS HB 274** was read the third time and passed by the following vote:

AYES: 144

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Davis	Dempsey	Dolan	Enz	Fares
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Myers	Naeger	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Shelton	Shields
Shoemyer	Smith	St. Onge	Surface	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 004

Clayton	Farnen	O'Connor	Selby
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PRESENT: 007

Bowman	Curls	Green 15	Hickey	Skaggs
Thompson	Williams			

ABSENT WITH LEAVE: 005

Long	Murphy	Nordwald	O'Toole	Secrest
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VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 139

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Boucher
Boykins	Bray 84	Britt	Brooks	Burcham

Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Coleman	Cooper	Copenhaver	Crawford
Crowell	Cunningham	Davis	Dempsey	Dolan
Enz	Fares	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler	Hegeman
Henderson	Hendrickson	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Myers	Naeger
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Seigfreid	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 010

Bonner	Bowman	Clayton	Curls	Farnen
Haywood	Hohulin	O'Connor	Selby	Shelton

PRESENT: 002

Crump	Hickey
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ABSENT WITH LEAVE: 009

Bland	Ford	Harding	Long	Mayer
Murphy	Nordwald	Secrest	Williams	

VACANCIES: 003

HB 662, relating to private building contracts, was taken up by Representative Green (73).

On motion of Representative Green (73), **HB 662** was read the third time and passed by the following vote:

AYES: 152

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Fraser	Froelker

Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 001

Hohulin

PRESENT: 001

Cunningham

ABSENT WITH LEAVE: 006

Baker	Brooks	Franklin	Long	Murphy
Secrest				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HB 70, relating to motorcycle helmets, was taken up by Representative Koller.

On motion of Representative Koller, **HB 70** was read the third time and passed by the following vote:

AYES: 098

Abel	Ballard	Barnitz	Bartle	Bearden
Behnen	Berkowitz	Berkstresser	Black	Boatright
Bonner	Bowman	Britt	Burcham	Burton
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Davis	Dolan
Enz	Farnen	Foley	Ford	Froelker
Gratz	Griesheimer	Hampton	Hartzler	Hegeman
Henderson	Hendrickson	Hickey	Hohulin	Holt
Hunter	Jetton	Johnson 61	Kelly 144	Kelly 27

Kelly 36	King	Koller	Lawson	Legan
Lograsso	Luetkemeyer	Luetkenhaus	Marble	Marsh
Mayer	Mays 50	McKenna	Merideth	Miller
Moore	Naeger	Nordwald	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Schwab
Scott	Seigfreid	Selby	Shelton	Shields
Shoemyer	Smith	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Ward	Wiggins
Willoughby	Wright	Mr. Speaker		

NOES: 059

Baker	Barnett	Barry 100	Bartelsmeyer	Bland
Boucher	Boykins	Bray 84	Brooks	Byrd
Campbell	Carnahan	Coleman	Cunningham	Curls
Dempsey	Fares	Franklin	Fraser	Gambaro
Gaskill	George	Graham	Green 15	Green 73
Hagan-Harrell	Hanaway	Harding	Harlan	Haywood
Hilgemann	Holand	Hollingsworth	Hoppe	Hosmer
Johnson 90	Jolly	Kelley 47	Kennedy	Levin
Liese	Linton	Lowe	May 149	Murphy
Myers	O'Connor	O'Toole	Reynolds	Scheve
Skaggs	St. Onge	Surface	Thompson	Van Zandt
Walton	Williams	Wilson 25	Wilson 42	

PRESENT: 000

ABSENT WITH LEAVE: 003

Long	Monaco	Secrest
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VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HB 120, relating to motor vehicle safety, was taken up by Representative O'Connor.

On motion of Representative O'Connor, **HB 120** was read the third time and passed by the following vote:

AYES: 151

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Bowman
Bray 84	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood

Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Lowe	Luetkemeyer
Luetkenhaus	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 005

Ballard	Boucher	Hoppe	Marble	Scott
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PRESENT: 000

ABSENT WITH LEAVE: 004

Baker	Boykins	Long	Secrest
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VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HCS HBs 533 & 724, relating to sexual offenses, was taken up by Representative Johnson (90).

On motion of Representative Johnson (90), **HCS HBs 533 & 724** was read the third time and passed by the following vote:

AYES: 157

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin

Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 001

Townley

PRESENT: 000

ABSENT WITH LEAVE: 002

Long Secrest

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HB 679, relating to organ donation, was taken up by Representative Boykins.

On motion of Representative Boykins, **HB 679** was read the third time and passed by the following vote:

AYES: 154

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144

Kelly 27	Kelly 36	Kennedy	King	Lawson
Legan	Levin	Liese	Linton	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 001

Crawford

ABSENT WITH LEAVE: 005

Hohulin	Koller	Lograsso	Long	Secret
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VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

RECONSIDERATION

Representative McKenna, having voted on the prevailing side, moved that the vote by which **HB 498** was defeated on Third Reading - Consent, be reconsidered.

Which motion was adopted by the following vote:

AYES: 129

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Campbell	Carnahan	Clayton
Coleman	Copenhaver	Crawford	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Fares
Farnen	Foley	Ford	Franklin	Fraser
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Haywood	Hegeman
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Levin	Liese
Lowe	Luetkemeyer	Luetkenhaus	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller

Monaco	Moore	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Portwood
Ransdall	Reid	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Roark	Ross	Scheve
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 026

Ballard	Boatright	Byrd	Champion	Cierpiot
Cooper	Crowell	Enz	Froelker	Henderson
Hendrickson	Hohulin	Hunter	Kelly 144	Legan
Linton	Lograsso	Marble	Phillips	Rector
Reynolds	Robirds	Schwab	Scott	Townley
Wright				

PRESENT: 001

Purgason

ABSENT WITH LEAVE: 004

Hartzler	Long	Murphy	Secrest
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VACANCIES: 003

THIRD READING OF HOUSE BILL - CONSENT

HB 498, relating to third class cities, was taken up by Representative Wagner.

On motion of Representative Wagner, **HB 498** was read the third time and passed by the following vote:

AYES: 133

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Campbell	Carnahan	Champion
Clayton	Coleman	Copenhaver	Crawford	Crowell
Crump	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Harding	Harlan	Haywood
Hegeman	Henderson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Lowe	Luetkemeyer
Luetkenhaus	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore

Myers	Nordwald	O'Connor	O'Toole	Overschmidt
Phillips	Portwood	Ransdall	Reid	Reinhart
Relford	Richardson	Ridgeway	Rizzo	Roark
Ross	Scheve	Schwab	Scott	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
St. Onge	Surface	Thompson	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 017

Ballard	Boatright	Byrd	Cooper	Froelker
Hendrickson	Hohulin	Hunter	Kelly 144	Linton
Marble	Murphy	Purgason	Rector	Reynolds
Robirds	Townley			

PRESENT: 004

Cierpiot	Cunningham	Hanaway	Naeger
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ABSENT WITH LEAVE: 006

Hartzler	Lograsso	Long	Ostmann	Secrest
Shoemyer				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

THIRD READING OF HOUSE BILL

HCS HB 581, relating to farmland protection act, was taken up by Representative Ridgeway.

On motion of Representative Ridgeway, **HCS HB 581** was read the third time and passed by the following vote:

AYES: 144

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Britt	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Ford	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Lowe	Luetkemeyer

Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker	Bray 84	Brooks	Clayton	Foley
Franklin	Gatz	Green 73	Hickey	Hohulin
Long	McKenna	Richardson	Secrest	Shoemyer
Wiggins				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

Speaker Kreider resumed the Chair.

PERFECTION OF HOUSE BILL

HCS HBs 924, 714, 685, 756, 734 & 518, relating to transportation funding, was taken up by Representative Wiggins.

Representative Wiggins offered **HS HCS HBs 924, 714, 685, 756, 734 & 518**.

Representative Hartzler offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill Nos. 924, 714, 685, 756, 734 & 518, Page 32, Section 302.302, Lines 4 to 11, by deleting all of said lines and inserting in lieu thereof the following:

"(4) Careless and imprudent driving in violation of subsection 4 of section 304.016,"; and

Further amend said bill, Pages 40 and 41, Section 304.012, by deleting all of said section; and

Further amend said bill, Pages 41 to 47, Section 556.061, by deleting all of said section; and

Further amend said bill, Pages 48 to 52, Section 577.020, by deleting all of said section; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hartzler, **House Amendment No. 1** was adopted.

Representative Wiggins offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill Nos. 924, 714, 685, 756, 734 & 518, Page 2, Section A, Line 2 of said page, by inserting after all of said line the following:

"43.275. There is hereby created in the state treasury the "State Highway Patrol Fund". Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the state highway patrol fund shall not revert to the general revenue fund. All interest received on the state highway patrol fund shall be credited to the fund. Moneys in the fund are to be used for the purpose of administering and enforcing state motor vehicle laws or traffic regulations.

136.045. There is hereby created in the state treasury the "Department of Revenue Fund". Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the department of revenue fund shall not revert to the general revenue fund. All interest received on the department of revenue fund shall be credited to the fund. Moneys in the fund are to be used for the purpose of collection of all state revenue derived from highway users as an incident to their use or right to use the highways of the state."; and

Further amend said bill, Page 9, Section 144.700, Line 8, by deleting all of said line and inserting in lieu thereof the following:

"section 226.1010, RSMo; (3) nine million, six hundred thousand dollars per month that shall be deposited, held and used in the manner prescribed in section 43.275, RSMo; (4) four million, fifty thousand dollars per month that shall be deposited, held and used in the manner prescribed in section 136.045, RSMo; (5) two hundred, fifty-one thousand dollars per month that shall be deposited, held and used in the manner prescribed in section 622.017, RSMo; and (6) all of the revenue derived from"; and

Further amend said bill, Page 54, Section 577.037, Line 8, by inserting after all of said line the following:

"622.017. There is hereby created in the state treasury the "Motor Carrier and Railroad Safety Fund". Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the motor carrier and railroad safety fund shall not revert to the general revenue fund. All interest received on the motor carrier and railroad safety fund shall be credited to the fund. Moneys in the fund are to be used for the purposes outlined in chapter 622, RSMo."; and

Further amend said bill, Page 54, Section B, Line 15 of said page, by inserting at the beginning of said line **"43.275, 136.045"; and**

Further amend said bill, Page 54, Section B, Line 16 of said page, by deleting **"and 226.1010"** and inserting in lieu thereof **"226.1010 and 622.017"; and**

Further amend said bill, Page 55, Section D, Line 16 of said page, by inserting after the word **"sections"** the figures **"43.275, 136.045,"; and**

Further amend said bill, Page 55, Section D, Line 19 of said page, by inserting after **"226.1010"** the words **"and 622.017"; and**

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Wiggins, **House Amendment No. 2** was adopted.

Representative Wiggins offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill Nos. 924, 714, 685, 756, 734 & 518, Page 17, Section 226.1010, Lines 10, 18 and 21 of said page, by inserting after the word "**secretary**" the words "**of transportation**"; and

Further amend said bill, Page 19, Section 227.100, Line 5 of said page, by inserting after the word "**secretary**" the words "**of transportation**"; and

Further amend said bill, Page 20, Section 227.100, Lines 4, 5, 8, 10, 14 and 17 of said page, by inserting after the word "**secretary**" the words "**of transportation**"; and

Further amend said bill, Page 21, Section 227.107, Lines 6 and 19 of said page, by inserting after the word "**secretary**" the words "**of transportation**"; and

Further amend said bill, Page 22, Section 227.107, Lines 1, 3, 7, 12, 15 and 19 of said page, by inserting after the word "**secretary**" the words "**of transportation**"; and

Further amend said bill, Page 23, Section 227.107, Lines 7, 10, 17 and 23 of said page, by inserting after the word "**secretary**" the words "**of transportation**"; and

Further amend said bill, Page 24, Section 227.107, Lines 1, 6, 8, 12, 15, 20 and 23 of said page, by inserting after the word "**secretary**" the words "**of transportation**"; and

Further amend said bill, Page 25, Section 227.107, Lines 2, 3, 5, 14 and 16 of said page, by inserting after the word "**secretary**" the words "**of transportation**"; and

Further amend said bill, Page 26, Section 227.107, Lines 2, 6 and 7 of said page, by inserting after the word "**secretary**" the words "**of transportation**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Wiggins, **House Amendment No. 3** was adopted.

Representative Bray offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill Nos. 924, 714, 685, 756, 734 & 518, Page 3, Section 144.020, by removing said section from the bill and inserting in lieu thereof the following:

"144.022. In addition to the tax levied and imposed pursuant to subdivisions (1), (2), (3), (4), (5), (6), (7) and (8) of subsection 1 of section 144.020, an additional tax of one-half of one percent is hereby levied and imposed on tangible personal property and services as enumerated in section 144.020 to be used exclusively for the purposes contained within this act."; and

Further amend the title, enacting clause and intersectional references accordingly.

Representative Wiggins offered **House Substitute Amendment No. 1 for House Amendment No. 4.**

*House Substitute Amendment No. 1
for
House Amendment No. 4*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 924, 714, 685, 756, 734 & 518, Page 3, Section 144.020, by removing said section from the bill and inserting in lieu thereof the following:

“144.022. In addition to the tax levied and imposed pursuant to subdivisions (1), (2), (3), (4), (5), (6), (7) and (8) of subsection 1 of section 144.020, an additional tax of three fourths of one percent is hereby levied and imposed on tangible personal property and services as enumerated in section 144.020 to be used exclusively for the purposes contained within this act.”; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Wiggins, **House Substitute Amendment No. 1 for House Amendment No. 4** was adopted.

Representative Koller offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bill Nos. 924, 714, 685, 756, 734 & 518, Pages 20 to 26, Section 227.107, by deleting all of said section and inserting in lieu thereof the following:

"227.107. 1. Notwithstanding any provision of section 227.100 to the contrary, as an alternative to the requirements and procedures specified by sections 227.040 to 227.100, the state highways and transportation commission is authorized to enter into one interstate highway design-build pilot project contract within ten years of the effective date of this section. Authority for design-build authorized by this section shall expire upon completion of the project selected, unless reauthorized by law.

2. For the purpose of this section a "design-builder" is defined as an individual, corporation, partnership, joint venture or other entity, including combinations of such entities making a proposal to perform or performing a design-build highway project contract.

3. For the purpose of this section, "design-build highway project contract" is defined as the procurement of all materials and services necessary for the design, construction, reconstruction or improvement of a state highway project in a single contract with a design-builder capable of providing the necessary materials and services.

4. For the purpose of this section, "highway project" is defined as the design, construction, reconstruction or improvement of highways or bridges under contract with the state highways and transportation commission, which is funded by state, federal or local funds or any combination of such funds.

5. In using a design-build highway project contract, the commission shall establish a written procedure by rule for prequalifying design-builders before such design-builders will be allowed to make a proposal on the project.

6. In any design-build highway project contract, whether involving state or federal funds, the commission shall require that each person submitting a request for qualifications provide a detailed disadvantaged business enterprise participation plan. The plan shall provide information describing the experience of the person in meeting disadvantaged business enterprise participation goals, how the person will meet the department of transportation's disadvantaged business enterprise participation goal and such other qualifications that the commission considers to be in the best interest of the state.

7. The commission is authorized to issue a request for proposals to a maximum of five design-builders prequalified in accordance with subsection 5 of this section.

8. The commission may require approval of any person performing subcontract work on the design-build highway project.

9. The bid bond and performance bond requirements of section 227.100 and the payment bond

requirements of section 107.170, RSMo, shall apply to the design-build highway project.

10. The commission is authorized to prescribe the form of the contracts for the work.

11. The commission is empowered to make all final decisions concerning the performance of the work under the design-build highway project contract, including claims for additional time and compensation.

12. The provisions of sections 8.285 to 8.291, RSMo, shall not apply to the procurement of architectural, engineering or land surveying services for the design-build highway project, except that any person providing architectural, engineering or land surveying services for the design-builder on the design-build highway project must be licensed in Missouri to provide such services.

13. The commission shall pay a reasonable stipend to prequalified responsive design-builders who submit a proposal, but are not awarded the design-build highway project.

14. The commission shall comply with the provisions of any act of congress or any regulations of any federal administrative agency which provides and authorizes the use of federal funds for highway projects using the design-build process.

15. The commission shall promulgate administrative rules to implement this section or to secure federal funds. Such rules shall be published for comment in the Missouri Register and shall include prequalification criteria, the make-up of the prequalification review team, specifications for the design criteria package, the method of advertising, receiving and evaluating proposals from design-builders, the criteria for awarding the design-build highway project based on the design criteria package and a separate proposal stating the cost of construction, and other methods, procedures and criteria necessary to administer this section.

16. The commission shall make a status report to the members of the general assembly and the governor following the award of the design-build project, as an individual component of the annual report submitted by the commission to the Joint Transportation Oversight Committee in accordance with the provisions of section 21.795, RSMo. The annual report prior to advertisement of the design-build highway project contract shall state the goals of the project in reducing costs and/or the time of completion for the project in comparison to the design-bid-build method of construction and objective measurements to be utilized in determining achievement of such goals. Subsequent annual reports shall include: the time estimated for design and construction of different phases or segments of the project and the actual time required to complete such work during the period; the amount of each progress payment to the design builder during the period and the percentage and a description of the portion of the project completed regarding such payment; the number and a description of design change orders issued during the period and the cost of each such change order; upon substantial and final completion, the total cost of the design-build highway project with a breakdown of costs for design and construction; and such other measurements as specified by rule. The annual report immediately after final completion of the project shall state an assessment of the advantages and disadvantages of the design-build method of contracting for highway and bridge projects in comparison to the design-bid-build method of contracting and an assessment of whether the goals of the project in reducing costs and/or the time of completion of the project were met.

17. The commission shall give public notice of a request for qualifications in at least two public newspapers that are distributed wholly or in part in this state and at least one construction industry trade publication that is distributed nationally.

18. The commission shall publish its cost estimates of the design-build highway project award and the project completion date along with its public notice of a request for qualifications of the design-build project.

19. If the commission fails to receive at least two responsive submissions from design-builders considered qualified, submissions shall not be opened and it shall readvertise the project.

20. The provisions of this section shall be applicable to one interstate pilot highway project which shall be selected by the commission and shall have a total maximum annual expenditure of one hundred twenty-five million dollars for the life of the design-build project.

21. The provisions of this section shall become effective upon approval of a transportation funding package by a lawful majority of voters casting ballots at an election after April 1, 2001."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Koller, **House Amendment No. 5** was adopted.

Representative Boucher offered **House Amendment No. 6**.

House Amendment No. 6 was withdrawn.

Representative Clayton offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for House Bill Nos. 924, 714, 685, 756, 734 & 518, Page 18, Section 226.1010, Line 8, by adding after the word “**construction**” the following: “, **expansion**”.

On motion of Representative Clayton, **House Amendment No. 6** was adopted.

Representative Skaggs offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for House Bill Nos. 924, 714, 685, 756, 734 & 518, Page 40, Section 302.541, Line 21, by inserting after all of said line the following:

"304.010. 1. As used in this section, the following terms mean:

(1) "Expressway", a divided highway of at least ten miles in length with four or more lanes which is not part of the federal interstate system of highways which has crossovers or accesses from streets, roads or other highways at the same grade level as such divided highway;

(2) "Freeway", a limited access divided highway of at least ten miles in length with four or more lanes which is not part of the federal interstate system of highways which does not have any crossovers or accesses from streets, roads or other highways at the same grade level as such divided highway within such ten miles of divided highway;

(3) "Rural interstate", that part of the federal interstate highway system that is not located in an urban area;

(4) "Urbanized area", an area of fifty thousand population at a density at or greater than one thousand persons per square mile.

2. Except as otherwise provided in this section, the uniform maximum speed limits are and no vehicle shall be operated in excess of the speed limits established pursuant to this section:

(1) Upon the rural interstates and freeways of this state, seventy miles per hour, **except that no commercial motor vehicle registered for a gross weight of more than twenty-four thousand pounds, or any commercial motor vehicle pulling a trailer, shall be operated in excess of sixty-five miles per hour upon the rural interstates and freeways of this state;**

(2) Upon the rural expressways of this state, sixty-five miles per hour, **except that no commercial motor vehicle registered for a gross weight of more than twenty-four thousand pounds, or any commercial motor vehicle pulling a trailer, shall be operated in excess of sixty miles per hour upon the rural expressways of this state;**

(3) Upon the interstate highways, freeways or expressways within the urbanized areas of this state, sixty miles per hour, **except that no commercial motor vehicle registered for a gross weight of more than twenty-four thousand pounds, or any commercial motor vehicle pulling a trailer, shall be operated in excess of fifty-five miles per hour upon the interstate highways, freeways or expressways of this state;**

(4) All other roads and highways in this state not located in an urbanized area and not provided [by] **for** in subdivisions (1) to (3) of this subsection, sixty miles per hour;

(5) All other roads provided for in subdivision (4) of this subsection shall not include any state two-lane road which is identified by letter. Such lettered roads shall not exceed fifty-five miles per hour unless set at a higher speed as established by the department of transportation, except that no speed limit shall be set higher than sixty miles per hour;

(6) For the purposes of enforcing the speed limit laws of this state, it is a rebuttable presumption that the posted speed limit is the legal speed limit.

3. On any state road or highway where the speed limit is not set pursuant to a local ordinance, the highways and transportation commission may set a speed limit higher or lower than the uniform maximum speed limit provided in subsection 2 of this section, if a higher or lower speed limit is recommended by the department of transportation. The department of public safety, where it believes for safety reasons, or to expedite the flow of traffic a higher or lower speed limit is warranted, may request the department of transportation to raise or lower such speed limit, except that no speed limit shall be set higher than seventy miles per hour.

4. Notwithstanding the provisions of section 304.120 or any other provision of law to the contrary, cities, towns and villages may regulate the speed of vehicles on state roads and highways within such cities', towns' or villages' corporate limits by ordinance with the approval of the state highways and transportation commission. Any reduction of speed in cities, towns or villages shall be designed to expedite the flow of traffic on such state roads and highways to the extent consistent with public safety. The commission may declare any ordinance void if it finds that such ordinance is:

- (1) Not primarily designed to expedite traffic flow; and
- (2) Primarily designed to produce revenue for the city, town or village which enacted such ordinance. If an ordinance is declared void, the city, town or village shall have any future proposed ordinance approved by the highways and transportation commission before such ordinance may take effect.

5. The county commission of any county of the second, third or fourth classification may set the speed limit or the weight limit or both the speed limit and the weight limit on roads or bridges on any county, township or road district road in the county and, with the approval of the state highways and transportation commission, on any state road or highway not within the limits of any incorporated city, town or village, lower than the uniform maximum speed limit as provided in subsection 2 of this section where the condition of the road or the nature of the area requires a lower speed. The commission shall send copies of any order establishing a speed limit or weight limit on roads and bridges on a county, township or road district road in the county to the chief engineer of the state department of transportation, the superintendent of the state highway patrol and to any township or road district maintaining roads in the county. After the roads have been properly marked by signs indicating the speed limits and weight limits set by the county commission, the speed limits and weight limits shall be of the same effect as the speed limits provided for in subsection [1] 2 of this section and shall be enforced by the state highway patrol and the county sheriff as if such speed limits and weight limits were established by state law.

6. All road signs indicating speed limits or weight limits shall be uniform in size, shape, lettering and coloring and shall conform to standards established by the department of transportation.

7. The provisions of this section shall not be construed to alter any speed limit set below fifty-five miles per hour by any ordinance of any county, city, town or village of the state adopted before March 13, 1996.

8. The speed limits established pursuant to this section shall not apply to the operation of any emergency vehicle as defined in section 304.022.

9. A violation of the provisions of this section shall not be construed to relieve the parties in any civil action on any claim or counterclaim from the burden of proving negligence or contributory negligence as the proximate cause of any accident or as the defense to a negligence action.

10. Any person violating the provisions of this section is guilty of a class C misdemeanor, unless such person was exceeding the posted speed limit by twenty miles per hour or more then it is a class B misdemeanor.

11. Operators of any commercial motor vehicle registered for a gross weight of more than twenty-four thousand pounds, and operators of any commercial motor vehicle pulling a trailer, shall operate such vehicle only in the right-hand lane of any multilane expressway, freeway, interstate highway, or state highway, except when safely and legally passing another vehicle.

12. (1) When the operator of any commercial motor vehicle pleads guilty or nolo contendere to or is found guilty of operating such vehicle at a speed in excess of five miles per hour over the posted limit in violation of subdivision (2), (3) or (4) of subsection 2 of this section, the operator shall be fined fifty dollars for each mile per hour in excess of five miles per hour over the posted or legal speed limit.

(2) The fine provided for in this subsection is in addition to all other fines and court costs imposed for the violation."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Skaggs moved that **House Amendment No. 7** be adopted.

Which motion was defeated.

Representative Luetkenhaus offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for House Bill Nos. 924, 714, 685, 756, 734 & 518, Page 54, Section 577.037, Line 8 of said page, by inserting after all of said section the following:

"644.038. Where applicable, pursuant to Section 404 of the Federal Clean Water Act, and where the United States Army Corps of Engineers has determined that a nationwide permit may be utilized for the construction of highways and bridges approved by the Missouri department of transportation, the department shall certify without conditions such nationwide permit as it applies to impacts on all waters of this state."; and

Further amend said bill, by amending the title, enacting clause and intersectional references accordingly.

On motion of Representative Luetkenhaus, **House Amendment No. 8** was adopted.

Representative Graham offered **House Amendment No. 9.**

House Amendment No. 9 was withdrawn.

Representative Monaco offered **House Amendment No. 9.**

House Amendment No. 9

Amend House Substitute for House Committee Substitute for House Bill Nos. 924, 714, 685, 756, 734 & 518, Page 31, Section 302.302, Lines 10-24, by deleting said lines; and

Further amend said section, Page 32, Lines 1-3 and Lines 12-24 on said page and all of Pages 33, 34 and 35 by deleting same.

On motion of Representative Monaco, **House Amendment No. 9** was adopted.

Representative Graham offered **House Amendment No. 10.**

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for House Bill Nos. 924, 714, 685, 756, 734 & 518, Page 54, Section 577.037, Line 8, by inserting after said line the following:

"Section 1. Funds distributed under the provisions of this act to provide public conveyance or a facility of public transportation are subject to compliance with the Americans with Disabilities Act of 1990."; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Graham, **House Amendment No. 10** was adopted.

Representative Kelly (27) offered **House Amendment No. 11.**

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for House Bill Nos. 924, 714, 685, 756, 734 & 518, Page 2, Section 142.803, Line 7, by deleting "**section 142.804,**" and inserting in lieu thereof the following: "**sections 142.804 and 142.805,**"; and

Further amend said bill, Page 3, Section 142.804, Line 7, by deleting from said line the word "**nine**" and inserting in lieu thereof "**six**"; and

Further amend said bill, Page 3, Section 142.804, Line 13, by inserting after said line the following:

"142.805. 1. In addition to the tax levied and imposed pursuant to subdivision (1) of subsection 1 of section 142.803 and subsection 1 of section 142.804, an additional tax of three cents per gallon is hereby levied and imposed on motor fuel.

2. The additional tax is imposed upon the ultimate consumer, but is to be precollected as described in this chapter, for the facility and convenience of the consumer. The levy and assessment on other persons as specified in this chapter shall be as agents of this state for the precollection of the tax."; and

Further amend said bill, Page 54, Section B, Line 15, by inserting after the number "**142.804,**" the following: "**142.805,**"; and

Further amend said bill, Page 54, Section C, Line 23, by inserting after the number "**142.804,**" the following: "**142.805,**"; and

Further amend said bill, Page 55, Section D, Line 16, by inserting after the number "**142.804,**" the following: "**142.805,**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Kelly (27), **House Amendment No. 11** was adopted.

Representative Wiggins offered **House Amendment No. 12.**

House Amendment No. 12

AMEND House Substitute for House Committee Substitute for House Bill Nos. 924, 714, 685, 756, 734 & 518, Page 26, Section 301.055, Page 16, Section 226.1005, Lines 18 to 22, by deleting all of said lines and inserting in lieu thereof the following:

"226.1005. After approval by the voters of additional transportation funds pursuant to this act, no such transportation funds, less funds required to cover administrative and maintenance costs, shall be allocated until a formula based on quantitative factors is established by the commission, in cooperation with the department, metropolitan planning organizations and regional planning commissions. In addition, upon passage of a constitutional amendment which authorizes a secretary of transportation, the secretary shall include all previously authorized highway funds in the allocation formula."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Wiggins, **House Amendment No. 12** was adopted.

On motion of Representative Wiggins, **HS HCS HBs 924, 714, 685, 756, 734 & 518, as amended,** was adopted by the following vote:

AYES: 084

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Harding	Harlan
Hartzler	Haywood	Hickey	Hilgemann	Hollingsworth
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Kelly 27	Kelly 36	Kennedy	Koller	Lawson
Liese	Lowe	Luetkenhaus	Mays 50	McKenna
Monaco	Murphy	O'Connor	O'Toole	Overschmidt
Ransdall	Relford	Reynolds	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Thompson	Treadway	Van Zandt	Villa
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 073

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Froelker	Gaskill	Griesheimer
Hampton	Hanaway	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Holt	Hunter	Jetton
Kelley 47	Kelly 144	King	Legan	Levin
Linton	Lograsso	Luetkemeyer	Marble	Marsh
May 149	Mayer	Merideth	Miller	Moore
Myers	Naeger	Nordwald	Ostmann	Phillips
Portwood	Purgason	Rector	Reid	Reinhart
Richardson	Ridgeway	Roark	Robirds	Ross
Schwab	Scott	Shields	St. Onge	Surface
Townley	Vogel	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 003

Long	Secrest	Troupe
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VACANCIES: 003

On motion of Representative Wiggins, **HS HCS HBs 924, 714, 685, 756, 734 & 518, as amended**, was ordered perfected and printed by the following vote:

AYES: 083

Abel	Baker	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Coleman	Copenhaver	Crump	Curls	Davis
Farnen	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 15

Green 73	Hagan-Harrell	Harding	Harlan	Hartzler
Haywood	Hickey	Hilgemann	Hollingsworth	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Kelly 27
Kelly 36	Kennedy	Koller	Lawson	Liese
Lowe	Luetkenhaus	Mays 50	McKenna	Monaco
Murphy	O'Connor	O'Toole	Overschmidt	Ransdall
Relford	Reynolds	Rizzo	Scheve	Seigfreid
Selby	Shelton	Shoemyer	Skaggs	Smith
Thompson	Treadway	Van Zandt	Villa	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 072

Ballard	Barnett	Barnitz	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Froelker	Gaskill	Griesheimer
Hampton	Hanaway	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Holt	Hunter	Jetton
Kelly 144	King	Legan	Levin	Linton
Lograsso	Luetkemeyer	Marble	Marsh	May 149
Mayer	Merideth	Miller	Moore	Myers
Naeger	Nordwald	Ostmann	Phillips	Portwood
Purgason	Rector	Reid	Reinhart	Richardson
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Shields	St. Onge	Surface	Townley
Vogel	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 005

Bartelsmeyer	Kelley 47	Long	Secrest	Troupe
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VACANCIES: 003

Representative Shields requested a verification of the roll call on Perfection of **HS HCS HBs 924, 714, 685, 756, 734 & 518, as amended.**

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 500**, entitled:

An act to repeal sections 178.892, 620.470 and 620.474, RSMo 2000, relating to job training, and to enact in lieu thereof three new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

On motion of Representative Crump, the House recessed until 8:15 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Speaker Kreider.

PERFECTION OF HOUSE BILL - INFORMAL

HCS HB 113, relating to state building contracts, was taken up and placed back on the Informal Calendar.

PERFECTION OF HOUSE BILL - APPROPRIATIONS

HCS HB 13, relating to appropriations, was taken up by Representative Bonner.

Representative Bonner offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No.13, Page 10, by deleting the Bill Totals and inserting in lieu thereof the following:

Bill Totals

Year 1 (2002)

General Revenue	\$28,881,096
Federal Funds	17,799,220
Other Funds	<u>6,472,014</u>
Total	\$53,152,330

Year 2 (2003)

General Revenue	\$29,632,428
Federal Funds	18,562,585
Other Funds	<u>7,368,311</u>
Total	\$55,563,324".

On motion of Representative Bonner, **House Amendment No. 1** was adopted.

On motion of Representative Bonner, **HCS HB 13, as amended**, was adopted.

On motion of Representative Bonner, **HCS HB 13, as amended**, was ordered perfected and printed.

Speaker Pro Tem Abel resumed the Chair.

THIRD READING OF HOUSE JOINT RESOLUTION

HS HJR 11, relating to the city of St. Louis, was taken up by Representative Gambaro.

On motion of Representative Gambaro, **HS HJR 11** was read the third time and passed by the following vote:

AYES: 114

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Black	Boucher	Bray 84	Britt
Burcham	Burton	Byrd	Carnahan	Champion
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Henderson
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hosmer	Hunter	Jetton	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 36	Kennedy
King	Koller	Levin	Liese	Luetkemeyer
Luetkenhaus	Marble	May 149	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Ridgeway	Roark
Robirds	Schwab	Scott	Seigfreid	Shields
Skaggs	St. Onge	Surface	Townley	Van Zandt
Villa	Vogel	Wagner	Ward	Wiggins
Willoughby	Wilson 25	Wright	Mr. Speaker	

NOES: 034

Bland	Bonner	Bowman	Boykins	Brooks
Cierpiot	Clayton	Coleman	Curls	Ford
Franklin	Hegeman	Hohulin	Hoppe	Johnson 61
Lawson	Legan	Lograsso	Lowe	Mayer
Mays 50	Portwood	Richardson	Rizzo	Ross
Selby	Shelton	Shoemyer	Smith	Thompson
Treadway	Walton	Williams	Wilson 42	

PRESENT: 004

Campbell	Kelly 27	Marsh	Rector
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ABSENT WITH LEAVE: 008

Berkstresser	Boatright	Harlan	Linton	Long
Scheve	Secrest	Troupe		

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

THIRD READING OF HOUSE BILLS - CONSENT

HB 410, relating to removal of weeds, was taken up by Representative Holt.

Representative Crump moved the previous question.

Which motion was adopted by the following vote:

AYES: 084

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Farnen	Foley	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Harlan
Haywood	Hickey	Hilgemann	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Kelly 27	Kelly 36	Kennedy	Koller	Lawson
Liese	Lowe	Luetkenhaus	Mays 50	McKenna
Merideth	Monaco	O'Connor	O'Toole	Overschmidt
Ransdall	Relford	Reynolds	Rizzo	Seigfreid
Selby	Shelton	Shoemyer	Skaggs	Smith
Surface	Thompson	Treadway	Van Zandt	Villa
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 068

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Black	Boatright	Burcham	Burton
Byrd	Champion	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Dolan	Enz
Fares	Froelker	Gaskill	Griesheimer	Hartzler
Hegeman	Henderson	Hendrickson	Hohulin	Holand
Hunter	Jetton	Kelley 47	Kelly 144	King
Legan	Levin	Lograsso	Luetkemeyer	Marble
Marsh	May 149	Mayer	Miller	Moore
Murphy	Myers	Naege	Nordwald	Ostmann
Phillips	Portwood	Purgason	Rector	Reid
Reinhart	Richardson	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Shields	St. Onge
Townley	Vogel	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 008

Berkstresser	Ford	Hanaway	Linton	Long
Scheve	Secrest	Troupe		

VACANCIES: 003

On motion of Representative Holt, **HB 410** was read the third time and passed by the following vote:

AYES: 130

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bearden	Behnen	Berkowitz
Black	Bland	Bonner	Boucher	Bowman
Boykins	Britt	Brooks	Burton	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Crawford	Crump	Cunningham	Curls

Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 27	Kelly 36	Kennedy
King	Koller	Legan	Levin	Liese
Lowe	Luetkemeyer	Luetkenhaus	Marsh	Mayer
Mays 50	Merideth	Miller	Monaco	Moore
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Ransdall
Reid	Reinhart	Relford	Richardson	Ridgeway
Rizzo	Robirds	Ross	Scheve	Schwab
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 019

Bartle	Boatright	Burcham	Byrd	Crowell
Hanaway	Hendrickson	Hohulin	Hunter	Kelly 144
Lograsso	Marble	May 149	Murphy	Purgason
Rector	Reynolds	Roark	Scott	

PRESENT: 000

ABSENT WITH LEAVE: 011

Berkstresser	Bray 84	Copenhaver	Ford	Green 73
Lawson	Linton	Long	McKenna	Secret
Troupe				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

Representative Britt assumed the Chair.

HB 402, relating to probation documents, was taken up by Representative Boucher.

HB 402 was laid over.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, April 5, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fiftieth Day, Tuesday, April 3, 2001, page 927, line 33, by deleting the words "**SCS SB 130**" and inserting in lieu thereof the words "**SB 130**".

Page 924, roll call, by showing Representative Boykins voting "aye" rather than "absent with leave".

Page 925, roll call, by showing Representative Campbell voting "aye" rather than "absent with leave".

Pages 926 and 927, roll call, by showing Representatives Boykins, Campbell and Moore voting "aye" rather than "absent with leave".

Pages 929 and 930, roll call, by showing Representative Froelker voting "aye" rather than "absent with leave".

Pages 929 and 930, roll call, by showing Representative Coleman voting "no" rather than "absent with leave".

Pages 931 and 932, roll call, by showing Representative Dempsey voting "aye" rather than "present".

Pages 931 and 932, roll call, by showing Representative Sanders Brooks voting "aye" rather than "absent with leave".

Pages 934 and 935, roll call, by showing Representative Fraser voting "aye" rather than "absent with leave".

Pages 935 and 936, roll call, by showing Representative Crawford voting "no" rather than "present".

COMMITTEE MEETINGS

CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING

Monday, April 9, 2001, 8:00 pm. Hearing Room 3.

Executive Session may follow.

To be considered - SB 264, SB 274

ENVIRONMENT AND ENERGY

Thursday, April 5, 2001, 8:30 am. Hearing Room 5.

To be considered - HB 856, HB 985, SB 149

FISCAL REVIEW AND GOVERNMENT REFORM

Thursday, April 5, 2001, 8:30 am. Hearing Room 1.
(Fiscal Note). To be considered - HB 612, HB 824

JUDICIARY

Tuesday, April 10, 2001. Hearing Room 5 upon morning adjournment.
Executive Session may follow.
To be considered - SB 197, SB 270, SB 288, SB 304

MISSOURI TOBACCO SETTLEMENT

Thursday, April 5, 2001, 9:00 am. Hearing Room 3.
To be considered - Executive Session - HB 888, Executive Session - HB 916,
Executive Session - HB 942, Executive Session - HB 943, Executive Session - HJR 17

RETIREMENT

Wednesday, April 11, 2001, 8:00 pm. Hearing Room 1.
Executive Session following hearing.
To be considered - HB 519, SB 316

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, April 10, 2001, 7:00 pm. Hearing Room 6.
Presentation by DFS on Child Care.
To be considered - HB 877, HB 987, SB 236, SB 449

SPECIAL COMMITTEE ON SPORTSMANSHIP, SAFETY AND FIREARMS

Thursday, April 5, 2001, 9:30 am. Side gallery.
Executive Session on previously heard bills.

SUBCOMMITTEE ON REDISTRICTING FOR CONGRESSIONAL DISTRICTS 4,5,6,7,8,9

Thursday, April 5, 2001, 5:00 pm. Pulaski County Courthouse, Waynesville.
Public Hearing on Congressional Redistricting.

SUBCOMMITTEE ON REDISTRICTING FOR CONGRESSIONAL DISTRICTS 4,5,6,7,8,9

Friday, April 6, 2001, 12:00 pm.
SMS University Alumni Center, 300 S. Jefferson, 1st Floor Hospitality Room.
Public hearing Congressional Redistricting.

SUBCOMMITTEE ON REDISTRICTING FOR CONGRESSIONAL DISTRICTS 4,5,6,7,8,9

Monday, April 9, 2001, 7:00 pm. Audrain County Courthouse, Commissioner's Offices.
Public hearing on Congressional Redistricting.

SUBCOMMITTEE ON REDISTRICTING FOR CONGRESSIONAL DISTRICTS 4,5,6,7,8,9

Thursday, April 12, 2001, 5:30 pm. Penn Valley Community College, Room 503.
Public hearing on Congressional Redistricting.

TOURISM, RECREATION AND CULTURAL AFFAIRS

Monday, April 9, 2001, 8:00 pm. Hearing Room 7.

Executive Session may follow.

To be considered - HB 984, SB 365

URBAN AFFAIRS

Tuesday, April 10, 2001, 8:00 pm. Hearing Room 1.

To be considered - HB 963, HB 1011, HJR 19, SB 4, SB 76, SB 290, SB 383

UTILITIES REGULATION

Thursday, April 5, 2001, 8:15 am. Hearing Room 6.

Work session to follow. Executive Session may follow.

To be considered - HB 778, SCR 18

HOUSE CALENDAR

FIFTY-SECOND DAY, THURSDAY, APRIL 5, 2001

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 15 & 13 - Crawford

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

1 HCS HB 18 - Green (73)

2 HCS HB 19 - Green (73)

HOUSE BILLS FOR PERFECTION

1 HCS HB 457, HA 2, as amended, tabled - Kreider

2 HB 349 - Hosmer

3 HCS HB 835, 90, 707, 373, 641, 510, 516 & 572 - Britt

4 HB 286, HCA 1 & HCA 2 - Smith

5 HCS HB 280, 69, 497 & 689 - Hoppe

6 HB 527 - Luetkenhaus

7 HB 736 - Liese

8 HB 366 - Champion

9 HB 678 - Seigfreid

10 HB 436 - Merideth

11 HCS HB 472 - Burton

12 HCS HB 488 - Koller

13 HB 592 - Williams

14 HCS HB 660 - Hagan-Harrell

15 HB 555 - Foley

16 HCS HB 426 - O'Toole

- 17 HCS HB 831 - Carnahan
- 18 HCS HB 428 - Kelly (36)
- 19 HCS HB 593 - Riback Wilson (25)
- 20 HCS HB 170 - Froelker
- 21 HCS HB 239 - Smith

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HB 882 - Crump
- 3 HB 891 - Smith

HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 HCR 4, (3-26-01, pages 799 & 800) - Williams
- 2 HCR 10, (3-27-01, page 830) - Holand
- 3 HCR 12, (3-29-01, page 894) - Haywood
- 4 HCR 24, (3-29-01, pages 891 & 892) - Boucher
- 5 HCR 5, (3-29-01, pages 892 & 893) - Mays (50)
- 6 HCR 6, (3-29-01, page 890) - Myers

HOUSE BILLS FOR THIRD READING

- 1 HB 915, E.C. (Fiscal Review 4-2-01) - Graham
- 2 HS HB 612, (Fiscal Review 4-2-01) - Ladd Baker
- 3 HS HCS HB 824, (Fiscal Review 4-2-01) - Abel
- 4 HS HCS HB 924, 714, 685, 756, 734 & 518 - Wiggins

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 897 - Kreider
- 2 HB 402 - Boucher
- 3 HB 84 - Richardson
- 4 HB 954 - Hosmer
- 5 HB 825 - Kennedy
- 6 HB 881 - Scott
- 7 HB 408 - Kelley (47)
- 8 HB 933 - Reid
- 9 HB 904 - Merideth

HOUSE BILLS FOR THIRD READING - CONSENT - INFORMAL

- 1 HB 805 - Mayer
- 2 HB 821 - Hosmer
- 3 HB 644 - Burton
- 4 HB 922 - Gaskill

SENATE CONCURRENT RESOLUTIONS FOR SECOND READING

- 1 SCR 23
- 2 SCR 27

SENATE JOINT RESOLUTION FOR SECOND READING

SS SJR 9

SENATE BILLS FOR SECOND READING

- 1 SS SCS SB 48
- 2 SS SB 193
- 3 SCS SB 266
- 4 SS SB 339
- 5 SCS SB 374
- 6 SB 392
- 7 SB 400
- 8 SB 500
- 9 SB 540
- 10 SB 542
- 11 SB 606
- 12 SCS SB 617

BILL IN CONFERENCE

SCS HCS HB 15 - Green (73)

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

FIFTY-SECOND DAY, THURSDAY, APRIL 5, 2001

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God: You have guided men and women by Your spirit. Bless these men and women of the House now, give them Your grace as they work to help the people of Missouri.

Make them aware of the record they are writing, the record of this Session. Keep them aware of the record You have written, in love and justice for all people. Call them to the highest, protect them from the lowest.

To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Sara Allen, Amanda Healey, Joshua Riggs, Darren Walters, Amanda Gard, Jenny Holmes, Carah Collins, Jessica Law, Scott Halle, Annie Farr, Maribeth Liveoak, Sarah Villines, Teri Gilbert, Greg French, Deland McAlister, Dannielle Cross, Wykeem Yokley, Maya Wilkins, Kurtis Kuschel, Kurtis Uthe, Tabatha Gray, Shawna Brandt, Lilly Bell, David Bell, Josiah Bell, Michael Thompson, Malorie Lynn Barnett, Katelyn Scott, John Kuc and Courtney Hebrank.

The Journal of the fifty-first day was approved as corrected by the following vote:

AYES: 086

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Farnen	Foley	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Harlan
Hartzler	Haywood	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Kelly 27	Kelly 36	Kennedy	Koller
Lawson	Liese	Lowe	Luetkenhaus	Mays 50
McKenna	Merideth	Monaco	O'Connor	O'Toole
Overschmidt	Ransdall	Reynolds	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 066

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Black	Boatright	Burcham	Burton
Byrd	Champion	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Dolan	Enz
Fares	Froelker	Gaskill	Griesheimer	Hanaway
Hegeman	Henderson	Hendrickson	Hunter	Jetton
Kelley 47	Kelly 144	King	Legan	Levin
Linton	Lograsso	Luetkemeyer	Marble	May 149
Mayer	Miller	Moore	Murphy	Myers
Naeger	Nordwald	Ostmann	Phillips	Portwood
Purgason	Rector	Reid	Reinhart	Richardson
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Shields	St. Onge	Surface	Vogel
Wright				

PRESENT: 003

Ford	Holand	Marsh
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ABSENT WITH LEAVE: 005

Berkstresser	Hohulin	Long	Relford	Secrest
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VACANCIES: 003

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1134

and

House Resolution No. 1135	-	Representative Barry
House Resolution No. 1136	-	Representative Hendrickson
House Resolution No. 1137	-	Representative Vogel
House Resolution No. 1138	-	Representative Shoemyer

House Resolution No. 1139

and

House Resolution No. 1140	-	Representative Wilson (42)
House Resolution No. 1141	-	Representative Legan
House Resolution No. 1142	-	Representative Surface
House Resolution No. 1143	-	Representative Griesheimer

House Resolution No. 1144

and

House Resolution No. 1145	-	Representatives Lograsso and Ross
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House Resolution No. 1146

through

House Resolution No. 1158	-	Representative Burcham
House Resolution No. 1159	-	Representative Hohulin
House Resolution No. 1160	-	Representative Curls

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

SCR 23 and **SCR 27** were read the second time.

SECOND READING OF SENATE JOINT RESOLUTION

SS SJR 9 was read the second time.

SECOND READING OF SENATE BILLS

SS SCS SB 48, SS SB 193, SCS SB 266, SS SB 339, SCS SB 374, SB 392, SB 400, SB 500, SB 540, SB 542, SB 606 and **SCS SB 617** were read the second time.

COMMITTEE REPORTS

Committee on Rules, Joint Rules, and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules, and Bills Perfected and Printed, to which was referred **HCS HB 13** and **HS HCS HBs 924, 714, 685, 756, 734 & 518**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Committee on Fiscal Review and Government Reform, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HS HB 612** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HS HCS HB 824** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Representative Smith assumed the Chair.

THIRD READING OF HOUSE BILLS

HS HB 612, relating to community first act, was taken up by Representative Ladd Baker.

On motion of Representative Ladd Baker, **HS HB 612** was read the third time and passed by the following vote:

AYES: 148

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Ransdall
Rector	Reid	Reinhart	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 001

Ford

PRESENT: 003

Ballard	Crowell	Purgason
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ABSENT WITH LEAVE: 008

Berkstresser	Froelker	Hohulin	Lograsso	Long
Relford	Secrest	Troupe		

VACANCIES: 003

Representative Smith declared the bill passed.

HS HCS HB 824, relating to prescription drugs for seniors, was taken up by Representative Abel.

On motion of Representative Abel, **HS HCS HB 824** was read the third time and passed by the following vote:

AYES: 145

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Levin	Liese	Linton
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Reid	Reinhart	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Scheve	Schwab
Scott	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Treadway	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 007

Hunter	Kelly 144	Legan	Marble	Rector
Roark	Townley			

PRESENT: 001

Ballard

ABSENT WITH LEAVE: 007

Berkstresser	Ford	Hohulin	Long	Relford
Secrest	Troupe			

VACANCIES: 003

Representative Smith declared the bill passed.

THIRD READING OF HOUSE BILLS - CONSENT

HB 84, relating to recorder of deeds, was placed on the Informal Calendar.

Speaker Pro Tem Abel assumed the Chair.

Speaker Kreider resumed the Chair.

HB 825, relating to sales/use tax, was taken up by Representative Kennedy.

On motion of Representative Kennedy, **HB 825** was read the third time and passed by the following vote:

AYES: 147

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Black	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 003

Hunter	St. Onge	Walton
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PRESENT: 003

Bartelsmeyer	Ford	Lograsso
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ABSENT WITH LEAVE: 007

Berkstresser	Bland	Cierpiot	Long	Relford
Scott	Secrest			

VACANCIES: 003

Speaker Kreider declared the bill passed.

HB 954, relating to license suspension and revocation, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HB 954** was read the third time and passed by the following vote:

AYES: 142

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Black	Bland	Boatright	Boucher
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Legan	Levin	Liese
Linton	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 006

Gratz	Hohulin	Johnson 61	Lograsso	Reynolds
Shelton				

PRESENT: 001

Ford

ABSENT WITH LEAVE: 011

Berkstresser	Bonner	Bowman	Harlan	Hickey
Jetton	Lawson	Long	Relford	Richardson
Secrest				

VACANCIES: 003

Speaker Kreider declared the bill passed.

HB 408, relating to cemetery property, was taken up by Representative Kelley (47).

On motion of Representative Kelley (47), **HB 408** was read the third time and passed by the following vote:

AYES: 144

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hickey	Hilgemann
Holand	Holt	Hoppe	Hosmer	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Legan
Levin	Liese	Linton	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Reynolds	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Seigfreid	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 003

Hendrickson	Hunter	Selby
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PRESENT: 002

Ford	Murphy
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ABSENT WITH LEAVE: 011

Berkstresser	Harlan	Hohulin	Hollingsworth	Jetton
Lawson	Long	Relford	Richardson	Secrest
Vogel				

VACANCIES: 003

Speaker Kreider declared the bill passed.

HB 881, relating to nursing home districts, was taken up by Representative Scott.

On motion of Representative Scott, **HB 881** was read the third time and passed by the following vote:

AYES: 138

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hilgemann	Holand	Holt	Hoppe
Hunter	Johnson 61	Johnson 90	Jolly	Kelly 144
Kelly 27	Kelly 36	King	Koller	Legan
Levin	Liese	Linton	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Reynolds	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 022

Ballard	Berkstresser	Bowman	Davis	Franklin
Harlan	Hickey	Hohulin	Hollingsworth	Hosmer
Jetton	Kelley 47	Kennedy	Lawson	Long
Murphy	Nordwald	Relford	Richardson	Secrest
Vogel	Wilson 42			

VACANCIES: 003

Speaker Kreider declared the bill passed.

THIRD READING OF HOUSE BILL

HS HCS HBs 924, 714, 685, 756, 734 & 518, relating to transportation funding, was taken up by Representative Wiggins.

Representative Crump moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Haywood	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Kelly 27	Kelly 36	Kennedy	Koller
Lawson	Liese	Lowe	Luetkenhaus	Mays 50
McKenna	Merideth	Monaco	O'Connor	O'Toole
Overschmidt	Ransdall	Reynolds	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Thompson	Treadway	Troupe	Van Zandt
Villa	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 069

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Black	Boatright	Burcham	Burton
Byrd	Champion	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Dolan	Enz
Fares	Froelker	Gaskill	Griesheimer	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Hunter	Jetton	Kelly 144	King
Legan	Levin	Linton	Lograsso	Luetkemeyer
Marble	Marsh	May 149	Mayer	Miller
Moore	Murphy	Myers	Naeger	Ostmann
Phillips	Portwood	Purgason	Rector	Reid
Reinhart	Richardson	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Shields	St. Onge
Surface	Townley	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 006

Berkstresser	Kelley 47	Long	Nordwald	Relford
Secrest				

VACANCIES: 003

Representative Shields requested a verification of the roll call on the motion to move the previous question.

On motion of Representative Wiggins, **HS HCS HBs 924, 714, 685, 756, 734 & 518** was read the third time and passed by the following vote:

AYES: 083

Abel	Baker	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Coleman	Copenhaver	Crump	Curls	Davis
Farnen	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Harding	Harlan	Hartzler
Haywood	Hickey	Hilgemann	Hollingsworth	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Kelly 27
Kelly 36	Kennedy	Koller	Lawson	Liese
Lowe	Luetkenhaus	Mays 50	McKenna	Monaco
Murphy	O'Connor	O'Toole	Overschmidt	Ransdall
Reynolds	Rizzo	Scheve	Seigfreid	Selby
Shelton	Shoemyer	Skaggs	Smith	Thompson
Treadway	Troupe	Van Zandt	Villa	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 071

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Behnen	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Froelker	Gaskill	Griesheimer
Hampton	Hanaway	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Holt	Hunter	Jetton
Kelly 144	King	Legan	Levin	Linton
Lograsso	Luetkemeyer	Marble	Marsh	May 149
Mayer	Merideth	Miller	Moore	Myers
Naeger	Ostmann	Phillips	Portwood	Purgason
Rector	Reid	Reinhart	Richardson	Ridgeway
Roark	Robirds	Ross	Schwab	Scott
Shields	St. Onge	Surface	Townley	Vogel
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 006

Berkstresser	Kelley 47	Long	Nordwald	Relford
Secrest				

VACANCIES: 003

Speaker Kreider declared the bill passed.

Representative Scheve assumed the Chair.

THIRD READING OF HOUSE BILLS - CONSENT

HB 897, relating to driver's license, was taken up by Representative Levin.

On motion of Representative Levin, **HB 897** was read the third time and passed by the following vote:

AYES: 141

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hilgemann	Hohulin
Holand	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Legan	Levin	Liese	Linton	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Seigfreid	Selby	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Treadway
Van Zandt	Villa	Vogel	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 001

Hollingsworth

ABSENT WITH LEAVE: 018

Ballard	Berkstresser	Ford	Harlan	Hickey
Kelley 47	Lawson	Lograsso	Long	Murphy
Nordwald	Relford	Secrest	Shelton	Townley
Troupe	Wagner	Walton		

VACANCIES: 003

Representative Scheve declared the bill passed.

HB 402, relating to probation documents, was placed on the Informal Calendar.

HB 933, relating to sales/use tax, was taken up by Representative Reid.

On motion of Representative Reid, **HB 933** was read the third time and passed by the following vote:

AYES: 137

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Haywood	Hegeman	Henderson
Hendrickson	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Legan	Levin
Liese	Linton	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Moore	Murphy
Myers	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Reynolds	Richardson	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Seigfreid	Selby	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Treadway	Van Zandt	Villa	Vogel	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 003

Cierpiot	Hohulin	Naeger
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PRESENT: 002

Hickey	Ridgeway
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ABSENT WITH LEAVE: 018

Ballard	Berkstresser	Ford	Harlan	Hartzler
Kelley 47	Lawson	Lograsso	Long	Monaco
Nordwald	Relford	Secrest	Shelton	Townley
Troupe	Wagner	Walton		

VACANCIES: 003

Representative Scheve declared the bill passed.

HB 904, relating to agroforestry, was taken up by Representative Merideth.

On motion of Representative Merideth, **HB 904** was read the third time and passed by the following vote:

AYES: 136

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	Mayer	McKenna
Merideth	Miller	Moore	Murphy	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Reid
Reinhart	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Seigfreid	Selby	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Treadway
Van Zandt	Villa	Vogel	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 001

Hohulin

PRESENT: 001

May 149

ABSENT WITH LEAVE: 022

Baker	Ballard	Berkstresser	Brooks	Ford
Harlan	Hartzler	Kelley 47	Lograsso	Long
Mays 50	Monaco	Nordwald	Rector	Relford
Reynolds	Secrest	Shelton	Townley	Troupe
Wagner	Walton			

VACANCIES: 003

Representative Scheve declared the bill passed.

THIRD READING OF HOUSE BILLS - CONSENT - INFORMAL

HB 805, relating to temporary instruction permit, was taken up by Representative Mayer.

On motion of Representative Mayer, **HB 805** was read the third time and passed by the following vote:

AYES: 136

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hilgemann	Hohulin	Holand	Holt
Hoppe	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Moore	Murphy
Myers	Naeger	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Rector
Reid	Reinhart	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Seigfreid	Selby	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Treadway	Van Zandt	Villa	Vogel	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wright
Mr. Speaker				

NOES: 000

PRESENT: 003

Clayton	Hickey	Hollingsworth
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ABSENT WITH LEAVE: 021

Baker	Ballard	Berkstresser	Ford	Harlan
Hosmer	Kelley 47	Lograsso	Long	Monaco
Nordwald	Ransdall	Relford	Reynolds	Secrest
Shelton	Townley	Troupe	Wagner	Walton
Wilson 42				

VACANCIES: 003

Representative Scheve declared the bill passed.

HB 821, relating to organ transplant program, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HB 821** was read the third time and passed by the following vote:

AYES: 140

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Moore	Murphy	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Rector	Reid
Reinhart	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Selby	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Treadway	Van Zandt
Villa	Vogel	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 020

Baker	Ballard	Berkstresser	Ford	Harlan
Kelley 47	Lograsso	Long	Monaco	Nordwald
Ransdall	Relford	Reynolds	Secrest	Seigfreid
Shelton	Townley	Troupe	Wagner	Walton

VACANCIES: 003

Representative Scheve declared the bill passed.

HB 644, relating to nonprobate transfers, was taken up by Representative Burton.

On motion of Representative Burton, **HB 644** was read the third time and passed by the following vote:

AYES: 124

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Black
Bland	Boatright	Bonner	Boucher	Boykins
Bray 84	Britt	Brooks	Burcham	Burton
Campbell	Carnahan	Champion	Coleman	Copenhaver
Crawford	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Levin
Liese	Linton	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Moore	Myers
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Rector	Reid	Reinhart
Rizzo	Robirds	Ross	Scheve	Schwab
Scott	Selby	Shields	Shoemyer	Skaggs
Smith	St. Onge	Thompson	Treadway	Van Zandt
Villa	Vogel	Ward	Wiggins	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 007

Byrd	Clayton	Cooper	Crowell	Hohulin
Roark	Seigfreid			

PRESENT: 003

Cierpiot	Naeger	Ridgeway
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ABSENT WITH LEAVE: 026

Baker	Ballard	Berkstresser	Bowman	Ford
Gratz	Harlan	Kelley 47	Legan	Lograsso
Long	Monaco	Murphy	Nordwald	Ransdall
Relford	Reynolds	Richardson	Secrest	Shelton
Surface	Townley	Troupe	Wagner	Walton
Williams				

VACANCIES: 003

Representative Scheve declared the bill passed.

HB 922, relating to annexation, was taken up by Representative Gaskill.

On motion of Representative Gaskill, **HB 922** was read the third time and passed by the following vote:

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AYES: 136

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Murphy	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Rector	Reid	Reinhart	Richardson	Ridgeway
Roark	Robirds	Ross	Scheve	Schwab
Scott	Seigfreid	Selby	Shields	Shoemyer
Skaggs	Smith	St. Onge	Thompson	Treadway
Van Zandt	Villa	Vogel	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 001

Graham

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 022

Baker	Ballard	Berkstresser	Ford	Harlan
Kelley 47	Lograsso	Long	Monaco	Moore
Nordwald	Ransdall	Relford	Reynolds	Rizzo
Secrest	Shelton	Surface	Townley	Troupe
Wagner	Walton			

VACANCIES: 003

Representative Scheve declared the bill passed.

HB 84, relating to recorder of deeds, was taken up by Representative Richardson.

On motion of Representative Richardson, **HB 84** was read the third time and passed by the following vote:

AYES: 130

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Burcham	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Johnson 61	Johnson 90	Jolly
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Legan	Levin	Liese	Linton
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Moore	Murphy	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Rector	Reid	Reinhart
Richardson	Ridgeway	Roark	Robirds	Ross
Scheve	Schwab	Scott	Seigfreid	Shields
Shoemyer	Skaggs	St. Onge	Thompson	Treadway
Van Zandt	Villa	Vogel	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 005

Hendrickson	Jetton	Selby	Smith	Ward
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PRESENT: 002

Brooks	Crump
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ABSENT WITH LEAVE: 023

Baker	Ballard	Berkstresser	Burton	Ford
Harlan	Kelley 47	Lawson	Lograsso	Long
Monaco	Nordwald	Ransdall	Relford	Reynolds
Rizzo	Secrest	Shelton	Surface	Townley
Troupe	Wagner	Walton		

VACANCIES: 003

Representative Scheve declared the bill passed.

RE-REFERRAL OF SENATE BILLS

The following Senate Bills were re-referred to the Committee indicated:

SCS SB 284 - Education-Higher
SB 422 - Local Government and Related Matters
SB 441 - Miscellaneous Bills & Resolutions

COMMITTEE REPORTS

Committee on Missouri Tobacco Settlement, Chairman Scheve reporting:

Mr. Speaker: Your Committee on Missouri Tobacco Settlement, to which was referred **HB 888**, **HB 942** and **HB 943**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Public-Private Partnerships, Chairman Farnen reporting:

Mr. Speaker: Your Committee on Public-Private Partnerships, to which was referred **HCR 25**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE CONCURRENT RESOLUTION NO. 25

WHEREAS, Section 21.527, RSMo, requires approval of the General Assembly that certain projects to be funded by revenue bonds shall be secured by a pledge of future appropriations to be made by the General Assembly; and

WHEREAS, the General Assembly is desirous of approving a project for a sports arena and related facilities for the University of Missouri-Columbia campus to be funded in part by revenue bonds secured by a pledge of future appropriations to be made by the General Assembly:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-first General Assembly, First Regular Session, the Senate concurring therein, hereby approve the following:

1. A sports arena project and related facilities for the University of Missouri-Columbia campus;
2. A total estimated project cost, including furnishings and equipment, of seventy-five million dollars;
3. A maximum project cost of thirty-five million dollars (state's share) to be funded by revenue bonds secured by a pledge of future appropriations to be made by the General Assembly;
4. The issuance of revenue bonds in an amount sufficient to pay the state's share of the project cost, plus debt service reserve, capitalized interests and costs of issuance, to be payable over a term not to exceed twenty years; and
5. The remainder of the project cost to be funded by contributions and other funds to be provided by the University of Missouri; and

BE IT FURTHER RESOLVED that the members of the Missouri General Assembly state the intent of the General Assembly, during each fiscal year of the state during the term of such revenue bonds, to appropriate funds sufficient to pay the debt service on such revenue bonds; and

BE IT FURTHER RESOLVED that the members of the Missouri General Assembly authorize and direct the Office of Administration and such other state departments, offices and agencies as the Office of Administration may deem necessary or appropriate to:

1. Assist the staff and advisors of the University of Missouri in implementing the project and in issuing such revenue bonds for the state's share of the project cost; and
2. Execute and deliver documents and certificates related to such revenue bonds consistent with the terms of this concurrent resolution; and

BE IT FURTHER RESOLVED that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 29, introduced by Representative Boatright, relating to the Missouri State High School Activities Association.

The following member's presence was noted: Relford.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 4:00 p.m., Monday, April 9, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-first Day, Wednesday, April 4, 2001, Page 945, roll call, by showing Representative Henderson voting “aye” rather than “absent with leave”.

Page 947, roll call, by showing Representatives Green (15) and Moore voting “aye” rather than “absent with leave”.

Pages 948 and 949, roll call, by showing Representative Bowman voting “aye” rather than “absent with leave”.

Page 955, roll call, by showing Representative Shoemyer voting “aye” rather than “absent with leave”.

Page 956, roll call, by showing Representative McKenna voting “aye” rather than “absent with leave”.

Pages 958 and 959, roll call, by showing Representatives Bland and Harding voting “aye” rather than “absent with leave”.

Pages 959 and 960, roll call, by showing Representative Sanders Brooks voting “aye” rather than “absent with leave”.

Pages 963 and 964, roll call, by showing Representative Crawford voting “aye” rather than “present”.

Pages 965 and 966, roll call, by showing Representative Shoemyer voting “aye” rather than “absent with leave”.

Pages 966 and 967, roll call, by showing Representatives Foley, Gratz, McKenna and Sanders Brooks voting “aye” rather than “absent with leave”.

Page 979, roll call, by showing Representative Boatright voting “aye” rather than “absent with leave”.

Page 980, roll call, by showing Representative Hanaway voting “no” rather than “absent with leave”.

Pages 980 and 981, roll call, by showing Representatives Copenhaver and McKenna voting “aye” rather than “absent with leave”.

COMMITTEE MEETINGS

BANKS AND FINANCIAL INSTITUTIONS

Tuesday, April 10, 2001. Hearing Room 3, fifteen minutes after morning adjournment.

Executive Session may follow.

To be considered - HB 335, SB 179, SB 186, SB 382, SB 538

BUDGET

Monday, April 9, 2001, 2:00 pm. Hearing Room 3.

Executive Session on previously heard bills.

CHILDREN, FAMILIES, AND HEALTH

Tuesday, April 10, 2001. Hearing Room 4 upon morning adjournment.

Possible Executive Session.

To be considered - SB 110, SB 136, SB 219, SB 348, SB 434, SB 514

COMMERCE AND ECONOMIC DEVELOPMENT

Monday, April 9, 2001. Side gallery upon evening adjournment.

Executive Session only.

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, April 10, 2001, 8:00 pm. Hearing Room 7.

Executive Session will follow.

To be considered - SB 252, SB 301, SB 394, SB 431

CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING

Monday, April 9, 2001, 8:00 pm. Hearing Room 3.

Executive Session may follow.

To be considered - SB 264, SB 274

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, April 10, 2001, 8:00 am. Hearing Room 5.

To be considered - HCR 23, SB 58, SB 201, SB 303, SB 321, SB 353, SB 543, SB 575

EDUCATION - HIGHER

Wednesday, April 11, 2001, 12:45 pm. Hearing Room 5.

Time of hearing will be upon adjournment if later than 12:45 pm.

Executive Session.

To be considered - SB 41, SB 295

ELECTIONS

Tuesday, April 10, 2001, 8:30 am. Hearing Room 4.

Executive Session will follow.

To be considered - SB 148

ETHICS

Monday, April 9, 2001, 3:45 pm. Side gallery.

Caucus additions and Caucus approvals.

FISCAL REVIEW AND GOVERNMENT REFORM

Monday, April 9, 2001. Side gallery upon evening adjournment.

(Fiscal Note). To be considered - HB 915

JUDICIARY

Tuesday, April 10, 2001. Hearing Room 5 upon morning adjournment.

Executive Session may follow.

To be considered - SB 197, SB 270, SB 288, SB 304

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, April 10, 2001. Hearing Room 7 upon morning adjournment.

Executive Session may follow. AMENDED.

To be considered - SB 7, SB 178, SB 345, SB 352, SB 422, SB 515, SB 556, SB 591, SB 610, SB 619

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, April 10, 2001, 1:00 pm. Hearing Room 1.

Executive Session may or may not follow.

To be considered - HB 670, HB 912, SB 13, SB 111, SB 142, SB 185, SB 275, SB 407, SB 442, SB 520, SB 623

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, April 11, 2001, 8:00 am. Hearing Room 5.

To be considered - SB 207, SB 216, SB 357, SB 384, SB 393

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Tuesday, April 10, 2001, 8:00 am. Hearing Room 6.

Executive Session will follow.

To be considered - HB 832, HB 866, HB 1019, SB 287, SB 341, SB 443

RETIREMENT

Wednesday, April 11, 2001, 8:00 pm. Hearing Room 1.

Executive Session following hearing.

To be considered - HB 519, SB 316

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, April 10, 2001, 7:00 pm. Hearing Room 6.

Presentation by DFS on Child Care.

To be considered - HB 877, HB 987, SB 236, SB 449

SUBCOMMITTEE ON PROFESSIONAL REGISTRATION & LICENSING

Monday, April 9, 2001, 2:00 pm. Hearing Room 5.

To be considered - HB 899

SUBCOMMITTEE ON REDISTRICTING FOR CONGRESSIONAL DISTRICTS 4,5,6,7,8,9

Monday, April 9, 2001, 7:00 pm. Audrain County Courthouse, Commissioner's Offices.

Public hearing on Congressional Redistricting.

SUBCOMMITTEE ON REDISTRICTING FOR CONGRESSIONAL DISTRICTS 4,5,6,7,8,9

Thursday, April 12, 2001, 5:30 pm. Penn Valley Community College, Room 503.

Public hearing on Congressional Redistricting.

TOURISM, RECREATION AND CULTURAL AFFAIRS

Monday, April 9, 2001, 8:00 pm. Hearing Room 7.

Executive Session may follow.

To be considered - HB 984, SB 365

URBAN AFFAIRS

Tuesday, April 10, 2001, 8:00 pm. Hearing Room 1.

To be considered - HB 963, HB 1011, HJR 19, SB 4, SB 76, SB 290, SB 383

WAYS AND MEANS

Tuesday, April 10, 2001. Hearing Room 2 upon morning adjournment.

Executive Session to be held.

To be considered - HB 359, HB 905, SB 307, SB 460, SB 563

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Monday, April 9, 2001, 8:00 pm. Hearing Room 6.

Executive Session may follow.

To be considered - SB 521

HOUSE CALENDAR

FIFTY-THIRD DAY, MONDAY, APRIL 9, 2001

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 29

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 15 & 13 - Crawford

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

- 1 HCS HB 18 - Green (73)
- 2 HCS HB 19 - Green (73)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 457, HA 2, as amended, tabled - Kreider
- 2 HB 349 - Hosmer
- 3 HCS HB 835, 90, 707, 373, 641, 510, 516 & 572 - Britt
- 4 HB 286, HCA 1 & HCA 2 - Smith
- 5 HCS HB 280, 69, 497 & 689 - Hoppe
- 6 HB 527 - Luetkenhaus
- 7 HB 736 - Liese
- 8 HB 366 - Champion
- 9 HB 678 - Seigfreid
- 10 HB 436 - Merideth
- 11 HCS HB 472 - Burton
- 12 HCS HB 488 - Koller
- 13 HB 592, HCA 1 - Williams
- 14 HCS HB 660 - Hagan-Harrell
- 15 HB 555 - Foley
- 16 HCS HB 426 - O'Toole
- 17 HCS HB 831 - Carnahan
- 18 HCS HB 428 - Kelly (36)
- 19 HCS HB 593 - Riback Wilson (25)
- 20 HCS HB 170 - Froelker
- 21 HCS HB 239 - Smith

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HB 882 - Crump
- 3 HB 891 - Smith

HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 HCR 4, (3-26-01, pages 799 & 800) - Williams
- 2 HCR 10, (3-27-01, page 830) - Holand
- 3 HCR 12, (3-29-01, page 894) - Haywood
- 4 HCR 24, (3-29-01, pages 891 & 892) - Boucher
- 5 HCR 5, (3-29-01, pages 892 & 893) - Mays (50)
- 6 HCR 6, (3-29-01, page 890) - Myers
- 7 HCR 25, (4-5-01) - Graham

HOUSE BILL FOR THIRD READING - APPROPRIATIONS

HCS HB 13 - Bonner

HOUSE BILL FOR THIRD READING

HB 915, E.C. (Fiscal Review 4-2-01) - Graham

HOUSE BILL FOR THIRD READING - CONSENT - INFORMAL

HB 402 - Boucher

BILL IN CONFERENCE

SCS HCS HB 15 - Green (73)

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

FIFTY-THIRD DAY, MONDAY, APRIL 9, 2001

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

Lord God, You make the sun to shine and the grass to grow. On this beautiful Spring day, a day when many of us might wish to be enjoying the great outdoors, bless this House and all those in this Capitol building with the inner light and the warmth of Your sun.

Bless our deliberations with growth and fruition. Watered with Your concern for us and fertilized by our concern for each other, this day will be another step toward the harvest of justice and peace You know is our goal. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fifty-second day was approved as corrected by the following vote:

AYES: 086

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Farnen	Foley	Ford	Fraser
George	Graham	Gratz	Green 15	Green 73
Hagan-Harrell	Harding	Harlan	Hickey	Hilgemann
Hollingsworth	Holt	Hoppe	Hosmer	Johnson 61
Johnson 90	Jolly	Kelly 27	Kennedy	Koller
Lawson	Liese	Lowe	Luetkenhaus	Marsh
Mays 50	McKenna	Merideth	Monaco	Murphy
O'Connor	O'Toole	Overschmidt	Ransdall	Relford
Reynolds	Rizzo	Robirds	Scheve	Seigfreid
Selby	Shelton	Shoemyer	Skaggs	Smith
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 063

Ballard	Barnett	Bartle	Bearden	Behnen
Berkstresser	Black	Boatright	Burcham	Burton
Byrd	Champion	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Dolan	Enz
Fares	Froelker	Gaskill	Griesheimer	Hanaway
Hegeman	Henderson	Hendrickson	Hohulin	Hunter
Jetton	Kelly 144	King	Legan	Levin

Linton	Long	Luetkemeyer	Marble	May 149
Mayer	Miller	Moore	Myers	Naeger
Nordwald	Ostmann	Phillips	Portwood	Purgason
Rector	Reid	Reinhart	Richardson	Roark
Ross	Schwab	Scott	Secrest	Shields
St. Onge	Vogel	Wright		

PRESENT: 001

Holand

ABSENT WITH LEAVE: 010

Bartelsmeyer	Franklin	Gambaro	Hampton	Hartzler
Haywood	Kelley 47	Kelly 36	Lograsso	Ridgeway

VACANCIES: 003

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1161 - Representative Kreider
House Resolution No. 1162 - Representative Enz
House Resolution No. 1163 - Representative Green (73)
House Resolution No. 1164 - Representative Naeger
House Resolution No. 1165
and
House Resolution No. 1166 - Representative Crump
House Resolution No. 1167 - Representative Liese
House Resolution No. 1168 - Representative Hohulin
House Resolution No. 1169 - Representative Troupe
House Resolution No. 1170 - Representative Overschmidt
House Resolution No. 1171 - Representative Ridgeway
House Resolution No. 1172 - Representative Skaggs
House Resolution No. 1173 - Representative Nordwald
House Resolution No. 1174
and
House Resolution No. 1175 - Representative Hegeman

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 29 was read the second time.

COMMITTEE REPORT

Committee on Fiscal Review and Government Reform, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HB 915** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HCS HB 18, relating to appropriations, was taken up by Representative Green (73).

Representative Green (73) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 18, Page 5, Section 18.110, Lines 1-5, by deleting all of said section.

On motion of Representative Green (73), **House Amendment No. 1** was adopted.

Representative Green (73) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 18, Page 12, by deleting Bill Totals and inserting in lieu thereof the following:

“Bill Totals

Year 1 (2002)

General Revenue	\$30,101,381
Federal Funds	1,808,115
Other Funds	<u>9,721,287</u>
Total	\$41,630,783

Year 2 (2003)

General Revenue	\$39,599,334
Federal Funds	1,948,867
Other Funds	<u>6,917,042</u>
Total	\$48,465,243".

On motion of Representative Green (73), **House Amendment No. 2** was adopted.

Representative Graham offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 18, Page 3, Section 18.055, Line 6, by deleting the word “**Complex**” on said line.

On motion of Representative Graham, **House Amendment No. 3** was adopted.

On motion of Representative Green (73), **HCS HB 18, as amended**, was adopted.

On motion of Representative Green (73), **HCS HB 18, as amended**, was ordered perfected and printed.

HCS HB 19, relating to appropriations, was taken up by Representative Green (73).

Representative Green (73) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 19, Page 3, Section 19.035, Line 5, by deleting the number "**152**" and inserting in lieu thereof the number "**389**".

On motion of Representative Green (73), **House Amendment No. 1** was adopted.

Representative Green (73) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 19, Section 19.006, Page 2, Line 11, by deleting the number "**\$1,295,025**" and inserting in lieu thereof the number "**\$1,296,025**"; and

Further amend said section, Line 15, by deleting the number "**\$1,431,200**" and inserting in lieu thereof the number "**\$1,432,200**".

On motion of Representative Green (73), **House Amendment No. 2** was adopted.

Representative Green (73) offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 19, Page 5, by deleting the Bill Totals and inserting in lieu thereof the following:

"Bill Totals

Year 1 (2002)

General Revenue	\$7,384,466
Federal Funds	8,250,200
Other Funds	<u>30,951,237</u>
Total	\$46,585,903

Year 2 (2003)

General Revenue	\$200,000
Federal Funds	825,000
Other Funds	<u>27,589,333</u>
Total	\$28,614,333".

Speaker Pro Tem Abel assumed the Chair.

On motion of Representative Green (73), **House Amendment No. 3** was adopted.

On motion of Representative Green (73), **HCS HB 19, as amended**, was adopted.

On motion of Representative Green (73), **HCS HB 19, as amended**, was ordered perfected and printed.

PERFECTION OF HOUSE BILL - INFORMAL

HB 891, relating to the disclosure of health information, was taken up by Representative Smith.

Representative Smith offered **HS HB 891**.

Representative Smith offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Bill No. 891, Page 8, Section 191.940.10, Lines 16 and 17, by deleting said lines and inserting in lieu thereof the following:

“privacy of nonpublic personal health information. By January 1, 2003, the commission”.

On motion of Representative Smith, **House Amendment No. 1** was adopted.

Representative Harlan offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Bill No. 891, Page 7, Section 191.940, Line 5, by inserting after all of said line the following:

“Any violation under this subsection may be enforced by a state agency responsible for regulating the person or by the attorney general.”.

On motion of Representative Harlan, **House Amendment No. 2** was adopted.

Representative Reid offered **House Amendment No. 3**.

Representative Smith raised a point of order that **House Amendment No. 3** is not germane to the House Substitute.

The Chair ruled the point of order not well taken.

House Amendment No. 3 was withdrawn.

Representative Levin requested a division of the question on **HS HB 891, as amended**.

Representative Smith moved that **Part I of HS HB 891, as amended**, be adopted.

Which motion was defeated.

Representative Smith moved that **Part II of HS HB 891, as amended**, be adopted.

Which motion was defeated.

Representative Byrd offered **House Amendment No. 1 to Part III of HS HB 891, as amended**.

Representative Monaco raised a point of order that **House Amendment No. 1** is drafted as a negative motion.

Representative Smith raised an additional point of order that **House Amendment No. 1** is dilatory.

Representative Smith raised an additional point of order that **House Amendment No. 1** amends previously amended material.

The Chair ruled the third point of order well taken.

On motion of Representative Smith, **Part III of HS HB 891, as amended**, was adopted.

On motion of Representative Smith, **HS HB 891, as amended**, was ordered perfected and printed by the following vote:

AYES: 077

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Boatright	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Farnen	Foley	Ford	Franklin
Fraser	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Harlan
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Johnson 61	Johnson 90	Jolly	Kelly 27
Kennedy	Koller	Liese	Lowe	Luetkenhaus
Mays 50	McKenna	Monaco	O'Connor	O'Toole
Overschmidt	Relford	Reynolds	Rizzo	Scheve
Seigfreid	Selby	Shelton	Smith	Thompson
Treadway	Troupe	Van Zandt	Villa	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 066

Ballard	Barnett	Bartle	Bearden	Behnen
Berkstresser	Black	Burcham	Byrd	Champion
Cierpiot	Cooper	Crawford	Crowell	Cunningham
Dempsey	Enz	Fares	Froelker	Gaskill
Griesheimer	Hanaway	Hartzler	Hegeman	Henderson
Hendrickson	Hohulin	Hunter	Jetton	Kelly 144
King	Legan	Levin	Linton	Luetkemeyer
Marble	Marsh	May 149	Mayer	Merideth

Miller	Moore	Murphy	Myers	Naeger
Nordwald	Ostmann	Phillips	Portwood	Purgason
Rector	Reid	Reinhart	Richardson	Ridgeway
Roark	Robirds	Schwab	Scott	Secrest
Shoemyer	St. Onge	Surface	Vogel	Wagner
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 017

Bartelsmeyer	Bonner	Burton	Dolan	Gambaro
Haywood	Hosmer	Kelley 47	Kelly 36	Lawson
Lograsso	Long	Ransdall	Ross	Shields
Skaggs	Townley			

VACANCIES: 003

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The following Senate Concurrent Resolutions were referred to the Committee indicated:

SCS SCR 14 - Miscellaneous Bills & Resolutions
SCR 22 - Fiscal Review and Government Reform
SCR 23 - Commerce and Economic Development
SCR 25 - Critical Issues, Consumer Protection and Housing
SCR 26 - Education-Elementary and Secondary
SCR 27 - Retirement

REFERRAL OF SENATE JOINT RESOLUTION

The following Senate Joint Resolution was referred to the Committee indicated:

SS SJR 9 - Miscellaneous Bills & Resolutions

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SS SB 14 - Local Government and Related Matters
SS #2 SCS SBs 39 & 269 - Judiciary
SS SCS SB 48 - Social Services, Medicaid and the Elderly
SB 50 - Fiscal Review and Government Reform
SB 130 - Local Government and Related Matters
SS SB 193 - Insurance
SCS SB 266 - Children, Families and Health
SS SCS SB 267 - Judiciary
SCS SB 317 - Commerce and Economic Development
SB 319 - Education-Elementary and Secondary

SS SB 339 - Public Safety, Law Enforcement and Veteran Affairs

SCS SB 374 - Environment and Energy

SB 381 - Labor

SB 392 - Commerce and Economic Development

SB 400 - Motor Vehicle and Traffic Regulations

SB 500 - Labor

SB 540 - Motor Vehicle and Traffic Regulations

SB 542 - Critical Issues, Consumer Protection and Housing

SB 606 - Agriculture

SCS SB 617 - Commerce and Economic Development

RE-REFERRAL OF SENATE BILL

The following Senate Bill was re-referred to the Committee indicated:

SB 521 - Insurance

COMMITTEE REPORTS

Committee on Children, Families and Health, Chairman Barry reporting:

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **HB 635**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Commerce and Economic Development, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce and Economic Development, to which was referred **HB 780**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Conservation, State Parks and Mining, Chairman Relford reporting:

Mr. Speaker: Your Committee on Conservation, State Parks and Mining, to which was referred **HB 374**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Environment and Energy, Chairman Lawson reporting:

Mr. Speaker: Your Committee on Environment and Energy, to which was referred **HB 802**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Environment and Energy, to which was referred **HB 868**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Ethics, Chairman Clayton reporting:

Mr. Speaker: Your Committee on Ethics, to which was referred an addition to: **BOOTHEEL CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to Section 105.473(2)(c)d RSMo.**

April 4, 2001

The Honorable Rod Jetton, Chairman
Bootheel Caucus
State Representative - District 156
State Capitol - Room 116-3
Jefferson City, MO 65101

Dear Representative Jetton:

This letter will serve as my official request to have my name added to the Bootheel Caucus.

Thank you for your kind attention to this matter.

My Best Regards,

/s/ Patrick A. Naeger
Representative - District 155

Mr. Speaker: Your Committee on Ethics, to which was referred an addition to: **GREATER DEMOCRATIC KANSAS CITY CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to Section 105.473(2)(c)d RSMo.**

March 6, 2001

The Honorable Robert Clayton, Chairman
House Committee on Ethics
House Post Office
State Capitol
Jefferson City, MO 65101

Dear Mr. Chairman:

Representative /s/ Craig Bland would like to be added as a member of the Greater Democratic Kansas City Caucus.

Thank you for your attention in this request.

Sincerely,

/s/ Bill Skaggs

Mr. Speaker: Your Committee on Ethics, to which was referred an addition to: **GREATER KANSAS CITY CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to Section 105.473(2)(c)d RSMo.**

March 6, 2001

The Honorable Robert Clayton, Chairman
House Committee on Ethics
House Post Office
State Capitol
Jefferson City, MO 65101

Dear Mr. Chairman:

Representative /s/ Craig Bland would like to be added as a member of the Greater Kansas City Caucus.

Thank you for your attention in this request.

Sincerely,

/s/ Bill Skaggs

Mr. Speaker: Your Committee on Ethics, to which was referred an addition to: **CONSERVATIVE ORGANIZATION FOR WOMEN CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to Section 105.473(2)(c)d RSMo.**

March 5, 2000

Representative Robert Clayton
Chairman, Ethics Committee
State Capitol, Rm. 413-A
Jefferson City, MO 65101

Dear Representative Clayton:

I would like to add Representative Norma Champion to the Conservative Organization for Women Caucus.

/s/ Representative Norma Champion, District 134

Thank you.

Sincerely,

/s/ Representative Luann Ridgeway

Mr. Speaker: Your Committee on Ethics, to which was referred **THE RURAL DEMOCRATS CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to Section 105.473(2)(c)d RSMo.**

April 5, 2001

Honorable Representative Robert Clayton
Chairman
Ethics Committee
State Capitol
Room 413A
Jefferson City, MO 65101

Dear Representative Clayton,

Pursuant to Section 105.743.3(2)(c)d RSMo, 1998 and the rules of the Missouri House of Representatives a list of the members of the Rural Democrats Caucus is attached.

Please consider this letter as formal application to the Ethics Committee for approval of this caucus and to be recognized as an approved caucus of the General Assembly.

I will serve as the designated member to present this request to the Ethics Committee.

Sincerely,

/s/ Denny J. Merideth
State Representative
District 162

<u>Representatives</u>	<u>District</u>	<u>Representatives</u>	<u>District</u>
/s/ Wes Shoemyer	9	/s/ Wayne Crump	152
/s/ Phillip Britt	163	/s/ Francis Overschmidt	110
/s/ D.J. Davis	122	/s/ Mark Hampton	147
/s/ Bill Ransdall	148	/s/ Gary Wiggins	8
/s/ Sam Berkowitz	1	/s/ Dan Ward	107
/s/ Harold Selby	105	/s/ Frank Barnitz	150
/s/ Nancy Copenhaver	22	/s/ Don Koller	153
/s/ Deleta Williams	121	/s/ Wes Wagner	104
/s/ Jim Seigfreid	26	/s/ Jim Kreider	142
/s/ Robert Clayton	10	/s/ Bill Gratz	113
/s/ Mark Abel	103	/s/ Ted Farnen	21
/s/ Maurice Lawson	29	/s/ Gary Kelly	36
/s/ Phil Smith	11		

Mr. Speaker: Your Committee on Ethics, to which was referred the **JOINT SENATE & HOUSE VETERANS CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

March 14, 2001

To: Representative Robert Clayton
Chairman, Ethics Committee

From: Senator Anita Yeckel, Representative Bill Boucher
& Representative Carson Ross
Co-Chairs, Joint Senate & House Veterans Caucus

Re: Joint Senate & House Veterans Caucus

In accordance with Section 105.473.3(2)(c)d RSMo 2000, the rules of the Missouri Senate and the rules of the Missouri House of Representatives, a listing of the Joint Senate & House Caucus is attached.

We request approval from the Ethics Committee for this caucus.

Veterans Caucus Charter Members - House

<u>Representatives</u>	<u>District</u>	<u>Representatives</u>	<u>District</u>
/s/ Charles Ballard	140	/s/ Maurice Lawson	29
/s/ Carl Bearden	16	/s/ Kenneth Legan	145
/s/ Robert Behnen	2	/s/ William Linton	89
/s/ Dennis Bonner	51	/s/ Bob May	149
/s/ Bill Boucher	48	/s/ Denny Merideth III	162
/s/ Jon Dolan	13	/s/ Ronnie Miller	133
/s/ Richard Franklin	53	/s/ Peter Myers	160
/s/ James Froelker	111	/s/ Francis Overschmidt	110
/s/ Derio Gambaro	65	/s/ David Reynolds	77
/s/ Sam Gaskill	131	/s/ Estel Robirds	143
/s/ Thomas George	74	/s/ Carson Ross	55
/s/ William Gratz	113	/s/ David Schwab	157
/s/ Roy Holand	135	/s/ James Seigfreid	26
/s/ Carl Hendrickson	97	/s/ Bill Skaggs	31
/s/ Rod Jetton	156	/s/ Chuck Surface	129
/s/ Richard Johnson	90	/s/ Merrill Townley	112
/s/ Mark Abel	103	/s/ Kathlyn Fares	91
/s/ Frank Barnitz	150	/s/ Ted Farnen	21
/s/ Rex Barnett	4	/s/ James Foley	81
/s/ Joan Barry	100	/s/ Chuck Graham	24
/s/ Linda Bartelsmeyer	132	/s/ John Griesheimer	109
/s/ Judy Berkstresser	141	/s/ Mark Hampton	147
/s/ Lanie Black	161	/s/ Ed Hartzler	123
/s/ Tom Burcham	106	/s/ Steve Henderson	116
/s/ Phillip Britt	163	/s/ Bruce Holt	17
/s/ Sharon Sanders Brooks	37	/s/ Thomas Hoppe	46
/s/ Russ Carnahan	59	/s/ Steve Hunter	127
/s/ Norma Champion	134	/s/ Cathy Jolly	45
/s/ Connie Cierpiot	52	/s/ Pat Kelley	47
/s/ Robert Clayton	10	/s/ Van Kelly	144
/s/ Shannon Cooper	120	/s/ David Levin	82
/s/ Nancy Copenhaver	22	/s/ Blaine Luetkemeyer	115
/s/ Wayne Crump	152	/s/ Bill Luetkenhaus	12
/s/ Jane Cunningham	86	/s/ Carol Mays	50
/s/ Ryan McKenna	102	/s/ Neal St. Onge	88
/s/ Danie Moore	20	/s/ Daniel Hegeman	5
/s/ Cindy Ostmann	14	/s/ Rex Rector	124
/s/ Susan Phillips	32	/s/ Patricia Secrest	93
/s/ Chuck Purgason	151	/s/ Dr. Charles Portwood	92
/s/ Michael Reid	78	/s/ Gary Marble	130
/s/ Annie Reinhart	34	/s/ Gary Kelly	36
/s/ Charles Shields	28	/s/ Robert Mayer	159
/s/ Joseph Treadway	96	/s/ Richard Byrd	94

/s/ Wes Wagner	104	/s/ Catherine Hanaway	87
/s/ Dan Ward	107	/s/ Patrick O'Connor	79
/s/ Gary Wiggins	8	/s/ Thomas Hoppe	46
/s/ Deleta Williams	121	/s/ Matt Bartle	56
/s/ Jerry King	125	/s/ Catherine Enz	99
/s/ Bill Ransdall	148		

Veterans Caucus Associate Members - Senate

<u>Senators</u>	<u>District</u>
/s/ Roseann Bentley	30
/s/ Mary Groves Bland	9
/s/ Paula Carter	5
/s/ Doyle Childers	29
/s/ Ronnie DePasco	11
/s/ Patrick Dougherty	4
/s/ Michael Gibbons	15
/s/ Chuck Gross	23
/s/ Ted House	2
/s/ Bill Kenney	8
/s/ David Klindt	12
/s/ Sarah Steelman	16
/s/ Anita Yeckel	1
/s/ John Cauthorn	18
/s/ Bill Foster	25
/s/ Wayne Goode	13
/s/ James Mathewson	21
/s/ Larry Rohrbach	6
/s/ John Russell	33
/s/ John Schneider	44
/s/ Steve Stoll	22
/s/ Morris Westfall	28

Mr. Speaker: Your Committee on Ethics, to which was referred the **HOUSE LEGISLATIVE STUDY CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to Section 105.473(2)(c)d RSMo.**

March 1, 2001

The Honorable Robert Clayton, III
Chairman, House Ethics Committee
Missouri House of Representatives
Jefferson City, Missouri 65101

Dear Representative Clayton:

Pursuant to Section 105.473.3(2)d, RSMo of the Revised Statutes of Missouri. The following members of the House of Representatives have expressed their willingness, and signed their names to be members of the House Legislative Study Caucus.

<u>Representatives</u>	<u>District</u>	<u>Representative</u>	<u>District</u>
/s/ Barbara Fraser	83	/s/ John Bowman	70
/s/ Chuck Graham	24	/s/ Joan Bray	84
/s/ Marsha Campbell	39	/s/ Tim Harlan	23
/s/ Jenee Lowe	44	/s/ Tim Van Zandt	38
/s/ Glenda Kelly	27	/s/ Yvonne Wilson	42
/s/ Russ Carnahan	59	/s/ Betty Thompson	72
/s/ Vicky Riback Wilson	25	/s/ Amber Boykins	60
/s/ Robert Hilgemann	64	/s/ Cindy Ostmann	14
/s/ Maida Coleman	63	/s/ May Scheve	98
/s/ Esther Haywood	71	/s/ Deleta Williams	121
/s/ Melba Curls	41	/s/ Juanita Walton	69
/s/ Carol Mays	50		

Furthermore as leader of the Caucus I am requesting that a hearing be held approving its recognition. Please feel free to contact me with further questions regarding this or any other matter. Thank you very much.

Sincerely,

/s/ Barbara Fraser
State Representative
83rd District

Mr. Speaker: Your Committee on Ethics, to which was referred the **NATIONAL CONFERENCE OF INSURANCE LEGISLATORS (NCOIL) CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to Section 105.473(2)(c)d RSMo.**

TO: Representative Robert Clayton

FROM: Representative Dan Ward

DATE: March 13, 2001

RE: National Conference of Insurance Legislators (NCOIL) Caucus

In accordance with section 105.473.3(2)(c)d RSMo 1991, we are listing the following members of the General Assembly for the NCOIL Caucus.

<u>Representative</u>	<u>District</u>
/s/ Dan Ward, Chairman	107
/s/ Bill Luetkenhaus	12
/s/ Chuck Surface	129
/s/ Gary Burton	128
/s/ Ed Hartzler	123
/s/ Steve Henderson	116
/s/ Chris Liese	85
/s/ Harold Selby	105
/s/ Louis Ford	58
/s/ Wes Wagner	104
/s/ Joe Treadway	96
/s/ Mark Abel	103
/s/ Thomas George	74

/s/ Blaine Luetkemeyer 115
 /s/ Jane Cunningham 86
 /s/ Bill Linton 89

Mr. Speaker: Your Committee on Ethics, to which was referred the **MILLENNIUM MAJORITY CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to Section 105.473(2)(c)d RSMo.**

February 28, 2001

TO: Robert Clayton
 Chairman, House Ethics Committee

FROM: Representative Bob Behnen
 Chairman, Millennium Majority Caucus

RE: Millennium Majority Caucus

Pursuant to Section 105.473.3(2)(c)d RSMo, 2000 and the rules of the Missouri House of Representatives, a listing of the Millennium Majority Caucus is attached.

<u>Representative</u>	<u>District</u>	<u>Representative</u>	<u>District</u>
/s/ Rex Barnett	4	/s/ Jon Dolan	13
/s/ Linda Bartelsmeyer	132	/s/ Catherine Enz	99
/s/ Carl Bearden	16	/s/ Kathlyn Fares	91
/s/ Bob Behnen	2	/s/ Jim Froelker	111
/s/ Lanie Black	161	/s/ Sam Gaskill	131
/s/ Tom Burcham	106	/s/ John Griesheimer	109
/s/ Richard Byrd	94	/s/ Catherine Hanaway	87
/s/ Shannon Cooper	120	/s/ Ed Hartzler	123
/s/ Larry Crawford	117	/s/ Dan Hegeman	5
/s/ Jason Crowell	158	/s/ Steve Henderson	116
/s/ Jane Cunningham	86	/s/ Carl Hendrickson	97
/s/ Tom Dempsey	18	/s/ Martin (Bubs) Hohulin	126
/s/ Roy Holand	135	/s/ Bob May	149
/s/ Steve Hunter	127	/s/ Rob Mayer	159
/s/ Rod Jetton	156	/s/ Ronnie Miller	133
/s/ Pat Kelley	47	/s/ Danie Moore	20
/s/ Van Kelly	144	/s/ Peter Myers	160
/s/ Jerry King	125	/s/ Patrick Naeger	155
/s/ David Levin	82	/s/ Cindy Ostmann	14
/s/ Bill Linton	89	/s/ Susan Phillips	32
/s/ Beth Long	146	/s/ Charles Portwood	92
/s/ Blaine Luetkemeyer	115	/s/ Chuck Purgason	151
/s/ B.J. Marsh	136	/s/ Rex Rector	124
/s/ Annie Reinhart	34	/s/ Luann Ridgeway	35
/s/ Brad Roark	139	/s/ Pat Secrest	93
/s/ Charlie Shields	28	/s/ Neil St. Onge	88
/s/ Chuck Surface	129	/s/ Merrill Townley	112
/s/ Carl Vogel	114		

Committee on Judiciary, Chairman Monaco reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 981** and **HB 665**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Local Government and Related Matters, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 340**, **HB 303** and **HB 316**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Miscellaneous Bills & Resolutions, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HB 186** and **HB 172**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Municipal Corporations, Chairman Shelton reporting:

Mr. Speaker: Your Committee on Municipal Corporations, to which was referred **HB 293**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Professional Registration and Licensing, Chairman Treadway reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 640**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Public Safety, Law Enforcement and Veteran Affairs, Chairman Boucher reporting:

Mr. Speaker: Your Committee on Public Safety, Law Enforcement and Veteran Affairs, to which was referred **HB 809**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**.

House Committee Amendment No. 1

AMEND House Bill No. 809, Page 4, Section 590.517, Lines 1-3, by deleting said lines and inserting in lieu thereof the following:

“590.517. Sections 590.500 to 590.517 shall not apply to any political subdivision which has a review hearing for law enforcement disciplinary actions.” .

Committee on Social Services, Medicaid and the Elderly, Chairman Ladd Baker reporting:

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **HB 715**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Sportsmanship, Safety and Firearms, Chairman Crump reporting:

Mr. Speaker: Your Committee on Sportsmanship, Safety and Firearms, to which was referred **HB 853** and **HB 258**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Utilities Regulation, Chairman Mays (50) reporting:

Mr. Speaker: Your Committee on Utilities Regulation, to which was referred **HB 723**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Ways and Means, Chairman Kennedy reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 117**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

The following member's presence was noted: Gambaro

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Tuesday, April 10, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-second Day, Thursday, April 5, 2001, page 992, roll call, by showing Representative Bland voting "aye" rather than "absent with leave".

Page 993, roll call, by showing Representatives Bonner and Bowman voting "aye" rather than "absent with leave".

Page 993, roll call, by showing Representative Hickey voting "present" rather than "absent with leave".

Page 995, roll call, by showing Representatives Bowman, Davis, Kennedy and Wilson (42) voting "aye" rather than "absent with leave".

Page 995, roll call, by showing Representative Hickey voting "present" rather than "absent with leave".

Page 998, roll call, by showing Representative Hickey voting "present" rather than "absent with leave".

Page 1001, roll call, by showing Representative Wilson (42) voting "aye" rather than "absent with leave".

Pages 1002 and 1003, roll call, by showing Representatives Bowman and Surface voting "aye" rather than "absent with leave".

Pages 1003 and 1004, roll call, by showing Representatives Moore and Surface voting "aye" rather than "absent with leave".

Pages 1004 and 1005, roll call, by showing Representative Surface voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

BANKS AND FINANCIAL INSTITUTIONS

Tuesday, April 10, 2001. Hearing Room 3, fifteen minutes after morning adjournment.
Executive Session may follow.

To be considered - HB 335, SB 179, SB 186, SB 382, SB 538

BUDGET

Tuesday, April 10, 2001, 7:30 pm. Hearing Room 3.
Executive Session.

To be considered - HB 14

CHILDREN, FAMILIES, AND HEALTH

Tuesday, April 10, 2001. Hearing Room 4 upon morning adjournment.
Possible Executive Session. **AMENDED.**

To be considered - SB 110, SB 136, SB 219, SB 266, SB 348, SB 434, SB 514

COMMERCE AND ECONOMIC DEVELOPMENT

Tuesday, April 10, 2001. Hearing Room 6 upon morning adjournment.
To be considered - HB 1010, SB 293, SB 617

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, April 10, 2001, 8:00 pm. Hearing Room 7.
Executive Session will follow.

To be considered - SB 252, SB 301, SB 394, SB 431

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, April 10, 2001, 8:00 am. Hearing Room 5.

To be considered - HCR 23, SB 58, SB 201, SB 303, SB 321, SB 353, SB 543, SB 575

EDUCATION - ELEMENTARY AND SECONDARY

Wednesday, April 11, 2001, 8:30 am. Hearing Room 3.

Executive Session may follow.

To be considered - HCR 23, SB 58, SB 201, SB 303, SB 321, SB 353, SB 543, SB 575

EDUCATION - HIGHER

Wednesday, April 11, 2001, 12:45 pm. Hearing Room 5.

Time of hearing will be upon adjournment if later than 12:45 pm.

Executive Session.

To be considered - SB 41, SB 295

ELECTIONS

Tuesday, April 10, 2001, 8:30 am. Hearing Room 4.

Executive Session will follow.

To be considered - SB 148

INSURANCE

Tuesday, April 10, 2001. Hearing Room 5 upon evening adjournment.

Executive Session may follow.

To be considered - HB 968, SB 151, SB 227, SB 241, SB 344, SB 521, SB 605

JUDICIARY

Tuesday, April 10, 2001. Hearing Room 5 upon morning adjournment.

Executive Session may follow.

To be considered - SB 197, SB 270, SB 288, SB 304

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, April 10, 2001. Hearing Room 7 upon morning adjournment.

Executive Session may follow. AMENDED.

To be considered - SB 7, SB 178, SB 345, SB 352, SB 422, SB 515, SB 556, SB 591, SB 610, SB 619

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, April 11, 2001, 8:00 am. Hearing Room 6.

Executive Session to follow.

To be considered - HB 969, HB 1020, HR 229, HR 922, HR 1008, SB 86, SB 470

MISSOURI TOBACCO SETTLEMENT

Wednesday, April 11, 2001. Hearing Room 3 upon morning adjournment.

To be considered - HB 992, HB 1018

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, April 10, 2001, 1:00 pm. Hearing Room 1.

Executive Session may or may not follow. AMENDED.

To be considered - HB 670, HB 912, SB 13, SB 111, SB 142, SB 185, SB 275, SB 400, SB 407, SB 442, SB 520, SB 623

MUNICIPAL CORPORATIONS

Wednesday, April 11, 2001. Hearing Room 4 upon morning adjournment.

To be considered - SB 430

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, April 11, 2001, 8:00 am. Hearing Room 5.

To be considered - SB 207, SB 216, SB 357, SB 384, SB 393

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Tuesday, April 10, 2001, 8:00 am. Hearing Room 6.

Executive Session will follow.

To be considered - HB 832, HB 866, HB 1019, SB 287, SB 341, SB 443

RETIREMENT

Wednesday, April 11, 2001, 8:00 pm. Hearing Room 1.

Executive Session following hearing.

To be considered - HB 519, SB 316

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, April 10, 2001, 7:00 pm. Hearing Room 6.

Presentation by DFS on Child Care.

To be considered - HB 877, HB 987, SB 236, SB 449

SUBCOMMITTEE ON REDISTRICTING FOR CONGRESSIONAL DISTRICTS 1, 2, 3

Friday, April 13, 2001.

9:00 am., 2900 Arnold Tenbrook Rd., Arnold, MO.

2:00 pm., 2344 McKelvey, Maryland Heights, MO. Public Hearing.

SUBCOMMITTEE ON REDISTRICTING FOR CONGRESSIONAL DISTRICTS 4, 5, 6, 7, 8, 9

Thursday, April 12, 2001, 5:30 pm. Penn Valley Community College, Room 503.

Public hearing on Congressional Redistricting.

TRANSPORTATION

Wednesday, April 11, 2001. Hearing Room 6 upon morning adjournment.

Executive Session may follow.

To be considered - HB 959, HB 966, HB 1008, SB 406, SB 435, SB 436

URBAN AFFAIRS

Tuesday, April 10, 2001, 8:00 pm. Hearing Room 1.

To be considered - HB 963, HB 1011, HJR 19, SB 4, SB 76, SB 290, SB 383

WAYS AND MEANS

Tuesday, April 10, 2001. Hearing Room 2 upon morning adjournment.

Executive Session to be held.

To be considered - HB 359, HB 905, SB 307, SB 460, SB 563

HOUSE CALENDAR

FIFTY-FOURTH DAY, TUESDAY, APRIL 10, 2001

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 15 & 13 - Crawford

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 457, HA 2, as amended, tabled - Kreider
- 2 HB 349 - Hosmer
- 3 HCS HB 835, 90, 707, 373, 641, 510, 516 & 572 - Britt
- 4 HB 286, HCA 1 & HCA 2 - Smith
- 5 HCS HB 280, 69, 497 & 689 - Hoppe
- 6 HB 527 - Luetkenhaus
- 7 HB 736 - Liese
- 8 HB 366 - Champion
- 9 HB 678 - Seigfreid
- 10 HB 436 - Merideth
- 11 HCS HB 472 - Burton
- 12 HCS HB 488 - Koller
- 13 HB 592, HCA 1 - Williams
- 14 HCS HB 660 - Hagan-Harrell
- 15 HB 555 - Foley
- 16 HCS HB 426 - O'Toole
- 17 HCS HB 831 - Carnahan
- 18 HCS HB 428 - Kelly (36)
- 19 HCS HB 593 - Riback Wilson (25)
- 20 HCS HB 170 - Froelker
- 21 HCS HB 239 - Smith
- 22 HB 715 - Foley
- 23 HCS HB 981 & 665 - Willoughby
- 24 HB 802 - Ransdall
- 25 HCS HB 374 - Fraser
- 26 HCS HB 780 - Scheve

- 27 HCS HB 853 & 258 - Crump
- 28 HCS HB 186 & 172 - Troupe
- 29 HCS HB 635 - Barry
- 30 HCS HB 868 - Merideth
- 31 HCS HB 253 - Ross
- 32 HCS HB 888, 942 & 943 - Scheve
- 33 HCS HB 293 - Kennedy
- 34 HB 809, HCA 1 - Carnahan
- 35 HCS HB 340, 303 & 316 - Graham
- 36 HB 640 - Johnson (90)
- 37 HCS HB 723 - Mays (50)
- 38 HCS HB 117 - Riback Wilson (25)

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HB 882 - Crump

HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 HCR 4, (3-26-01, pages 799 & 800) - Williams
- 2 HCR 10, (3-27-01, page 830) - Holand
- 3 HCR 12, (3-29-01, page 894) - Haywood
- 4 HCR 24, (3-29-01, pages 891 & 892) - Boucher
- 5 HCR 5, (3-29-01, pages 892 & 893) - Mays (50)
- 6 HCR 6, (3-29-01, page 890) - Myers
- 7 HCR 25, (4-5-01, pages 1006 & 1007) - Graham

HOUSE BILL FOR THIRD READING - APPROPRIATIONS

HCS HB 13 - Bonner

HOUSE BILL FOR THIRD READING

HB 915, E.C. - Graham

HOUSE BILL FOR THIRD READING - CONSENT - INFORMAL

HB 402 - Boucher

BILL IN CONFERENCE

SCS HCS HB 15 - Green (73)

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

FIFTY-FOURTH DAY, TUESDAY, APRIL 10, 2001

Speaker Pro Tem Abel in the Chair.

Prayer by Father David Buescher.

God of progress through human history, our state stands ready to acknowledge Your presence. We could use more enthusiasm for the tasks at hand, more hope that our efforts are going somewhere, faith not only in You but also in ourselves, and a recommitment to the charity that binds the family of humankind together.

For many of us, this week holds out the promise that even suffering can have meaning. For all of us, of whatever religion or of no particular faith, steer all the works, joys, and sufferings of this day towards happy conclusions in You. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jennifer Fowler, Alicia Leimkuehler, Sarah Yokley, Jordan Gerster, Patrick dePenaloza, Sarah Henke, Hannah Martin, Raheel Shaikh, Cissy Calvird, Lyndsey Patterson, Kenzie Tubbs, Eric Lu, Taylor Sasse, Caroline Sasse, Rachel Sasse, Kaleb Michael VanderFeltz and Christal Harris.

The Journal of the fifty-third day was approved as corrected by the following vote:

AYES: 087

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Haywood	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Kelly 27	Kennedy	Koller	Lawson
Liese	Lowe	Luetkenhaus	Mays 50	McKenna
Merideth	Monaco	O'Connor	O'Toole	Overschmidt
Ransdall	Relford	Reynolds	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

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NOES: 067

Ballard	Barnett	Bartle	Bearden	Behnen
Berkstresser	Black	Boatright	Burcham	Burton
Byrd	Champion	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Dolan	Enz
Fares	Froelker	Gaskill	Griesheimer	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Hunter	Kelley 47	Kelly 144	King	Legan
Levin	Linton	Lograsso	Long	Luetkemeyer
Marble	May 149	Mayer	Miller	Moore
Murphy	Myers	Naeger	Nordwald	Ostmann
Phillips	Portwood	Purgason	Rector	Reinhart
Richardson	Ridgeway	Roark	Robirds	Ross
Schwab	Scott	Secrest	Shields	St. Onge
Vogel	Wright			

PRESENT: 001

Marsh

ABSENT WITH LEAVE: 005

Bartelsmeyer	Holand	Jetton	Kelly 36	Reid
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VACANCIES: 003

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1176

through

House Resolution No. 1178 - Representative Scott

House Resolution No. 1179 - Representative Merideth, et al

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 18**, **HCS HB 19** and **HS HB 891**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

PERFECTION OF HOUSE BILL

HB 349, relating to elder abuse, was taken up by Representative Hosmer.

Representative Hosmer offered **HS HB 349**.

Representative Wright raised a point of order that **HS HB 349** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Hosmer offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Substitute for House Bill No. 349, Page 85, Section 208.151, Lines 6 to 14 of said page, by deleting all of said lines; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hosmer, **House Amendment No. 1** was adopted.

Representative Ladd Baker offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Substitute for House Bill No. 349, Page 67, Section 208.010, Lines 21 and 22 of said page, by deleting the phrase "one thousand **five hundred**" and inserting in lieu thereof the following: "[one] **two** thousand"; and

Further amend said bill, Page 68, Section 208.010, Line 1 of said page, by deleting the word "**three**" and inserting in lieu thereof the word "**four**"; and

Further amend said bill, Page 85, Section 208.151, Lines 17 and 18 of said page, by deleting all of said lines and inserting in lieu thereof the following: "**asset limits to two thousand dollars for a single person and four thousand dollars for a married couple. The**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Hosmer offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

*House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Substitute for House Bill No. 349, Page 67, Section 208.010, Lines 21 and 22 of said page, by deleting the phrase "one thousand **five hundred**" and inserting in lieu thereof the following: "[one] **three** thousand"; and

Further amend said bill, Page 68, Section 208.010, Line 1 of said page, by deleting the word "**three**" and inserting in lieu thereof the word "**five**"; and

Further amend said bill, Page 85, Section 208.151, Lines 17 and 18 of said page, by deleting all of said lines and inserting in lieu thereof the following: "**asset limits to three thousand dollars for a single person and five thousand dollars for a married couple. The**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hosmer, **House Substitute Amendment No. 1 for House Amendment No. 2** was adopted.

Representative Ward offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Substitute for House Bill No. 349, Page 64, Section 208.010, Line 14, by inserting after “**assistance shall be denied.**” the following:

“For the purpose of determining eligibility for medicaid and medicare benefits for persons sixty-five years of age and older, “resources” does not include the cash value of an insurance policy that has a value of ten thousand dollars or less.”.

Representative Champion offered **House Substitute Amendment No. 1 for House Amendment No. 3.**

House Substitute Amendment No. 1 for House Amendment No. 3 was withdrawn.

House Amendment No. 3 was withdrawn.

Representative Hosmer offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Substitute for House Bill No. 349, Page 8, Section 187.020, Lines 13 and 14 of said page, by deleting the following: “**Any second or subsequent violation is a class D felony.**”; and

Further amend said bill, Page 9, Section 187.024, Line 18 of said page, by deleting the words “, **if known,**”; and

Further amend said bill, Page 11, Section 187.024, Line 9 of said page, by inserting after the word “**neglect**” the phrase “, **or if the resident objects**”; and

Further amend said bill, Page 18, Section 187.050, Line 13 of said page, by inserting after the word “**falsification**” the phrase “, **or if the eligible adult not residing in a facility objects**”; and

Further amend said bill, Page 19, Section 187.050, Lines 2 and 3 of said page, by deleting all of said lines and inserting in lieu thereof the following: “**9. No person shall**”; and

Further amend said bill, Page 49, Section 198.067, Line 7 of said page, by deleting all of said line and inserting in lieu thereof the following: “**one hundred fifty dollars nor more than one thousand dollars**”; and

Further amend said bill, Page 49, Section 198.067, Lines 10 and 11 of said page, by deleting all of said lines and inserting in lieu thereof the following: “**than fifty dollars nor more than five hundred dollars**”; and

Further amend said bill, Page 49, Section 198.067, Line 13 of said page, by deleting all of said line and inserting in lieu thereof the following: “**than fifteen dollars nor more than one**”; and

Further amend said bill, Page 49, Section 198.067, Lines 17 and 18 of said page, by deleting all of said lines and inserting in lieu thereof the following: “**less than two hundred fifty dollars nor more than five hundred dollars**”; and

Further amend said bill, Page 52, Section 198.067, Line 7 of said page, by deleting the words "[ten] **twenty-five**" and inserting in lieu thereof the word "ten"; and

Further amend said bill, Page 53, Section 198.082, Lines 1 to 11, by deleting all of said lines and inserting in lieu thereof the following:

"training program approved by the department [or shall enroll in and begin the first available approved training program which is scheduled to commence within ninety days of the date of the nursing assistant's employment] **which shall be completed within one hundred twenty days of employment.** Training programs shall be offered at a location most reasonably accessible to the enrollees in each class. The program may be established **and carried out** by the skilled nursing or intermediate care facility **so long as that facility has not been cited for any class I violation within the past twenty-four months**, by a professional organization, or"; and

Further amend said bill, Page 54, Section 198.082, Line 15 of said page, by deleting the word "**ninety**" and inserting in lieu thereof the words "**one hundred twenty**"; and

Further amend said bill, Page 55, Section 198.082, Line 4 of said page, by deleting the words "[twelve] **thirty**" and inserting in lieu thereof the word "twelve"; and

Further amend said bill, Page 113, Section 491.076, Line 11 of said page, by inserting after the word "**reliability**" the phrase "**and the declarant was competent**"; and

Further amend said bill, Page 121, Section 660.051, Line 9 of said page, by inserting after the word "**reviewed**" the phrase "**and considered for summary publication**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Smith assumed the Chair.

On motion of Representative Hosmer, **House Amendment No. 3** was adopted.

Representative Hollingsworth offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Substitute for House Bill No. 349, Page 101, Section 208.152, Line 22 of said page, by inserting after all of said line the following:

"210.900. 1. Sections 210.900 to 210.936 shall be known and may be cited as the "Family Care Safety Act".

2. As used in sections 210.900 to 210.936, the following terms shall mean:

(1) "Child-care provider", any licensed or license-exempt child-care home, any licensed or license-exempt child-care center, child-placing agency, residential care facility for children, group home, foster family group home, foster family home, employment agency that refers a child-care worker to parents or guardians as defined in section 289.005, RSMo. The term "child-care provider" does not include summer camps or voluntary associations designed primarily for recreational or educational purposes;

(2) "Child-care worker", any person who is employed by a child-care provider, or receives state or federal funds, either by direct payment, reimbursement or voucher payment, as remuneration for child-care services;

(3) "Department", the department of health;

(4) "Elder-care provider", any operator licensed pursuant to chapter 198, RSMo, **or any person, corporation, or association who provides in-home services under contract with the department of social services**, or any employer of nurses or nursing assistants of home health agencies licensed pursuant to sections 197.400 to 197.477, RSMo, or any nursing assistants employed by a hospice pursuant to sections 197.250 to 197.280, RSMo, or that portion of a hospital for which subdivision (3) of subsection 1 of section 198.012, RSMo,

applies;

(5) "Elder-care worker", any person who is employed by an elder-care provider, or who receives state or federal funds, either by direct payment, reimbursement or voucher payment, as remuneration for elder-care services;

(6) "Patrol", the Missouri state highway patrol;

(7) **"Employer", any child care provider, elder care provider, or personal care provider as defined in this section;**

(8) **"Personal-care attendant" or "personal-care worker", a person who performs routine services or supports necessary for a person with a physical or mental disability to enter and maintain employment or to live independently;**

(9) **"Personal-care provider", any person, corporation, or association who provides personal care services or supports under contract with the department of mental health, the division of aging, the department of health or the department of elementary and secondary education;**

(10) "Related child care", child care provided only to a child or children by such child's or children's grandparents, great-grandparents, aunts or uncles, or siblings living in a residence separate from the child or children;

[(8)] (11) "Related elder care", care provided only to an elder by an adult child, a spouse, a grandchild, a great-grandchild or a sibling of such elder."; and

Further amend said bill, Pages 101 and 102, Section 210.903, by deleting all of said section and inserting in lieu thereof the following:

"210.903. 1. To protect children [and], the elderly, **and disabled individuals** in this state, and to promote family and community safety by providing information concerning family caregivers, there is hereby established within the department of health a "Family Care Safety Registry and Access Line" which shall be available by January 1, 2001.

2. The family care safety registry shall contain information on child-care workers' [and], elder-care workers', **and personal-care workers'** background and on child-care, [and] elder-care **and personal care** providers through:

(1) The patrol's criminal record check system pursuant to section 43.540, RSMo, including state and national information, to the extent possible;

(2) Probable cause findings of abuse and neglect pursuant to sections 210.109 to 210.183 **or, as of January 1, 2003, financial exploitation of the elderly or disabled, pursuant to section 570.145, RSMo;**

(3) The division of aging's employee disqualification list pursuant to section [660.315] **187.080**, RSMo;

(4) **As of January 1, 2003, the department of mental health's employee disqualification registry;**

(5) Foster parent licensure denials, revocations and **involuntary** suspensions pursuant to section 210.496;

[(5)] (6) Child-care facility license denials, revocations and suspensions pursuant to sections 210.201 to 210.259; and

[(6)] (7) Residential living facility and nursing home license denials, revocations, suspensions and probationary status pursuant to chapter 198, RSMo."; and

Further amend said bill, Pages 102 to 104, Section 210.906, by deleting all of said section and inserting in lieu thereof the following:

"210.906. 1. **With the exception of non-contracted state employees**, every child-care [worker and], elder-care **or personal-care** worker hired on or after January 1, 2001, shall complete a registration form provided by the department. The department shall make such forms available no later than January 1, 2001, and may, by rule, determine the specific content of such form, but every form shall:

(1) Request the valid Social Security number of the applicant;

(2) Include information on the person's right to appeal the information contained in the registry pursuant to section 210.912;

(3) Contain the signed consent of the applicant for the background checks required pursuant to this section; and

(4) Contain the signed consent for the release of information contained in the background check for **licensure or employment** purposes only.

2. Any person hired on or after January 1, 2001, shall complete a registration form within fifteen days of the beginning of such person's employment. Any person employed as a child-care [worker or], elder-care **or personal-care** worker who fails to submit a completed registration form to the department of health as required by sections 210.900 to 210.936 **and any employer under contract with the state who fails to confirm an employee's registration**

without good cause, as determined by the department, is guilty of a class B misdemeanor.

3. The costs of the criminal background check may be paid by the individual applicant, or by the provider if the applicant is so employed, or for those applicants receiving public assistance, by the state through the terms of the self-sufficiency pact pursuant to section 208.325, RSMo. Any moneys remitted to the patrol for the costs of the criminal background check shall be deposited to the credit of the criminal record system fund as required by section 43.530, RSMo.

4. Any person not required to register pursuant to the provisions of sections 210.900 to 210.936 may also be included in the registry if such person voluntarily applies to the department for registration and meets the requirements of this section and section 210.909, including submitting to the background checks in subsection 1 of section 210.909.

5. The provisions of sections 210.900 to 210.936 shall not extend to related child care [and], related elder care **or related personal-care.**"; and

Further amend said bill, Pages 104 to 106, Section 210.909, by deleting all of said section and inserting in lieu thereof the following:

"210.909. 1. Upon submission of a completed registration form by a child-care worker [or], elder-care worker **or personal-care attendant**, the department, [in coordination with the department of social services,] shall:

(1) Determine if a probable cause finding of child abuse or neglect involving the applicant has been recorded pursuant to [section 210.145] **sections 210.109 to 210.183 or, as of January 1, 2003, if there is a probable cause finding of financial exploitation of the elderly or disabled pursuant to section 570.145, RSMo;**

(2) Determine if the applicant has been refused licensure or has experienced **involuntary** licensure suspension or revocation pursuant to section 210.496;

(3) Determine if the applicant has been placed on the employee disqualification list pursuant to section 660.315, RSMo;

(4) **As of January 1, 2003, determine if the applicant is listed on the department of mental health's employee disqualification registry;**

(5) Determine through a request to the patrol pursuant to section 43.540, RSMo, whether the applicant has any conviction, plea of guilty or nolo contendere, or a suspended execution of sentence to a [felony] charge of any offense pursuant to chapters 198, 334, 560, 565, 566, 568, 569, 573, 575 and 578, RSMo; and

[(5)] (6) If the background check involves a provider, determine if a facility has been refused licensure or has experienced licensure suspension, revocation or probationary status pursuant to sections 210.201 to 210.259 or chapter 198, RSMo.

2. Upon completion of the background check described in subsection 1 of this section, the department shall include information in the registry for each registrant as to whether any felony convictions, employee disqualification listings [pursuant to section 660.315, RSMo], **registry listings**, probable cause findings, pleas of guilty or nolo contendere, or license denial, revocation or suspension have been documented through the records checks authorized pursuant to the provisions of sections 210.900 to 210.936.

3. The department shall notify such registrant in writing of the results of the determination recorded on the registry pursuant to this section."; and

Further amend said bill, Page 106, Section 210.915, Lines 3 to 15 of said page, by deleting all of said section and inserting in lieu thereof the following:

"210.915. The department of corrections, the department of public safety [and], the department of social services **and the department of mental health** shall collaborate with the department to compare records on child-care [and], elder-care **and personal-care** workers, and the records of persons with criminal convictions and the background checks pursuant to subdivisions (1) to (6) of subsection 2 of section 210.903, and to enter into any interagency agreements necessary to facilitate the receipt of such information and the ongoing updating of such information. The department[, in coordination with the department of social services,] shall promulgate rules and regulations concerning such updating, including subsequent background reviews as listed in subsection 1 of section 210.909."; and

Further amend said bill, Pages 106 to 108, Section 210.921, by deleting all of said section and inserting in lieu thereof the following:

"210.921. 1. The department shall not provide any registry information pursuant to this section unless the department obtains [by asking for] the name and address of the person calling, and determines that the inquiry is for **licensure or** employment purposes only. For purposes of sections 210.900 to 210.936, "employment purposes" includes direct employer-employee relationships, prospective employer-employee relationships, and screening and interviewing of persons or facilities by those persons contemplating the placement of an individual in a [child- or] **child-care, elder-care or personal-care** setting. Disclosure of background information concerning a given applicant recorded by the department in the registry shall be limited to:

- (1) Confirming whether the individual is listed in the registry; and
- (2) Indicating whether the individual has been listed or named in any of the background checks listed in subsection 2 of section 210.903. If such individual has been so listed, the department of health shall only disclose the name of the background check in which the individual has been identified. **With the exception of any agency licensed by the state to provide child care, elder care or personal care which shall receive specific information immediately if requested,** any specific information related to such background check shall only be disclosed after the department has received a signed request from the person calling, with the person's name, address and reason for requesting the information.

2. Any person requesting registry information shall be informed that the registry information provided pursuant to this section consists only of information relative to the state of Missouri and does not include information from other states or information that may be available from other states.

3. Any person who uses the information obtained from the registry for any purpose other than that specifically provided for in sections 210.900 to 210.936 is guilty of a class B misdemeanor.

4. When any registry information is disclosed pursuant to subdivision (2) of subsection 1 of this section, the department shall notify the registrant of the name and address of the person making the inquiry.

5. The department of health staff providing information pursuant to sections 210.900 to 210.936 shall have immunity from any liability, civil or criminal, that otherwise might result by reason of such actions; provided, however, any department of health staff person who releases registry information in bad faith or with ill intent shall not have immunity from any liability, civil or criminal. Any such person shall have the same immunity with respect to participation in any judicial proceeding resulting from the release of registry information. The department is prohibited from selling the registry or any portion of the registry for any purpose including "employment purposes" as defined in subsection 1 of this section.

210.927. The department of health shall make an annual report, no later than July first of each year, to the speaker of the house of representatives and the president pro tem of the senate on the operation of the family care safety registry and toll-free telephone service, including data on the number of information requests received from the public, identification of any barriers encountered in administering the provisions of sections 210.900 to 210.936, recommendations for removing or minimizing the barriers so identified, and any recommendations for improving the delivery of information on child-care [workers and], elder-care **and personal-care** workers to the public.

210.930. By January 1, 2001, the department shall provide a report to the speaker of the house and president pro tem of the senate with recommendations on:

- (1) Ensuring that thorough background checks are conducted on all providers pursuant to sections 210.900 to 210.936 without duplicating background checks that are required or have been conducted pursuant to other provisions in state law;

- (2) Ensuring that data obtained from background checks which are currently available or may be required by law after August 28, 1999, are included in the registry;

- (3) The feasibility of transferring the responsibility of conducting background checks on providers to the registry;

- (4) [Providing information and access to the registry for personal care attendants for the disabled;

- (5)] Including a national screening process on a voluntary and mandatory basis within the registry; and

- [(6)] **(5)** Effecting Internet access to the registry."; and

Further amend said bill, Pages 108 and 109, Section 210.933, by deleting all of said section and inserting in lieu thereof the following:

"210.933. **1. Until January 1, 2002**, for any elder-care worker listed in the registry or who has submitted the registration form as required by sections 210.900 to 210.936, an elder-care provider may access the registry in lieu of the requirements established pursuant to section [660.315] **187.080**, RSMo, or to subsections 3, 4 and 5 of section [660.317] **187.084**, RSMo.

2. Effective January 1, 2002, elder-care providers subject to the provisions of section 187.084, RSMo, shall access the family care safety registry to satisfy the employee disqualification provisions specified therein."; and

Further amend said bill, Page 109, Section 210.936, Lines 9 to 14 of said page, by deleting all of said section and inserting in lieu thereof the following:

"210.936. For purposes of providing background information pursuant to sections 210.900 to 210.936, reports and related information pursuant to sections [198.070 and] **187.020 to 187.028, 187.050 and 187.080, RSMo, section 198.090, RSMo, sections 210.109 to 210.183 and [sections 660.300 to 660.315] section 630.170, RSMo**, shall be deemed public records."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hollingsworth, **House Amendment No. 4** was adopted.

Representative Campbell offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Bill No. 349, Page 127, Section 660.401, Line 5 of said page, by inserting after all of said line the following:

"660.600. As used in sections 660.600 to 660.608, the following terms mean:

- (1) ["Division", the division of aging of the department of social services;
- (2)] "Long-term care facility", any facility licensed pursuant to chapter 198, RSMo, and long-term care facilities connected with hospitals licensed pursuant to chapter 197, RSMo;
- [(3)] **(2)** "Office", the office of the state ombudsman for long-term care facility residents;
- [(4)] **(3)** "Ombudsman", the state ombudsman for long-term care facility residents;
- [(5)] **(4)** "Regional ombudsman coordinators", designated individuals working for, or under contract with, the area agencies on aging, and who are so designated by the [area agency on aging] **office of lieutenant governor** and certified by the ombudsman as meeting the qualifications established by the [division] **office of lieutenant governor**;
- [(6)] **(5)** "Resident", any person who is receiving care or treatment in a long-term care facility.

660.603. 1. There is hereby established within the [division of aging] **office of lieutenant governor** the "Office of State Ombudsman for Long-Term Care Facility Residents", for the purpose of helping to assure the adequacy of care received by residents of long-term care facilities and to improve the quality of life experienced by them, in accordance with the federal Older Americans Act, 42 U.S.C. 3001, et seq.

2. The office shall be administered by the state ombudsman, who shall devote his **or her** entire time to the duties of his **or her** position.

3. The office shall establish and implement procedures for receiving, processing, responding to, and resolving complaints made by or on behalf of residents of long-term care facilities relating to action, inaction, or decisions of providers, or their representatives, of long-term care services, of public agencies or of social service agencies, which may adversely affect the health, safety, welfare or rights of such residents.

4. The [division] **office of lieutenant governor** shall establish and implement procedures for resolution of complaints. The ombudsman or representatives of the office shall have the authority to:

- (1) Enter any long-term care facility and have access to residents of the facility at a reasonable time and in a reasonable manner. The ombudsman shall have access to review resident records, if given permission by the resident or the resident's legal guardian. Residents of the facility shall have the right to request, deny, or terminate visits with an ombudsman;

(2) Make the necessary inquiries and review such information and records as the ombudsman or representative of the office deems necessary to accomplish the objective of verifying [these] complaints.

5. The office shall acknowledge complaints, report its findings, make recommendations, gather and disseminate information and other material, and publicize its existence.

6. Where written consent or written documentation from a representative of the office to support oral consent of the complainant, resident or the legal representative of such resident exists, the office or regional ombudsman coordinator may make a report of the suspected abuse or neglect of the resident to the central registry pursuant to section 660.263.

7. The ombudsman may recommend to the relevant governmental agency changes in the rules and regulations adopted or proposed by such governmental agency which do or may adversely affect the health, safety, welfare, or civil or human rights of any resident in a facility. The office shall analyze and monitor the development and implementation of federal, state and local laws, regulations and policies with respect to long-term care facilities and services in the state and shall recommend to the [division] **office of lieutenant governor** changes in such laws, regulations and policies deemed by the office to be appropriate.

[7.] 8. The office shall promote community contact and involvement with residents of facilities through the use of volunteers and volunteer programs directed by the regional ombudsman coordinators.

[8.] 9. The office shall develop and establish [by regulation of the division] statewide policies and standards for implementing the activities of the ombudsman program, including the qualifications and the training of regional ombudsman coordinators and ombudsman volunteers.

[9.] 10. The office shall develop and propose programs for use, training and coordination of volunteers in conjunction with the regional ombudsman coordinators and may:

- (1) Establish and conduct recruitment programs for volunteers;
- (2) Establish and conduct training seminars, meetings and other programs for volunteers; and
- (3) Supply personnel, written materials and such other reasonable assistance, including publicizing their activities, as may be deemed necessary.

[10.] 11. The office shall prepare and distribute to each facility written notices which set forth the address and telephone number of the office, a brief explanation of the function of the office, the procedure to follow in filing a complaint and other pertinent information.

[11.] 12. The administrator of each facility shall ensure that such written notice is given to every resident or [his] **every resident's** guardian upon admission to the facility and to every person already in residence, or to his **or her** guardian. The administrator shall also post such written notice in a conspicuous, public place in the facility in the number and manner set forth [in the regulations adopted by the division] **by the office of lieutenant governor**.

[12.] 13. The office shall inform residents, their guardians or their families of their rights and entitlements under state and federal laws and rules and regulations by means of the distribution of educational materials and group meetings.

14. All funding and full-time employees designated for the office of the state ombudsman for long-term care facility residents shall be transferred from the division of aging within the department of social services to the office of the lieutenant governor.

15. The office of lieutenant governor may establish additional ombudsman programs relating to elder care if the office of lieutenant governor obtains the necessary funding for such a program. The office of lieutenant governor shall actively seek any state or federal funding sources available to implement the provisions of this subsection.

660.604. There is hereby established a five-member "Long-term Care Facility Ombudsman Advisory Commission". The lieutenant governor shall serve as a permanent member of the commission with the remaining four members to be appointed by the lieutenant governor to oversee the transfer of the state ombudsman from the division of aging to the office of the lieutenant governor. The commission shall also assist the state ombudsman with policy issues and the development of the state ombudsman program to ensure statewide consistency in the implementation of the program. Ombudsman commissioners shall be appointed for four-year terms, except the first commission shall be appointed as follows: two members to a four-year term, one member to a three-year term and one member to a two-year term. Each commissioner shall hold office until his or her successor has been appointed and qualified."; and

Further amend said title, enacting clause and intersectional references accordingly.

Speaker Pro Tem Abel resumed the Chair.

On motion of Representative Campbell, **House Amendment No. 5** was adopted.

Representative Johnson (90) offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Substitute for House Bill No. 349, Page 113, Section 491.076, Line 21 of said page, by inserting after all of said line the following:

"565.200. 1. Any owner or employee of a long-term care facility, as defined in section 660.600, RSMo, or an in-home services provider agency, as defined in section 660.250, RSMo, who:

(1) Has sexual contact, as defined in section 566.010, RSMo, with a resident or client is guilty of a class B misdemeanor. Any person who commits a second or subsequent violation of this subdivision is guilty of a class A misdemeanor; or

(2) Has sexual intercourse or deviant sexual intercourse, as defined in section 566.010, RSMo, with a resident or client is guilty of a class D felony. Any person who commits a second or subsequent violation of this subdivision is guilty of a class C felony.

2. Consent of the victim is no defense to a prosecution pursuant to this section.

3. The provisions of this section shall not apply to an owner or employee of a long-term care facility or in-home services provider agency who engages in sexual conduct, as defined in section 566.010, RSMo, with a resident or client to whom the owner or employee is married."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Johnson (90), **House Amendment No. 6** was adopted.

Representative Griesheimer offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Substitute for House Bill No. 349, Page 143, Section 2, Line 1 of said page, by inserting after all of said section the following:

"Section 3. No long-term care facility shall be more than one hundred twenty days delinquent in payments to vendors of essential services, including but not limited to vendors of food, utilities, maintenance or pharmaceutical supplies, if such delinquency affects the quality of care received by the facility's residents. Upon receipt and verification of a complaint of delinquency of payment from a vendor of essential services, the division of aging may require the facility to draft a plan of correction. If the division determines that the corrective measures are inadequate or have not been implemented, the division may impose sanctions against the facility, including revocation of the facility's license."; and

Further amend said bill, by amending the title, enacting clause and intersectional references accordingly.

On motion of Representative Griesheimer, **House Amendment No. 7** was adopted.

Representative Britt offered **House Amendment No. 8.**

AMEND House Substitute for House Bill No. 349, Page 101, Section 208.152, Line 22 of said page, by inserting after all of said section the following:

"210.025. 1. To qualify for receipt of state or federal funds for providing child-care services in the home either by direct payment or through reimbursement to a child-care beneficiary, an applicant and any person over the age of eighteen who is living in the applicant's home shall be required to submit to a criminal background check pursuant to section 43.540, RSMo, and a check of the central registry for child abuse established in section 210.145. Effective January 1, 2001, the requirements of this subsection or subsection 2 of this section shall be satisfied through registration with the family care safety registry established in sections 210.900 to 210.936. Any costs associated with such checks shall be paid by the applicant.

2. Upon receipt of an application for state or federal funds for providing child-care services in the home, the division of family services shall:

(1) Determine if a probable cause finding of child abuse or neglect involving the applicant or any person over the age of eighteen who is living in the applicant's home has been recorded pursuant to section 210.221 or 210.145;

(2) Determine if the applicant or any person over the age of eighteen who is living in the applicant's home has been refused licensure or has experienced licensure suspension or revocation pursuant to section 210.221 or 210.496; and

(3) Request a criminal background check of the applicant and any person over the age of eighteen who is living in the applicant's home pursuant to section 43.540, RSMo.

3. Except as otherwise provided in subsection 4 of this section, upon completion of the background checks in subsection 2 of this section, an applicant shall be denied state or federal funds for providing child care if such applicant or any person over the age of eighteen who is living in the applicant's home:

(1) Has had a probable cause finding of child abuse or neglect pursuant to section 210.145;

(2) Has been refused licensure or has experienced licensure suspension or revocation pursuant to section 210.496;

(3) Has pled guilty or nolo contendere to or been found guilty of any felony for an offense against the person as defined by chapter 565, RSMo, **any misdemeanor offense pursuant to chapter 565, RSMo, when the victim is a child**, or any other offense against the person involving the endangerment of a child as prescribed by law; of any misdemeanor or felony for a sexual offense as defined by chapter 566, RSMo; of any misdemeanor or felony for an offense against the family as defined in chapter 568, RSMo, with the exception of the sale of fireworks, as defined in section 320.110, RSMo, to a child under the age of eighteen; of any misdemeanor or felony for pornography or related offense as defined by chapter 573, RSMo; or of any similar crime in any federal, state, municipal or other court of similar jurisdiction of which the director has knowledge or any offenses or reports which will disqualify an applicant from receiving state or federal funds; **of any offense involving stalking of a person that is considered a felony in the jurisdiction where such offense is charged; of any offense of prostitution, robbery or arson whether a misdemeanor or felony; or of any offense involving a firearm whether a misdemeanor or felony.**

4. An applicant shall be given an opportunity by the division to offer any extenuating or mitigating circumstances regarding the findings, refusals or violations against such applicant or any person over the age of eighteen who is living in the applicant's home listed in subsection 2 of this section. Such extenuating and mitigating circumstances may be considered by the division in its determination of whether to permit such applicant to receive state or federal funds for providing child care in the home.

5. An applicant who has been denied state or federal funds for providing child care in the home may appeal such denial decision in accordance with the provisions of section 208.080, RSMo.

6. If an applicant is denied state or federal funds for providing child care in the home based on the background check results for any person over the age of eighteen who is living in the applicant's home, the applicant shall not apply for such funds until such person is no longer living in the applicant's home.

7. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. All rulemaking authority delegated prior to August 28, 1999, is of no force and effect and repealed. Nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to August 28, 1999, if it fully complied with all applicable provisions of law. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly

pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void."; and

Further amend said bill, by amending the title, enacting clause and intersectional references accordingly.

On motion of Representative Britt, **House Amendment No. 8** was adopted.

Representative Ward offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Substitute for House Bill No. 349, Page 64, Section 208.010, Line 14, by inserting after the phrase "assistance shall be denied." the following:

"For the purpose of determining eligibility for medicaid benefits for persons sixty-five years of age and older, "resources" does not include the cash value of any and all insurance policies that have a total cash value of five thousand dollars or less, provided that such policy or policies shall have been in effect for at least (5) years."

Representative Ward moved that **House Amendment No. 9** be adopted.

Which motion was defeated.

Representative Wright offered **House Amendment No. 10.**

House Amendment No. 10

AMEND House Substitute for House Bill No. 349, Page 9, Section 187.020, Line 13, by inserting after all of said line the following:

"7. Any and all information or data received pursuant to subsection 1 and 2 of this section shall be compiled in a database by the Department of Social Services. The department shall on an annual basis compile all the information or data in a report and annually release the report to the legislature, governor, state auditor, division of aging, and any other interested parties who may request it."

Representative Wright moved that **House Amendment No. 10** be adopted.

Which motion was defeated.

Representative Merideth offered **House Amendment No. 11.**

House Amendment No. 11

AMEND House Substitute for House Bill No. 349, Page 1, In the Title, Line 5, by inserting the words "**210.001**," after "**208.152**,"; and

Further amending said bill, Page 1, in the Enactment Section, Line 17, by inserting the words "**210.001**," after "**208.152**,"; and

Further amending said bill, Page 1, in the Enactment Section, Line 20, by deleting the word “**fifty**” and inserting in lieu thereof the word “**fifty-one**”; and

Further amending said bill, Page 1, in the Enactment Section, Line 26, by inserting the words “**210.001,**” after “**208.152,**”; and

Further amending said bill, Page 101, Line 22, by inserting after all of said line the following:

“210.001. 1. The department of social services shall address the needs of homeless, dependent and neglected children in the supervision and custody of the division of family services and to their families-in-conflict by:

(1) Serving children and families as a unit in the least restrictive setting available and in close proximity to the family home, consistent with the best interests and special needs of the child;

(2) Insuring that appropriate social services are provided to the family unit both prior to the removal of the child from the home and after family reunification;

(3) Developing and implementing preventive and early intervention social services which have demonstrated the ability to delay or reduce the need for out-of-home placements and ameliorate problems before they become chronic.

2. The department of social services shall fund only regional child assessment centers known as:

(1) The St. Louis City child assessment center;

(2) The St. Louis County child assessment center;

(3) The Jackson County child assessment center;

(4) The Buchanan County child assessment center;

(5) The Greene County child assessment center;

(6) The Boone County child assessment center;

(7) The Joplin child assessment center;

(8) The St. Charles County child assessment center;

(9) The Jefferson County child assessment center; [and]

(10) The Pettis County child assessment center;

(11) The Southeast Missouri Network Against Sexual Violence; and

(12) The Lakes Area Child Advocacy Center.”

On motion of Representative Merideth, **House Amendment No. 11** was adopted.

Representative Shoemyer offered **House Amendment No. 12**.

Representative Boatright raised a point of order that **House Amendment No. 12** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Hosmer, **HS HB 349, as amended**, was adopted.

On motion of Representative Hosmer, **HS HB 349, as amended**, was ordered perfected and printed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 28**, entitled:

SENATE CONCURRENT RESOLUTION NO. 28

WHEREAS, recent high fuel prices have alerted us to the need to improve our nation's policies on fuel production; and

WHEREAS, the Organization of Petroleum Exporting Countries (OPEC) has recently suggested that they will reduce crude oil production again in an attempt to manipulate prices; and

WHEREAS, reductions in crude oil production have resulted in sharp increases in prices for natural gas, gasoline and home heating oil; and

WHEREAS, the United States has become dangerously dependent on foreign petroleum; and

WHEREAS, Missouri consumers are experiencing higher prices at the pump and in home heating costs, and the economic stability of many areas of the state which rely on tourism may be jeopardized if the number of persons traveling to Missouri's vacation destinations is significantly reduced due to increased gasoline prices; and

WHEREAS, the trucking industry, heavily dependent on the availability and price of gasoline and diesel fuel, has been especially hard hit by the increase in fuel costs that have resulted in a significant increase in the transportation costs associated with the delivery of consumer goods throughout the state. Such an increase in cost to the trucking industry will inevitably be passed along to consumers as an increase in the price of consumer goods; and

WHEREAS, the increased petroleum fuel costs is particularly detrimental to Missouri family farmers because it comes at a time when overall market prices are low; and

WHEREAS, fuel prices could be reduced by increasing domestic production and encouraging the development of markets for products that can be used as the source material for renewable alternative fuels:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate of the Ninety-first General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge the United States Congress to actively address the issue of fuel prices and take immediate actions necessary to reduce our nation's dependency on foreign petroleum sources and boost our own economy by:

(1) Enacting reasonable price supports for domestically produced crude oil and for solar and other alternative fuel sources and in other ways encouraging exploration for domestic petroleum sources in a manner that does not adversely impact the environment;

(2) Encouraging and creating incentives for fuel conservation measures that do not harm the economy; and

(3) Encouraging and creating incentives for research, development and use of alternative fuel sources, including ethanol and other fuels made from renewable materials that would not only reduce our dependency on foreign petroleum, but also have the potential to improve environmental protection and boost local economies; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the President of the United States Senate, the Speaker of the United States House of Representatives, and each member of the Missouri Congressional delegation.

In which the concurrence of the House is respectfully requested.

On motion of Representative Crump, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Kreider.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Caitlin Vaughn.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1180

through

House Resolution No. 1182 - Representatives Ross and Lograsso
House Resolution No. 1183 - Representative Ford
House Resolution No. 1184 - Representative Crump
House Resolution No. 1185 - Representative Wilson (42)
House Resolution No. 1186 - Representative Shoemyer

PERFECTION OF HOUSE BILL

HCS HBs 835, 90, 707, 373, 641, 510, 516 & 572, relating to omnibus crime bill, was taken up by Representative Britt.

Representative Britt offered **HS HCS HBs 835, 90, 707, 373, 641, 510, 516 & 572**.

Representative Bonner offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 and 572, Page 17, Section 217.690, Line 20, by inserting after all of said line the following:

"221.510. 1. This section shall be known as "Jake's Law" in honor of Jake Robel.

2. Every chief law enforcement official, sheriff, public jailer, private jailer, department of corrections official and regional jail district official shall conduct an inquiry of pending outstanding warrants for misdemeanors and felonies through the Missouri Uniform Law Enforcement System (MULES) and the National Crime Information Center (NCIC) System on all prisoners about to be released, whether convicted of a crime or being held on suspicion of charges.

3. No prisoner, whether convicted of a crime or being held on suspicion of any charge, shall be released or transferred from a correctional facility, public jail or private jail to any other facility prior to having a local, state or federal warrant check conducted by a law enforcement official, sheriff or authorized member of a correctional facility, public jailer or private jailer.

4. If any prisoner warrant check indicates outstanding charges or outstanding warrants from another jurisdiction, it shall be the duty of the official conducting the warrant check to inform the agency that issued the warrant that the correctional facility, public jail or private jail has such prisoner in custody. That prisoner shall not be released except to the custody of the jurisdictional authority that had issued the warrant, unless an official of warrant has been satisfied or dismissed, or unless the warrant issuing agency has notified the correctional facility, public jail or private jail holding the prisoner that the agency does not wish the prisoner to be transferred or the warrant to be pursued.

5. Any person may make a report to the attorney general's office and the prosecuting attorney for the county of jurisdiction, who may notify the Missouri state highway patrol for violations of this section. The highway patrol shall conduct an investigation. If, in the opinion of the superintendent of the Missouri highway patrol, the investigation yields reasonable grounds to believe that a violation of this section is occurring or has occurred, such person shall refer that information to either the attorney general of the state of Missouri or the prosecuting attorney of the county where the violation is alleged to have occurred.

6. If a law enforcement official, sheriff or authorized member of a correctional facility, public jailer or private jailer fails to perform a warrant check which results in the release of a prisoner with outstanding warrants, that individual shall be guilty of a class A misdemeanor."; and

Further amend said bill, Page 85, Section 574.085, Line 12, by inserting after all of said line the following:

"575.230. 1. A person commits the crime of aiding escape of a prisoner if [he] **the person:**

(1) Introduces into any place of confinement any deadly weapon or dangerous instrument, or other thing adapted or designed for use in making an escape, with the purpose of facilitating the escape of any prisoner confined therein, or of facilitating the commission of any other crime; or

(2) Assists or attempts to assist any prisoner who is being held in custody or confinement for the purpose of effecting the prisoner's escape from custody or confinement.

2. Aiding escape of a prisoner by introducing a deadly weapon or dangerous instrument into a place of confinement is a class B felony. Aiding escape of a prisoner being held in custody or confinement on the basis of a felony charge or conviction is a class [D] **B** felony. Otherwise, aiding escape of a prisoner is a class A misdemeanor."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Bonner, **House Amendment No. 1** was adopted.

Representative Smith offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 and 572, Page 29, Section 491.707, Line 18 of said page, by inserting after all of said section the following:

"537.297. 1. The following words as used in this section shall have the following meanings:

(1) "Owner", all of the following persons:

(a) Any person who lawfully owns anhydrous ammonia;

(b) Any person who lawfully owns a container, equipment or storage facility containing anhydrous ammonia;

(c) Any person responsible for the installation or operation of such containers, equipment or storage facilities;

(d) Any person lawfully selling anhydrous ammonia;

(e) Any person lawfully purchasing anhydrous ammonia for agricultural purposes;

(f) Any person who operates or uses anhydrous ammonia containers, equipment or storage facilities when lawfully applying anhydrous ammonia for agricultural purposes;

(2) "Tamperer", a person who commits or assists in the commission of tampering, or is related to a person who commits or assists in the commission of tampering;

(3) "Tampering", transferring or attempting to transfer anhydrous ammonia from its present container, equipment or storage facility to another container, equipment or storage facility, without prior authorization from the owners.

2. A tamperer assumes the risk of any personal injury, death and other economic and noneconomic loss arising from his or her participation in the act of tampering. A tamperer shall not commence a direct or derivative action against any owner. Owners are immune from suit by a tamperer and shall not be held liable

for any negligent act or omission which may cause personal injury, death or other economic or noneconomic loss to a tamperer.

3. The immunity from liability and suit authorized by this section is expressly waived for owners whose acts or omissions constitute willful or wanton negligence."; and

Further amend said bill, Page 76, Section 570.030, Line 15 of said page, by deleting all of said line and inserting in lieu thereof the following:

"anhydrous ammonia **or liquid nitrogen, or any attempt to steal any amount of anhydrous ammonia or liquid nitrogen**, is a class [D] C felony. **The theft of any amount of anhydrous ammonia by appropriation of a tank truck, tank trailer, rail tank car, bulk storage tank, field (nurse) tank or field applicator is a class A felony.**"; and

Further amend said bill, Page 88, Section 577.020, Line 21 of said page, by inserting after all of said section the following:

"578.154. 1. A person commits the crime of possession of anhydrous ammonia in a nonapproved container if he or she possesses any quantity of anhydrous ammonia in any container other than a tank truck, tank trailer, rail tank car, bulk storage tank, field (nurse) tank or field applicator.

2. A violation of this section is a class D felony."; and

Further amend said bill, by amending the title, enacting clause and intersectional references accordingly.

On motion of Representative Smith, **House Amendment No. 2** was adopted.

Representative Crump offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 and 572, Page 83, Section 570.120, Line 12, by inserting immediately after said line the following:

"571.030. 1. A person commits the crime of unlawful use of weapons if he or she knowingly:

(1) Carries concealed upon or about his or her person a knife, a firearm, a blackjack or any other weapon readily capable of lethal use; or

(2) Sets a spring gun; or

(3) Discharges or shoots a firearm into a dwelling house, a railroad train, boat, aircraft, or motor vehicle as defined in section 302.010, RSMo, or any building or structure used for the assembling of people; or

(4) Exhibits, in the presence of one or more persons, any weapon readily capable of lethal use in an angry or threatening manner; or

(5) Exhibits, in the presence of one or more persons, while on any school bus, or on the premises of any school or on the premises of any function or activity sponsored or sanctioned by the district school board, a firearm readily capable of lethal use in an angry or threatening manner; or

[(5)] (6) Possesses or discharges a firearm or projectile weapon while intoxicated; or

[(6)] (7) Discharges a firearm within one hundred yards of any occupied schoolhouse, courthouse, or church building; or

[(7)] (8) Discharges or shoots a firearm at a mark, at any object, or at random, on, along or across a public highway or discharges or shoots a firearm into any outbuilding; or

[(8)] (9) Carries a firearm or any other weapon readily capable of lethal use into any church or place where people have assembled for worship, or into any election precinct on any election day, or into any building owned or occupied by any agency of the federal government, state government, or political subdivision thereof, or into any public assemblage of persons met for any lawful purpose; or

[(9)] (10) Discharges or shoots a firearm at or from a motor vehicle, as defined in section 301.010, RSMo, while within any city, town, or village, and discharges or shoots a firearm at any person, or at any other motor vehicle, or at any building or habitable structure, unless the person was lawfully acting in self-defense; or

[(10)] (11) Carries a firearm, whether loaded or unloaded, or any other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any function or activity sponsored or sanctioned by school officials or the district school board.

(12) Carries a firearm, readily capable of lethal use, into any school, onto any school bus, or onto the premises of any function or activity sponsored or sanctioned by the district school board with the intent to use it.

2. Subdivisions (1), (3), (4), [(6), (7), (8), (9) and (10)] **(5), (7), (8), (9), (10), (11) and (12)** of subsection 1 of this section shall not apply to or affect any of the following:

(1) All state, county and municipal law enforcement officers possessing the duty and power of arrest for violation of the general criminal laws of the state or for violation of ordinances of counties or municipalities of the state, or any person summoned by such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime;

(3) Members of the armed forces or national guard while performing their official duty;

(4) Those persons vested by article V, section 1 of the Constitution of Missouri with the judicial power of the state and those persons vested by article III of the Constitution of the United States with the judicial power of the United States, the members of the federal judiciary;

(5) Any person whose bona fide duty is to execute process, civil or criminal;

(6) Any federal probation officer;

(7) Any state probation or parole officer, including supervisors and members of the board of probation and parole; and

(8) Any corporate security advisor meeting the definition and fulfilling the requirements of the regulations established by the board of police commissioners under section 84.340, RSMo.

3. Subdivisions (1), [(5), (8) and (10)] **(6), (9), (11) and (12)** of subsection 1 of this section do not apply when the actor is transporting such weapons in a nonfunctioning state or in an unloaded state when ammunition is not readily accessible or when such weapons are not readily accessible. Subdivision (1) of subsection 1 of this section does not apply when the actor is also in possession of an exposed firearm or projectile weapon for the lawful pursuit of game, or is in his dwelling unit or upon business premises over which the actor has possession, authority or control, or is traveling in a continuous journey peaceably through this state. [Subdivision (10)] **Subdivision (11) and (12)** of subsection 1 of this section [does] **do** not apply if the firearm is otherwise lawfully possessed by a person while traversing school premises for the purposes of transporting a student to or from school, or possessed by an adult for the purposes of facilitation of a school-sanctioned firearm- related event.

4. Nothing in this section shall make it unlawful for a student to actually participate in school-sanctioned gun safety courses, student military or ROTC courses, or other school-sponsored firearm-related events, provided the student does not carry a firearm or other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any function or activity sponsored or sanctioned by school officials or the district school board.

5. Unlawful use of weapons is a class D felony unless committed pursuant to subdivision [(5), (6), (7) or (8)] **(6), (7), (8) or (9)** of subsection 1 of this section, in which cases it is a class B misdemeanor, or subdivision [(10)] **(11)** of subsection 1 of this section, in which case it is a class A misdemeanor if the firearm is unloaded and a class D felony if the firearm is loaded, or subdivision [(9)] **(10)** of subsection 1 of this section, in which case it is a class B felony, except that if the violation of subdivision [(9)] **(10)** of subsection 1 of this section results in injury or death to another person, it is a class A felony [.] **or subdivision (5) or (12) of subsection 1 of this section in which case it is a felony for which the authorized term of imprisonment is a term of years not less than five and not to exceed seven years.**

6. Violations of subdivision [(9)] **(10)** of subsection 1 of this section shall be punished as follows:

(1) For the first violation a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony;

(2) For any violation by a prior offender as defined in section 558.016, RSMo, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation or conditional release for a term of ten years;

(3) For any violation by a persistent offender as defined in section 558.016, RSMo, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation, or conditional release;

(4) For any violation which results in injury or death to another person, a person shall be sentenced to an authorized disposition for a class A felony.

7. Any person knowingly aiding or abetting any other person in the violation of subdivision [(9)] **(10)** of subsection 1 of this section shall be subject to the same penalty as that prescribed by this section for violations by other persons.

571.070. 1. A person commits the crime of unlawful possession of a concealable firearm if he **or she** has any concealable firearm in his **or her** possession and:

(1) He **or she** has pled guilty to or has been convicted of a dangerous felony, as defined in section 556.061, RSMo, or of an attempt to commit a dangerous felony, or of a crime under the laws of any state or of the United States which, if committed within this state, would be a dangerous felony, or confined therefor in this state or elsewhere during the five-year period immediately preceding the date of such possession; or

(2) **At the same time he or she possesses or has under his or her control any controlled substance except thirty-five grams or less of marijuana; or**

(3) He **or she** is a fugitive from justice, is habitually in an intoxicated or drugged condition, or is currently adjudged mentally incompetent.

2. Unlawful possession of a concealable firearm **committed pursuant to subdivisions (1) and (2) of subsection 1 of this section, is a felony for which the authorized term of imprisonment is a term of years not less than five years and not to exceed seven years; unlawful possession of a concealable firearm committed pursuant to subdivision (3) of subsection 1 of this section is a class C felony."**

On motion of Representative Crump, **House Amendment No. 3** was adopted.

Representative Reid offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 and 572, Page 62, Section 565.225, Line 18, by inserting after all of said line the following:

"565.310. 1. A person commits the crime of human cloning if that person knowingly engages in or knowingly attempts to engage in human cloning.

2. As used in this section the following terms mean:

(1) **"Human cloning", the use of human somatic cell nuclear transfer technology to produce a human embryo;**

(2) **"Human embryo", a human egg cell with a full genetic composition capable of differentiating and maturing as a complete human being;**

(3) **"Human somatic cell", a cell of a developing or fully developed human being that is not and will not become a sperm or egg cell;**

(4) **"Human somatic cell nuclear transfer", transferring the nucleus of a human somatic cell into an egg cell from which the nucleus has been removed or rendered inert.**

3. Nothing in this section shall be construed as prohibiting scientific research or cell-based therapies not specifically prohibited by this section.

4. Any person violating the provisions of this section is guilty of a class B felony.

5. Any corporation violating the provisions of this section is guilty of a felony for which the authorized punishment is a fine of not more than ten million dollars."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Smith resumed the Chair.

On motion of Representative Reid, **House Amendment No. 4** was adopted by the following vote:

AYES: 135

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Bowman	Boykins	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Froelker	Gambaro	Gaskill	George
Gratz	Green 15	Green 73	Griesheimer	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Legan	Levin
Liese	Linton	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Murphy
Myers	Naeger	Nordwald	O'Connor	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Wiggins	Willoughby	Wright	Mr. Speaker

NOES: 010

Bland	Boucher	Copenhaver	Fraser	Harlan
Hilgemann	Ostmann	Relford	Wilson 25	Wilson 42

PRESENT: 000

ABSENT WITH LEAVE: 015

Bray 84	Ford	Franklin	Graham	Hagan-Harrell
Hickey	Hohulin	Holand	Lawson	Lograsso
Long	Moore	O'Toole	Scheve	Williams

VACANCIES: 003

Representative Wilson (42) offered House Amendment No. 5.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 and 572, Page 83, Section 570.120, Line 12, by inserting after all of said line the following:

"571.030. 1. A person commits the crime of unlawful use of weapons if [he] **the person** knowingly:

(1) Carries concealed upon or about his **or her** person a knife, a firearm, a blackjack or any other weapon readily capable of lethal use; or

(2) Sets a spring gun; or

(3) Discharges or shoots a firearm into a dwelling house, a railroad train, boat, aircraft, or motor vehicle as defined in section 302.010, RSMo, or any building or structure used for the assembling of people; or

(4) Discharges or shoots a firearm into the air in violation of a local ordinance during calendar days of July third, July fourth, July fifth, December thirtieth, December thirty-first or January first, except when in legal pursuit of any wildlife or while engaging in or practicing for a recognized sport; or

[(4)] **(5)** Exhibits, in the presence of one or more persons, any weapon readily capable of lethal use in an angry or threatening manner; or

[(5)] **(6)** Possesses or discharges a firearm or projectile weapon while intoxicated; or

[(6)] **(7)** Discharges a firearm within one hundred yards of any occupied school house, courthouse, or church building; or

[(7)] **(8)** Discharges or shoots a firearm at a mark, at any object, or at random, on, along or across a public highway or discharges or shoots a firearm into any outbuilding; or

[(8)] **(9)** Carries a firearm or any other weapon readily capable of lethal use into any church or place where people have assembled for worship, or into any school, or into any election precinct on any election day, or into any building owned or occupied by any agency of the federal government, state government, or political subdivision thereof, or into any public assemblage of persons met for any lawful purpose; or

[(9)] **(10)** Discharges or shoots a firearm at or from a motor vehicle, as defined in section 301.010, RSMo, while within any city, town, or village, and discharges or shoots a firearm at any person, or at any other motor vehicle, or at any building or habitable structure, unless the person was lawfully acting in self-defense.

2. Subdivisions (1), (3), (4), [(6), (7), (8) and (9)] **(5), (6), (7), (8), (9) and (10)** of subsection 1 of this section shall not apply to or affect any of the following:

(1) All state, county and municipal law enforcement officers possessing the duty and power of arrest for violation of the general criminal laws of the state or for violation of ordinances of counties or municipalities of the state, or any person summoned by such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime;

(3) Members of the armed forces or national guard while performing their official duty;

(4) Those persons vested by article V, section 1 of the Constitution of Missouri with the judicial power of the state and those persons vested by article III of the Constitution of the United States with the judicial power of the United States, the members of the federal judiciary;

(5) Any person whose bona fide duty is to execute process, civil or criminal;

(6) Any federal probation officer;

(7) Any state probation or parole officer, including supervisors and members of the board of probation and parole; and

(8) Any corporate security advisor meeting the definition and fulfilling the requirements of the regulations established by the board of police commissioners under section 84.340, RSMo.

3. Subdivisions (1), [(5) and (8)] **(6) and (9)** of subsection 1 of this section do not apply when the actor is transporting such weapons in a nonfunctioning state or in an unloaded state when ammunition is not readily accessible or when such weapons are not readily accessible. Subdivision (1) of subsection 1 of this section does not apply when the actor is also in possession of an exposed firearm or projectile weapon for the lawful pursuit of game, or is in his dwelling unit or upon business premises over which the actor has possession, authority or control, or is traveling in a continuous journey peaceably through this state.

4. Unlawful use of weapons is a class D felony unless committed [under] **pursuant to** subdivision [(5), (6), (7) or (8)] **(6), (7), (8) or (9)** of subsection 1 of this section, in which cases it is a class B misdemeanor, **or subdivision (4) of subsection 1 of this section, in which case it is a class A misdemeanor**, or subdivision [(9)] **(10)** of subsection 1 of this section, in which case it is a class B felony, except that if the violation of subdivision [(9)] **(10)** of subsection 1 of this section results in injury or death to another person, it is a class A felony.

5. Violations of subdivision [(9)] **(10)** of subsection 1 of this section shall be punished as follows:

(1) For the first violation a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony;

(2) For any violation by a prior offender as defined in section 558.016, RSMo, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation or conditional release for a term of ten years;

(3) For any violation by a persistent offender as defined in section 558.016, RSMo, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation, or conditional release;

(4) For any violation which results in injury or death to another person, a person shall be sentenced to an authorized disposition for a class A felony.

6. Any person knowingly aiding or abetting any other person in the violation of subdivision [(9)] (10) of subsection 1 of this section shall be subject to the same penalty as that prescribed by this section for violations by other persons."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Wilson (42), **House Amendment No. 5** was adopted.

Representative Hollingsworth offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 and 572, Page 67, Section 566.093, Line 16 of said page, by inserting after all of said section the following:

"566.111. 1. For purposes of this section, the following terms mean:

(1) "Animal", every creature, either alive or dead, other than a human being;

(2) "Sexual conduct with an animal", any touching of an animal with the genitals or any touching of the genitals or anus of an animal for the purpose of arousing or gratifying sexual desire.

2. No person shall engage in any sexual conduct with an animal, or cause, aid or abet another person to engage in any sexual conduct with an animal. No person shall permit any sexual conduct with an animal on any premises under such person's charge or control. No person shall engage in, promote, aid or abet any activity involving any sexual conduct with an animal for commercial or recreational purposes.

3. Any person who violates this section shall be guilty of a class D felony. Any person who violates this section in the presence of a minor or causes any animal serious physical injury or death while violating or attempting to violate this section shall be guilty of a class C felony.

4. In addition to the penalty imposed, the court may:

(1) Prohibit the defendant permanently or for a reasonable time from harboring animals or residing in any household where animals are present;

(2) Order the defendant to relinquish and permanently forfeit all animals residing in the defendant's household to a recognized or duly incorporated animal shelter or humane society, and order the defendant to reimburse such shelter or humane society for all reasonable costs incurred for the care and maintenance of the animals involved in the violation of this section; and

(3) Order psychological evaluation and counseling of the defendant, at the defendant's expense.

5. Nothing in this section shall be construed to prohibit generally accepted animal husbandry practices or generally accepted veterinary medical practices performed by a licensed veterinarian or veterinary technician.

6. Any person acting under authority of this section may seize any and all animals involved in the alleged violation. The defendant charged with violating this section shall be provided a disposition hearing pursuant to section 578.018, RSMo."; and

Further amend said bill, by amending the title, enacting clause and intersectional references accordingly.

On motion of Representative Hollingsworth, **House Amendment No. 6** was adopted.

Representative Riback Wilson (25) offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 and 572, Page 13, Section 210.001, Line 21 of said page, by inserting after all of said line the following:

"210.104. 1. As used in sections 210.104 to 210.107, the following terms shall mean:

(1) **"Child booster seat", a specially designed seating system which meets the Federal Motor Vehicle Safety Standards set forth in 49 C.F.R. 571.213, as amended, that is designed to elevate a child to properly sit in a federally approved safety belt system;**

(2) **"Child passenger restraint system", a specially designed seating system which meets the Federal Motor Vehicle Safety Standards set forth in 49 C.F.R. 571.213, as amended, and which is either permanently affixed to a motor vehicle or is affixed to such vehicle by a safety belt or a universal attachment system;**

(3) **"Driver", a person who drives or is in actual physical control of a motor vehicle.**

2. Every person transporting a child under the age of [four] **eight** years shall be responsible, when transporting such child in a motor vehicle operated by that person on the streets or highways of this state, for providing for the protection of such child[. Such child shall be protected by a child passenger restraint system approved by the department of public safety.] **as follows:**

(1) **Children less than four years of age, regardless of weight, shall be secured in a child passenger restraint system appropriate for that child; and**

(2) **Children at least four years of age but less than eight years of age shall be properly restrained in a properly secured booster seat appropriate for the age and weight of the child.**

[2.] 3. Any person who violates this section is guilty of an infraction and, upon conviction, may be punished by a fine of not more than [twenty-five] **one hundred** dollars and court costs.

4. **Every car rental agency doing business in the state of Missouri shall inform its customers of the requirements of this section and shall provide for rental an appropriate child passenger safety restraint system.**

[3.] 5. The provisions of sections 210.104 to 210.107 shall not apply to any public carrier for hire.

210.107. The department of public safety shall initiate and develop a program of public information to develop understanding of, and ensure compliance with the provisions of [sections] **section** 210.104 [to 210.107. The department of public safety shall, within thirty days of September 28, 1983, promulgate standards for the performance, design, and installation of passenger restraint systems for children under four years of age in accordance with federal motor vehicle safety standards and shall approve those systems which meet such standards. No rule or portion of a rule promulgated under the authority of sections 210.104 to 210.107 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo]."; and

Further amend said bill, Page 16, Section 302.321, Line 4 of said page, by inserting after all of said line the following:

"307.178. 1. As used in this section, the term "passenger car" means every motor vehicle designed for carrying ten persons or less and used for the transportation of persons; except that, the term "passenger car" shall not include motorcycles, motorized bicycles, motor tricycles and trucks with a licensed gross weight of twelve thousand pounds or more.

2. Each driver, except persons employed by the United States Postal Service while performing duties for that federal agency which require the operator to service postal boxes from their vehicles, or which require frequent entry into and exit from their vehicles, and front seat passenger of a passenger car manufactured after January 1, 1968, operated on a street or highway in this state, and persons less than eighteen years of age operating or riding in a truck, as defined in section 301.010, RSMo, on a street or highway of this state shall wear a properly adjusted and fastened safety belt that meets federal National Highway, Transportation and Safety Act requirements; except that, a child less than [four] **eight** years of age shall be protected as required in section 210.104, RSMo. No person shall be stopped, inspected, or detained solely to determine compliance with this subsection. The provisions of this section shall not be

applicable to persons who have a medical reason for failing to have a seat belt fastened about their body, nor shall the provisions of this section be applicable to persons while operating or riding a motor vehicle being used in agricultural work-related activities. Noncompliance with this subsection shall not constitute probable cause for violation of any other provision of law.

3. Each driver of a motor vehicle transporting a child [four] **eight** years of age or more, but less than sixteen years of age, shall secure the child in a properly adjusted and fastened safety belt.

4. In any action to recover damages arising out of the ownership, common maintenance or operation of a motor vehicle, failure to wear a safety belt in violation of this section shall not be considered evidence of comparative negligence. Failure to wear a safety belt in violation of this section may be admitted to mitigate damages, but only under the following circumstances:

(1) Parties seeking to introduce evidence of the failure to wear a safety belt in violation of this section must first introduce expert evidence proving that a failure to wear a safety belt contributed to the injuries claimed by plaintiff;

(2) If the evidence supports such a finding, the trier of fact may find that the plaintiff's failure to wear a safety belt in violation of this section contributed to the plaintiff's claimed injuries, and may reduce the amount of the plaintiff's recovery by an amount not to exceed one percent of the damages awarded after any reductions for comparative negligence.

5. Each driver who violates the provisions of subsection 2 or 3 of this section is guilty of an infraction for which a fine not to exceed [ten] **one hundred** dollars may be imposed. All other provisions of law and court rules to the contrary notwithstanding, no court costs shall be imposed on any person due to a violation of this section. In no case shall points be assessed against any person, pursuant to section 302.302, RSMo, for a violation of this section.

6. The department of public safety shall initiate and develop a program of public information to develop understanding of, and ensure compliance with, the provisions of this section. The department of public safety shall evaluate the effectiveness of this section and shall include a report of its findings in the annual evaluation report on its highway safety plan that it submits to NHTSA and FHWA pursuant to 23 U.S.C. 402.

[7. If there are more persons than there are seat belts in the enclosed area of a motor vehicle, then the driver and passengers are not in violation of this section.]; and

Further amend said bill, by amending the title, enacting clause and intersectional references accordingly.

Speaker Kreider resumed the Chair

Representative Smith resumed the Chair.

Representative Hohulin offered **House Substitute Amendment No. 1 for House Amendment No. 7.**

*House Substitute Amendment No. 1
for
House Amendment No. 7*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 and 572, Page 24, Section 210.001, Line 24, by deleting all words in the original amendment and inserting in lieu thereof the following:

"No child under the age of 15 shall be allowed to ride in a motor vehicle".

Representative Hohulin moved that **House Substitute Amendment No. 1 for House Amendment No. 7** be adopted.

Which motion was defeated.

Representative Long offered **House Substitute Amendment No. 2 for House Amendment No. 7**.

Representative Riback Wilson (25) raised a point of order that **House Substitute Amendment No. 2 for House Amendment No. 7** is not a true substitute amendment.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Speaker Kreider resumed the Chair.

Representative Riback Wilson (25) moved that **House Amendment No. 7** be adopted.

Which motion was defeated by the following vote.

AYES: 024

Abel	Baker	Boucher	Bowman	Bray 84
Brooks	Campbell	Carnahan	Copenhaver	Curls
Davis	Farnen	Foley	Franklin	Fraser
Graham	Hagan-Harrell	Harding	Harlan	Hilgemann
Relford	Shelton	Williams	Wilson 25	

NOES: 130

Ballard	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boykins
Britt	Burcham	Burton	Byrd	Champion
Cierpiot	Clayton	Coleman	Cooper	Crawford
Crowell	Crump	Cunningham	Dempsey	Dolan
Enz	Fares	Froelker	Gambaro	Gaskill
George	Gratz	Green 15	Green 73	Griesheimer
Hampton	Hanaway	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hunter	Jetton
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Legan
Levin	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Willoughby	Wilson 42	Wright	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 006

Ford
Mays 50

Hosmer

Johnson 61

Lawson

Liese

VACANCIES: 003

Representative Carnahan offered House Amendment No. 8.

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 and 572, Page 90, Section 578.610, Line 9, by inserting after all of said line the following:

"595.045. 1. There is established in the state treasury the "Crime Victims' Compensation Fund". A surcharge of [five] **ten** dollars shall be assessed as costs in each court proceeding filed in any court in the state in all criminal cases including violations of any county ordinance or any violation of criminal or traffic laws of the state, including an infraction and violation of a municipal ordinance; except that no such fee shall be collected in any proceeding in any court when the proceeding or the defendant has been dismissed by the court or when costs are to be paid by the state, county, or municipality. A surcharge of [five] **ten** dollars shall be assessed as costs in a juvenile court proceeding in which a child is found by the court to come within the applicable provisions of subdivision (3) of subsection 1 of section 211.031, RSMo.

2. Notwithstanding any other provision of law to the contrary, the moneys collected by clerks of the courts pursuant to the provisions of subsection 1 of this section shall be collected and disbursed in accordance with sections 488.010 to 488.020, RSMo, and shall be payable to the director of the department of revenue.

3. The director of revenue shall deposit annually the amount of two hundred fifty thousand dollars to the state forensic laboratory account administered by the department of public safety to provide financial assistance to defray expenses of crime laboratories if such analytical laboratories are registered with the federal Drug Enforcement Agency or the Missouri department of health. Subject to appropriations made therefor, such funds shall be distributed by the department of public safety to the crime laboratories serving the courts of this state making analysis of a controlled substance or analysis of blood, breath or urine in relation to a court proceeding.

[3.] 4. The remaining funds collected under subsection 1 of this section **shall be denoted to the payment of an annual appropriation for the administrative and operational costs of the office for victims of crime and, if a statewide automated crime victim notification system is established pursuant to section 650.310, RSMo, to the monthly payment of expenditures actually incurred in the operation of such system. Additional remaining funds** shall be subject to the following provisions:

(1) On the first of every month, the director of revenue or the director's designee shall determine the balance of the funds in the crime victims' compensation fund available to satisfy the amount of compensation payable pursuant to sections 595.010 to 595.075, excluding sections 595.050 and 595.055;

(2) Beginning on October 1, 1996, and on the first of each month, if the balance of the funds available exceeds one million dollars plus one hundred percent of the previous twelve months' actual expenditures, excluding the immediate past calendar month's expenditures, paid pursuant to sections 595.010 to 595.075, excluding sections 595.050 and 595.055, then the director of revenue or the director's designee shall deposit fifty percent to the credit of the crime victims' compensation fund and fifty percent to the services to victims' fund established in section 595.100 **provided, however, that beginning October 1, 2006, if in any month, the amount in reserve for either fund shall be more than two hundred percent of the previous year's expenditures for that fund, then fifty percent of the revenue provided herein for that fund shall be paid instead to the tort victim's compensation fund;**

(3) Beginning on October 1, 1996, and on the first of each month, if the balance of the funds available is less than one million dollars plus one hundred percent of the previous twelve months' actual expenditures, excluding the immediate past calendar month's expenditures, paid pursuant to sections 595.010 to 595.075, excluding sections 595.050 and 595.055, then the director of revenue or the director's designee shall deposit seventy-five percent to the credit of the crime victims' compensation fund and twenty-five percent to the services to victims' fund established in section 595.100.

[4.] 5. The director of revenue or such director's designee shall at least monthly report the moneys paid pursuant to this section into the crime victims' compensation fund and the services to victims fund to the division of workers' compensation and the department of public safety, respectively.

[5.] 6. The moneys collected by clerks of municipal courts pursuant to subsection 1 of this section shall be collected and disbursed as provided by sections 488.010 to 488.020, RSMo. Five percent of such moneys shall be payable to the city treasury of the city from which such funds were collected. The remaining ninety-five percent of such moneys shall be payable to the director of revenue. The funds received by the director of revenue pursuant to this subsection shall be distributed as follows:

(1) On the first of every month, the director of revenue or the director's designee shall determine the balance of the funds in the crime victims' compensation fund available to satisfy the amount of compensation payable pursuant to sections 595.010 to 595.075, excluding sections 595.050 and 595.055;

(2) Beginning on October 1, 1996, and on the first of each month, if the balance of the funds available exceeds one million dollars plus one hundred percent of the previous twelve months' actual expenditures, excluding the immediate past calendar month's expenditures, paid pursuant to sections 595.010 to 595.075, excluding sections 595.050 and 595.055, then the director of revenue or the director's designee shall deposit fifty percent to the credit of the crime victims' compensation fund and fifty percent to the services to victims' fund established in section 595.100 **provided, however, that beginning October 1, 2006, if in any month, the amount in reserve for either fund shall be more than two hundred percent of the previous year's expenditures for that fund, then fifty percent of the revenue provided herein for that fund shall be paid instead to the tort victim's compensation fund;**

(3) Beginning on October 1, 1996, and on the first of each month, if the balance of the funds available is less than one million dollars plus one hundred percent of the previous twelve months' actual expenditures, excluding the immediate past calendar month's expenditures, paid pursuant to sections 595.010 to 595.075, excluding sections 595.050 and 595.055, then the director of revenue or the director's designee shall deposit seventy-five percent to the credit of the crime victims' compensation fund and twenty-five percent to the services to victims' fund established in section 595.100.

[6.] 7. These funds shall be subject to a biennial audit by the Missouri state auditor. Such audit shall include all records associated with crime victims' compensation funds collected, held or disbursed by any state agency.

[7.] 8. In addition to the moneys collected pursuant to subsection 1 of this section, the court shall enter a judgment in favor of the state of Missouri, payable to the crime victims' compensation fund, of sixty-eight dollars if the conviction is for a class A or B felony; forty-six dollars if the conviction is for a class C or D felony; and ten dollars if the conviction is for any misdemeanor under the following Missouri laws:

- (1) Chapter 195, RSMo, relating to drug regulations;
- (2) Chapter 311, RSMo, but relating only to felony violations of this chapter committed by persons not duly licensed by the supervisor of liquor control;
- (3) Chapter 491, RSMo, relating to witnesses;
- (4) Chapter 565, RSMo, relating to offenses against the person;
- (5) Chapter 566, RSMo, relating to sexual offenses;
- (6) Chapter 567, RSMo, relating to prostitution;
- (7) Chapter 568, RSMo, relating to offenses against the family;
- (8) Chapter 569, RSMo, relating to robbery, arson, burglary and related offenses;
- (9) Chapter 570, RSMo, relating to stealing and related offenses;
- (10) Chapter 571, RSMo, relating to weapons offenses;
- (11) Chapter 572, RSMo, relating to gambling;
- (12) Chapter 573, RSMo, relating to pornography and related offenses;
- (13) Chapter 574, RSMo, relating to offenses against public order;
- (14) Chapter 575, RSMo, relating to offenses against the administration of justice;
- (15) Chapter 577, RSMo, relating to public safety offenses.

Any clerk of the court receiving moneys pursuant to such judgments shall collect and disburse such crime victims' compensation judgments in the manner provided by sections 488.010 to 488.020, RSMo. Such funds shall be payable to the state treasury and deposited to the credit of the crime victims' compensation fund.

[8.] 9. The clerk of the court processing such funds shall maintain records of all dispositions described in subsection 1 of this section and all dispositions where a judgment has been entered against a defendant in favor of the state of Missouri in accordance with this section; all payments made on judgments for alcohol-related traffic offenses;

and any judgment or portion of a judgment entered but not collected. These records shall be subject to audit by the state auditor. The clerk of each court transmitting such funds shall report separately the amount of dollars collected on judgments entered for alcohol-related traffic offenses from other crime victims' compensation collections or services to victims collections.

[9.] **10.** The clerks of the court shall report all delinquent payments to the department of revenue by October first of each year for the preceding fiscal year, and such sums may be withheld pursuant to subsection [14] **5** of this section.

[10.] **11.** The department of revenue shall maintain records of funds transmitted to the crime victims' compensation fund by each reporting court and collections pursuant to subsection [17] **18** of this section and shall maintain separate records of collection for alcohol-related offenses.

[11.] **12.** Notwithstanding any other provision of law to the contrary, the provisions of subsections [8 and 9] **9 and 10** of this section shall expire and be of no force and effect upon the effective date of the supreme court rule adopted pursuant to sections 488.010 to 488.020, RSMo.

[12.] **13.** The state courts administrator shall include in the annual report required by section 476.350, RSMo, the circuit court caseloads and the number of crime victims' compensation judgments entered.

[13.] **14.** All awards made to injured victims under sections 595.010 to 595.105 and all appropriations for administration of sections 595.010 to 595.105, except sections 595.050 and 595.055, shall be made from the crime victims' compensation fund. Any unexpended balance remaining in the crime victims' compensation fund at the end of each biennium shall not be subject to the provision of section 33.080, RSMo, requiring the transfer of such unexpended balance to the ordinary revenue fund of the state, but shall remain in the crime victims' compensation fund. In the event that there are insufficient funds in the crime victims' compensation fund to pay all claims in full, all claims shall be paid on a pro rata basis. If there are no funds in the crime victims' compensation fund, then no claim shall be paid until funds have again accumulated in the crime victims' compensation fund. When sufficient funds become available from the fund, awards which have not been paid shall be paid in chronological order with the oldest paid first. In the event an award was to be paid in installments and some remaining installments have not been paid due to a lack of funds, then when funds do become available that award shall be paid in full. All such awards on which installments remain due shall be paid in full in chronological order before any other postdated award shall be paid. Any award pursuant to this subsection is specifically not a claim against the state, if it cannot be paid due to a lack of funds in the crime victims' compensation fund.

[14.] **15.** When judgment is entered against a defendant as provided in this section and such sum, or any part thereof, remains unpaid, there shall be withheld from any disbursement, payment, benefit, compensation, salary, or other transfer of money from the state of Missouri to such defendant an amount equal to the unpaid amount of such judgment. Such amount shall be paid forthwith to the crime victims' compensation fund and satisfaction of such judgment shall be entered on the court record. Under no circumstances shall the general revenue fund be used to reimburse court costs or pay for such judgment. The director of the department of corrections shall have the authority to pay into the crime victims' compensation fund from an offender's compensation or account the amount owed by the offender to the crime victims' compensation fund, provided that the offender has failed to pay the amount owed to the fund prior to entering a correctional facility of the department of corrections.

[15.] **16.** All interest earned as a result of investing funds in the crime victims' compensation fund shall be paid into the crime victims' compensation fund and not into the general revenue of this state.

[16.] **17.** Any person who knowingly makes a fraudulent claim or false statement in connection with any claim hereunder is guilty of a class A misdemeanor.

[17.] **18.** Any gifts, contributions, grants or federal funds specifically given to the division for the benefit of victims of crime shall be credited to the crime victims' compensation fund. Payment or expenditure of moneys in such funds shall comply with any applicable federal crime victims' compensation laws, rules, regulations or other applicable federal guidelines."; and

Further amend said bill, Page 93, Section 650.055, Line 15, by inserting after all of said line the following:

"650.300. As used in sections 650.300 to 650.310, the following terms shall mean:

- (1) "Catastrophic crime", a violation of section 569.070, RSMo;**
- (2) "Office", the office for victims of crime;**
- (3) "Private agency", a private agency as defined in section 595.010, RSMo;**
- (4) "Public agency", a public agency as defined in section 595.010, RSMo;**

(5) "Victim of crime", a person afforded rights as a victim or entitled to compensation or services as a victim pursuant to chapter 595, RSMo.

650.310. 1. The office of victims of crime is hereby established within the department of public safety, for the purpose of promoting the fair and just treatment of victims of crime. The office shall coordinate and promote the state's program for victims of crime and shall provide channels of communication among public and private agencies and in exercising the rights afforded to victims of crime pursuant to chapter 595, RSMo, and the Missouri Constitution. In the event of a catastrophic crime the office shall, or upon the receipt of a specific request the office may, work closely with other state and local agencies to coordinate a response to meet the needs of any resulting victims of crime.

2. The office for victims of crime shall coordinate efforts with statewide coalitions or organizations that are involved in efforts to provide assistance to victims of crime and to reduce the incidence of domestic violence, sexual assault or other crime victimization. The office shall consult with such coalitions or organizations as to more efficient and effective coordination and delivery of services to victims of crime.

3. The office for victims of crime shall assess and report to the governor the costs and benefits of establishing a statewide automated crime victim notification system within the criminal justice system and shall serve as the coordinating agency for the development, implementation and maintenance of any such system.

4. The department of public safety may promulgate administrative rules to implement this section, and any such rule that is wholly procedural and without fiscal impact shall be deemed to satisfy the requirements of section 536.016, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Hosmer requested a division of the question.

Representative Carnahan raised a point of order that the request for a division of the question is out of order in that **House Amendment No. 8** is not divisible.

The division of the question was denied by the Chair based on Rule 78.

On motion of Representative Carnahan, **House Amendment No. 8** was adopted.

Representative Berkstresser offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 and 572, Page 13, Section 210.001, Line 19 of said page, by deleting the word "**and**"; and

Further amend said bill, Page 13, Section 210.001, Line 21 of said page, by inserting after the word "**Violence**" the following:

"**; and**

(12) **The Lakes Area Child Advocacy Center**".

On motion of Representative Berkstresser, **House Amendment No. 9** was adopted.

Representative Ward offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 and 572, Page 14, Section 214.131, Line 12, by inserting after all of said line the following:

"217.105. 1. There is hereby established within the department of corrections a "Corrections Officers Standards and Training Commission" which shall be composed of nine members, appointed by the governor, with the advice and consent of the senate. Two members of the commission shall be from the administration of the department of corrections, three members shall be from law enforcement agencies within the state, and three members shall be corrections officers below the rank of major currently employed by the department of corrections, one of whom shall be selected by the certified bargaining agent and one of whom shall be from a statewide association of corrections officers having membership in excess of five hundred corrections officers. One member shall be the chair of the department of criminal justice, or a comparable program, at an institution of higher education in this state.

2. Of the original members of the commission three shall be appointed for terms of one year, three shall be appointed for terms of two years, and three shall be appointed for terms of three years. Thereafter the terms of the members of the commission shall be three years or until their successors are appointed.

3. The commission shall elect a chairman annually and shall meet at least twice annually as determined by the chairman. A majority of the members of the commission shall constitute a quorum.

4. No member of the commission shall receive any compensation for the performance of his or her official duties. Members may be reimbursed for expenses incurred in the course of such performance of his or her official duties.

5. The commission shall establish the core curriculum and shall also formulate definitions, rules and regulations for the administration of corrections officers standards and training programs.

6. From and after January 1, 2003, no person shall hold the position of corrections officer in the Missouri department of corrections unless that person has enrolled in and successfully completed an instructional program designed to familiarize such person with his or her duties as a corrections officer as established by the commission and certified pursuant to section 590.200, RSMo. Persons who hold the position of corrections officer prior to January 1, 2003, may attend such programs voluntarily for the purpose of career advancement or to satisfy requirements for promotion or merit pay established by the department of corrections."; and

Further amend said bill, Page 90, Section 578.610, Line 9, by inserting after all of said line the following:

"590.200. 1. Pursuant to section 217.105, RSMo, a corrections officers certification program shall be established by the corrections officers standards and training commission. Certification shall be based on rules and curriculum established by the corrections officers standards and training commission. Certification for corrections officers shall be approved or denied after a review of performance and test results as established by the commission pursuant to section 217.105, RSMo.

2. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Gratz offered **House Substitute Amendment No. 1 for House Amendment No. 10.**

*House Substitute Amendment No. 1
for
House Amendment No. 10*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 and 572, Page 14, Section 214.131, Line 12, by inserting after all of said line the following:

"217.105. 1. There is hereby established within the department of corrections a "Corrections Officers Standards and Training Commission" which shall be composed of nine members, appointed by the governor, with the advice and consent of the senate. Two members of the commission shall be from the administration of the department of corrections, three members shall be from law enforcement agencies within the state, and three members shall be corrections officers below the rank of major currently employed by the department of corrections, one of whom shall be selected by the certified bargaining agent and one of whom shall be from a statewide association of corrections officers having membership in excess of five hundred corrections officers. One member shall be the chair of the department of criminal justice, or a comparable program, at an institution of higher education in this state.

2. Of the original members of the commission three shall be appointed for terms of one year, three shall be appointed for terms of two years, and three shall be appointed for terms of three years. Thereafter the terms of the members of the commission shall be three years or until their successors are appointed.

3. The commission shall elect a chairman annually and shall meet at least twice annually as determined by the chairman. A majority of the members of the commission shall constitute a quorum.

4. No member of the commission shall receive any compensation for the performance of his or her official duties. Members may be reimbursed for expenses incurred in the course of such performance of his or her official duties.

5. The commission shall establish the core curriculum and shall also formulate definitions, rules and regulations for the administration of corrections officers standards and training programs.

6. From and after January 1, 2002, no person shall hold the position of corrections officer in the Missouri department of corrections unless that person has enrolled in and successfully completed an instructional program designed to familiarize such person with his or her duties as a corrections officer as established by the commission and certified pursuant to section 590.200, RSMo. Persons who hold the position of corrections officer prior to January 1, 2002, may attend such programs voluntarily for the purpose of career advancement or to satisfy requirements for promotion or merit pay established by the department of corrections."; and

Further amend said bill, Page 90, Section 578.610, Line 9, by inserting after all of said line the following:

"590.105. 1. A program of mandatory standards for the basic training and certification of peace officers and a program of optional standards for the basic training and certification of reserve officers in this state is hereby established. The peace officer standards and training commission shall establish the minimum number of hours of training and core curriculum. In no event, however, shall the commission require more than one thousand hours of such training for either peace or reserve officers employed by any state law enforcement agency, or more than six hundred hours of such training for other peace or reserve officers; provided, however, that the minimum hours of training shall be no lower than the following:

- (1) One hundred twenty hours as of August 28, 1993;**
- (2) Three hundred hours as of August 28, 1994; and**
- (3) Four hundred seventy hours as of August 28, 1996.**

The higher standards provided in this section for certification after August 28, 1993, shall not apply to any peace or reserve officer certified prior to August 28, 1993, or to deputies of any sheriff's department in any city not within a county requiring no more or less than one hundred twenty hours of training. Certified peace and reserve officers between January 1, 1992, and August 28, 1995, shall only meet the hours of training applicable to the year in which the officer was employed or appointed.

2. Beginning on August 28, 1996, peace officers shall be required to complete the four hundred fifty hours of training as peace officers and be certified to be eligible for employment. Park rangers appointed pursuant to section 64.335, RSMo, who do not carry firearms shall be exempt from the training requirements of this section.

3. Bailiffs who are not certified peace officers shall be required to complete a minimum of sixty hours of mandated training, except that any person who has served as a bailiff prior to January 1, 1995, shall not be required to complete the training requirements mandated by this subsection, provided such person's training or experience is deemed adequate by the peace officer standards and training commission in accordance with current standards.

4. Beginning on July 1, 2002, the Peace Officers Standards and Training Commission, with input from the department of corrections, shall establish a corrections officers certification program. After July 1, 2002, no person shall hold the position of corrections officer in the Missouri department of corrections unless that

person is certified subsequent to completion of an instructional program designed to familiarize such person with his or her duties as established by the commission. Persons who hold the position of corrections officer prior to July 1, 2002, may attend such programs voluntarily for the purpose of career advancement or to satisfy requirements for promotion or merit pay established by the department of corrections.

5. All political subdivisions within this state may adopt standards which are higher than the minimum standards implemented pursuant to sections 590.100 to 590.180, and such minimum standards shall in no way be deemed adequate in those cases in which higher standards have been adopted.

[5.] 6. Any federal officer who has the duty and power of arrest on any federal military installation in this state may, at the option of the federal military installation in which the officer is employed, participate in the training program required under the provisions of sections 590.100 to 590.180 and, upon satisfactory completion of such training program, shall be certified by the director in the same manner provided for peace officers, as defined in section 590.100, except that the duty and power of arrest of military officers for violation of the general criminal laws of the state or for violation of ordinances of counties or municipalities of the state shall extend only to the geographical boundaries within which the federal military installation is located. Any costs involved in the training of a federal officer shall be borne by the participating federal military installation.

[6.] 7. Notwithstanding any provision of this chapter to the contrary, any peace officer who is employed by a law enforcement agency located within a county of the third classification shall be required to have no more or less than one hundred twenty hours of training for certification if the respective city or county adopts an order or ordinance to that effect.

[7.] 8. The peace officers standards and training commission with input from the department of health and the division of family services shall provide a minimum of thirty hours of initial education to all prospective law enforcement officers, except for agents of the conservation commission, concerning domestic and family violence.

[8.] 9. The course of instruction and the objectives in learning and performance for the education of law enforcement officers required pursuant to subsection 6 of this section shall be developed and presented in consultation with public and private providers of programs for victims of domestic and family violence, persons who have demonstrated expertise in training and education concerning domestic and family violence, and the Missouri coalition against domestic violence. The peace officers standards and training commission shall consider the expertise and grant money of the national council of juvenile and family court judges, with their domestic and family violence project, as well as other federal funds and grant moneys available for training.

[9.] 10. The course of instruction shall include, but is not limited to:

(1) The investigation and management of cases involving domestic and family violence and writing of reports in such cases, including:

- (a) Physical abuse;
- (b) Sexual abuse;
- (c) Child fatalities;
- (d) Child neglect;
- (e) Interviewing children and alleged perpetrators;

(2) The nature, extent and causes of domestic and family violence;

(3) The safety of officers investigating incidents of domestic and family violence;

(4) The safety of the victims of domestic and family violence and other family and household members;

(5) The legal rights and remedies available to victims of domestic and family violence, including but not limited to rights and compensation of victims of crime, and enforcement of civil and criminal remedies;

(6) The services available to victims of domestic and family violence and their children;

(7) Sensitivity to cultural, racial and sexual issues and the effect of cultural, racial, and gender bias on the response of law enforcement officers and the enforcement of laws relating to domestic and family violence; and

(8) The provisions of applicable state statutes concerning domestic and family violence.

590.200. 1. Pursuant to section 217.105, RSMo, a corrections officers certification program shall be established by the corrections officers standards and training commission. Certification shall be based on rules and curriculum established by the corrections officers standards and training commission. Certification for corrections officers shall be approved or denied after a review of performance and test results as established by the commission pursuant to section 217.105, RSMo.

2. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

Speaker Pro Tem Abel resumed the Chair.

On motion of Representative Gratz, **House Substitute Amendment No. 1 for House Amendment No. 10** was adopted by the following vote:

AYES: 143

Ballard	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Van Zandt	Villa	Vogel
Wagner	Ward	Wiggins	Williams	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 006

Boykins	Hohulin	Johnson 61	Murphy	Troupe
Walton				

PRESENT: 001

Abel

ABSENT WITH LEAVE: 010

Baker	Foley	Ford	Green 73	Harlan
Long	Reid	Roark	Scheve	Willoughby

VACANCIES: 003

Representative Champion offered **House Amendment No. 11.**

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 and 572, Page 28, Section 407.308, Line 15, by deleting all of said section; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Scott offered **House Substitute Amendment No. 1 for House Amendment No. 11**.

Representative Britt raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 11** is not germane to the underlying amendment.

The Chair ruled the point of order well taken.

On motion of Representative Champion, **House Amendment No. 11** was adopted by the following vote:

AYES: 115

Abel	Barry 100	Bartelsmeyer	Bartle	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Coleman	Cooper
Copenhaver	Crowell	Crump	Cunningham	Curls
Davis	Enz	Fares	Farnen	Franklin
Fraser	Gambaro	Gaskill	George	Green 15
Green 73	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hunter	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	Koller
Lawson	Legan	Levin	Liese	Linton
Lowe	Marble	Marsh	May 149	Merideth
Miller	Monaco	Moore	Murphy	Naeger
Nordwald	O'Connor	Ostmann	Overschmidt	Phillips
Portwood	Ransdall	Rector	Reinhart	Relford
Reynolds	Ridgeway	Rizzo	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Townley	Treadway
Van Zandt	Villa	Vogel	Walton	Ward
Wiggins	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 025

Barnett	Barnitz	Bearden	Burcham	Clayton
Crawford	Dempsey	Froelker	Graham	Griesheimer
Hegeman	Henderson	Jetton	King	Luetkemeyer
Mayer	Mays 50	Myers	Richardson	Robirds
Ross	Schwab	Surface	Thompson	Troupe

PRESENT: 000

ABSENT WITH LEAVE: 020

Baker	Ballard	Dolan	Foley	Ford
Gratz	Harlan	Hosmer	Lograsso	Long
Luetkenhaus	McKenna	O'Toole	Purgason	Reid
Roark	Scheve	Wagner	Williams	Willoughby

VACANCIES: 003

Representative Monaco offered **House Amendment No. 12.**

House Amendment No. 12

AMEND House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 and 572, Page 52, Section 558.019, Line 18 of said page, by inserting after all of said section the following:

"559.100. 1. The circuit courts of this state shall have power, herein provided, to place on probation or to parole persons convicted of any offense over which they have jurisdiction, except as otherwise provided in sections 195.275 to 195.296, RSMo, section 558.018, RSMo, section 565.020, RSMo, section 571.015, RSMo, and section 559.115.

2. The circuit court shall have the power to revoke the probation or parole previously granted and commit the person to the department of corrections. The circuit court shall determine any conditions of probation or parole for the defendant that it deems necessary to ensure the successful completion of the probation or parole term, including the extension of any term of supervision for any person while on probation or parole. The circuit court may require that the defendant pay restitution for his crime. **Court-ordered restitution shall be paid by the defendant at all times while under court, state or county supervision, except during periods of incarceration, and such orders of restitution shall be enforced as provided in subdivision (18) of subsection 1 of section 595.209, RSMo.** The probation or parole may be revoked for failure to pay restitution or for failure to conform his behavior to the conditions imposed by the circuit court. The circuit court may, in its discretion, credit any period of probation or parole as time served on a sentence."; and

Further amend said bill, Page 90, Section 578.610, Line 9 of said page, by inserting after all of said section the following:

"595.209. 1. The following rights shall automatically be afforded to victims of dangerous felonies, as defined in section 556.061, RSMo, victims of murder in the first degree, as defined in section 565.020, RSMo, victims of voluntary manslaughter, as defined in section 565.023, RSMo, and victims of an attempt to commit one of the preceding crimes, as defined in section 564.011, RSMo; and, upon written request, the following rights shall be afforded to victims of all other crimes and witnesses of crimes:

(1) For victims, the right to be present at all criminal justice proceedings at which the defendant has such right, including juvenile proceedings where the offense would have been a felony if committed by an adult;

(2) For victims, the right to information about the crime, as provided for in subdivision (5) of this subsection;

(3) For victims and witnesses, to be informed, in a timely manner, by the prosecutor's office of the filing of charges, preliminary hearing dates, trial dates, continuances and the final disposition of the case. Final disposition information shall be provided within five days;

(4) For victims, the right to confer with and to be informed by the prosecutor regarding bail hearings, guilty pleas, pleas under chapter 552, RSMo, or its successors, hearings, sentencing and probation revocation hearings and the right to be heard at such hearings, including juvenile proceedings, unless in the determination of the court the interests of justice require otherwise;

(5) The right to be informed by local law enforcement agencies, the appropriate juvenile authorities or the custodial authority of the following:

(a) The status of any case concerning a crime against the victim, including juvenile offenses;

(b) The right to be informed by local law enforcement agencies or the appropriate juvenile authorities, of the availability of victim compensation assistance, assistance in obtaining documentation of the victim's losses, including, but not limited to and subject to existing law concerning protected information or closed records, access to copies of

complete, unaltered, unedited investigation reports of motor vehicle, pedestrian, and other similar accidents upon request to the appropriate law enforcement agency by the victim or the victim's representative, and emergency crisis intervention services available in the community;

(c) Any release of such person on bond or for any other reason;

(d) Within twenty-four hours, any escape by such person from a municipal detention facility, county jail, a correctional facility operated by the department of corrections, mental health facility, or the division of youth services or any agency thereof, and any subsequent recapture of such person;

(6) For victims, the right to be informed by appropriate juvenile authorities of probation revocation hearings initiated by the juvenile authority and the right to be heard at such hearings or to offer a written statement, video or audio tape in lieu of a personal appearance, the right to be informed by the board of probation and parole of probation revocation hearings initiated by the board and of parole hearings, the right to be present at each and every phase of parole hearings and the right to be heard at probation revocation and parole hearings or to offer a written statement, video or audio tape in lieu of a personal appearance, and the right to be informed by the custodial mental health facility or agency thereof of any hearings for the release of a person committed pursuant to the provisions of chapter 552, RSMo, the right to be present at such hearings, the right to be heard at such hearings or to offer a written statement, video or audio tape in lieu of personal appearance;

(7) For victims and witnesses, upon their written request, the right to be informed by the appropriate custodial authority, including any municipal detention facility, juvenile detention facility, county jail, correctional facility operated by the department of corrections, mental health facility, division of youth services or agency thereof if the offense would have been a felony if committed by an adult, postconviction or commitment pursuant to the provisions of chapter 552, RSMo, of the following:

(a) The projected date of such person's release from confinement;

(b) Any release of such person on bond;

(c) Any release of such person on furlough, work release, trial release, electronic monitoring program, or to a community correctional facility or program or release for any other reason, in advance of such release;

(d) Any scheduled parole or release hearings regarding such person and any changes in the scheduling of such hearings. No such hearing shall be conducted without thirty days' advance notice;

(e) Within twenty-four hours, any escape by such person from a municipal detention facility, county jail, a correctional facility operated by the department of corrections, mental health facility, or the division of youth services or any agency thereof, and any subsequent recapture of such person;

(f) Any decision by a parole board, juvenile releasing authority or circuit court presiding over releases pursuant to the provisions of chapter 552, RSMo, to release such person or any decision by the governor to commute the sentence of such person or pardon such person;

(g) Notification within thirty days of the death of such person;

(8) For witnesses who have been summoned by the prosecuting attorney and for victims, to be notified by the prosecuting attorney in a timely manner when a court proceeding will not go on as scheduled;

(9) For victims and witnesses, the right to reasonable protection from the defendant or any person acting on behalf of the defendant from harm and threats of harm arising out of their cooperation with law enforcement and prosecution efforts;

(10) For victims and witnesses, on charged cases or submitted cases where no charge decision has yet been made, to be informed by the prosecuting attorney of the status of the case and of the availability of victim compensation assistance and of financial assistance and emergency and crisis intervention services available within the community and information relative to applying for such assistance or services, and of any final decision by the prosecuting attorney not to file charges;

(11) For victims, to be informed by the prosecuting attorney of the right to restitution which shall be enforceable in the same manner as any other cause of action as otherwise provided by law;

(12) For victims and witnesses, to be informed by the court and the prosecuting attorney of procedures to be followed in order to apply for and receive any witness fee to which they are entitled;

(13) When a victim's property is no longer needed for evidentiary reasons or needs to be retained pending an appeal, the prosecuting attorney or any law enforcement agency having possession of the property shall, upon request of the victim, return such property to the victim within five working days unless the property is contraband or subject to forfeiture proceedings, or provide written explanation of the reason why such property shall not be returned;

(14) An employer may not discharge or discipline any witness, victim or member of a victim's immediate family for honoring a subpoena to testify in a criminal proceeding or for participating in the preparation of a criminal

proceeding;

(15) For victims, to be provided with creditor intercession services by the prosecuting attorney if the victim is unable, as a result of the crime, temporarily to meet financial obligations;

(16) For victims and witnesses, the right to speedy disposition of their cases, and for victims, the right to speedy appellate review of their cases, provided that nothing in this subdivision shall prevent the defendant from having sufficient time to prepare such defendant's defense. The attorney general shall provide victims, upon their written request, case status information throughout the appellate process of their cases. The provisions of this subdivision shall apply only to proceedings involving the particular case to which the person is a victim or witness;

(17) For victims and witnesses, to be provided by the court, a secure waiting area during court proceedings and to receive notification of the date, time and location of any hearing conducted by the court for reconsideration of any sentence imposed, modification of such sentence or recall and release of any defendant from incarceration;

(18) A court order of restitution shall have the same full force and effect as a civil judgment and may be enforced and subject to execution, levy or any other remedy available to enforce a civil judgment.

2. The provisions of subsection 1 of this section shall not be construed to imply any victim who is incarcerated by the department of corrections or any local law enforcement agency has a right to be released to attend any hearing or that the department of corrections or the local law enforcement agency has any duty to transport such incarcerated victim to any hearing.

3. Those persons entitled to notice of events pursuant to the provisions of subsection 1 of this section shall provide the appropriate person or agency with their current addresses and telephone numbers or the addresses or telephone numbers at which they wish notification to be given.

4. Notification by the appropriate person or agency by certified mail to the most current address provided by the victim shall constitute compliance with the victim notification requirement of this section.

5. Victims' rights as established in section 32 of article I of the Missouri Constitution or the laws of this state pertaining to the rights of victims of crime shall be granted and enforced regardless of the desires of a defendant and no privileges of confidentiality shall exist in favor of the defendant to exclude victims or prevent their full participation in each and every phase of parole hearings or probation revocation hearings. The rights of the victims granted in this section are absolute and the policy of this state is that the victim's rights are paramount to the defendant's rights. The victim has an absolute right to be present at any hearing in which the defendant is present before a probation and parole hearing officer."; and

Further amend said bill, by amending the title, enacting clause and intersectional references accordingly.

On motion of Representative Monaco, **House Amendment No. 12** was adopted.

Representative Clayton offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 and 572, Pages 17-19, Section 302.020, by deleting all of said section.

On motion of Representative Clayton, **House Amendment No. 13** was adopted.

Representative Kelly (36) offered **House Amendment No. 14**.

House Amendment No. 14

AMEND House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 and 572, Page 85, Section 574.085, Line 12, by inserting after the word "**property**" the following:

“575.155. 1. A person commits the crime of eluding a law enforcement official if such person:

(1) Operates a motor vehicle after receiving a clearly visible flashing or revolving light and an audible signal, such as a red light or a siren, from a law enforcement official driving a motor vehicle, directing the person to bring the motor vehicle to a stop where such law enforcement official has a reasonable suspicion that a law or local ordinance has been violated; and

(2) Purposely increases the speed of the motor vehicle or extinguishes the lights of the motor vehicle for the purpose of eluding such law enforcement official; or

(3) Purposely attempts in any other manner to elude the law enforcement official; or

(4) Does elude such law enforcement official.

2. Eluding a law enforcement official is a class A misdemeanor.

3. Nothing in this section shall be construed to bar civil suits for unlawful arrest.

4. As used in this section, "law enforcement official" means anyone defined as a peace officer in section 590.100, RSMo.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Wright offered **House Substitute Amendment No. 1 for House Amendment No. 14.**

Representative Clayton assumed the Chair.

House Substitute Amendment No. 1 for House Amendment No. 14 was withdrawn.

Representative Wright offered **House Substitute Amendment No. 1 for House Amendment No. 14.**

*House Substitute Amendment No. 1
for
House Amendment No. 14*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 and 572, Page 85, Section 574.085, Line 12, by inserting after the word “**property**” the following:

“575.155. 1. A person commits the crime of eluding a law enforcement official if such person:

(1) Operates a motor vehicle after receiving a clearly visible flashing or revolving light and an audible signal, such as a red light or a siren, from a law enforcement official driving a motor vehicle, directing the person to bring the motor vehicle to a stop where such law enforcement official has a reasonable suspicion that a law or local ordinance has been violated; and

(2) Purposely increases the speed of the motor vehicle or extinguishes the lights of the motor vehicle for the purpose of eluding such law enforcement official; or

(3) Purposely attempts in any other manner to elude the law enforcement official; or

(4) Does elude such law enforcement official.

2. Eluding a law enforcement official is a class D felony provided however the felony murder rule shall not apply to this felony.

3. Nothing in this section shall be construed to bar civil suits for unlawful arrest.

4. As used in this section, "law enforcement official" means anyone defined as a peace officer in section 590.100, RSMo.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Wright moved that **House Substitute Amendment No. 1 for House Amendment No. 14** be adopted.

Which motion was defeated.

On motion of Representative Kelly (36), **House Amendment No. 14** was adopted.

HCS HBs 835, 90, 707, 373, 641, 510, 516 & 572, with HS, as amended, pending, was laid over.

COMMITTEE REPORTS

Committee on Agriculture, Chairman Wiggins reporting:

Mr. Speaker: Your Committee on Agriculture, to which was referred **HB 307**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Criminal Law, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Criminal Law, to which was referred **SB 223**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Elections, Chairman Seigfreid reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **SB 148**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Ways and Means, Chairman Kennedy reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 663** and **HB 375**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Ways and Means, to which was referred **SCS SB 234**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 5 & 21**, entitled:

An act to repeal sections 513.605, 513.607, 513.647 and 513.653, RSMo 2000, relating to the criminal activity forfeiture act, and to enact in lieu thereof four new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 60**, entitled:

An act to repeal sections 208.151, 376.1209, 660.050, 660.058, 660.250, 660.260 and 660.300, RSMo 2000, relating to certain health care services, and to enact in lieu thereof ten new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SBs 214, 124, 209 & 322**, entitled:

An act to repeal sections 556.036, 566.093, 573.037, 589.400 and 589.417, RSMo 2000, relating to sex offenders, and to enact in lieu thereof six new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SBs 323 & 230**, entitled:

An act to repeal sections 67.1360, 67.1775 and 210.861, RSMo 2000, relating to the collection of sales tax revenue by certain political subdivisions, and to enact in lieu thereof twenty-six new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 372**, entitled:

An act to amend chapter 32, RSMo 2000, by adding thereto three new sections relating to assessment and collection procedures of the department of revenue.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 385**, entitled:

An act to repeal sections 326.011, 326.012, 326.021, 326.022, 326.040, 326.050, 326.055, 326.060, 326.100, 326.110, 326.120, 326.121, 326.125, 326.130, 326.131, 326.133, 326.134, 326.151, 326.160, 326.170, 326.180, 326.190, 326.200, 326.210 and 326.230, RSMo 2000, relating to accountants, and to enact in lieu thereof twenty-seven new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 462**, entitled:

An act to repeal sections 274.060 and 409.401, RSMo 2000, and to enact in lieu thereof two new sections relating to cooperative marketing associations.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, April 11, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-third Day, Monday, April 9, 2001, pages 1013 and 1014, roll call, by showing Representative Hampton voting "aye" rather than "absent with leave".

Pages 1018 and 1019, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, April 11, 2001. Hearing Room 7 upon morning adjournment.
To be considered - HB 1006, SB 606

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, April 11, 2001. Side gallery upon morning adjournment.
Executive Session.

CHILDREN, FAMILIES, AND HEALTH

Thursday, April 12, 2001, 8:00 am. Hearing Room 3.
Executive Session will follow.
To be considered - HB 892, HB 964

CIVIL AND ADMINISTRATIVE LAW

Wednesday, April 11, 2001. Hearing Room 1 upon morning adjournment.
To be considered - Executive Session - HB 898, Executive Session - HB 921,
Executive Session - SB 72, Executive Session - SB 87, Executive Session - SB 370

CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING

Wednesday, April 11, 2001. Side gallery upon noon adjournment.
Executive Session.
To be considered - SB 264, SB 274

EDUCATION - ELEMENTARY AND SECONDARY

Wednesday, April 11, 2001, 8:30 am. Hearing Room 3.
Executive Session may follow.
To be considered - HCR 23, SB 58, SB 201, SB 303, SB 321, SB 353, SB 543, SB 575

EDUCATION - HIGHER

Wednesday, April 11, 2001, 12:45 pm. Hearing Room 5.

Time of hearing will be upon adjournment if later than 12:45 pm.

Executive Session. AMENDED.

To be considered - SB 41, SB 284, SB 295

ENVIRONMENT AND ENERGY

Thursday, April 12, 2001, 8:30 am. Hearing Room 7.

To be considered - HB 923, Executive Session - HB 985, Executive Session - SB 149,

Executive Session - SB 374

LOCAL GOVERNMENT AND RELATED MATTERS

Thursday, April 12, 2001, 9:00 am. Hearing Room 1.

Executive Session.

To be considered - SB 191, SB 491

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, April 11, 2001, 8:00 am. Hearing Room 6.

Executive Session to follow. AMENDED.

To be considered - HB 969, HB 1020, HR 229, HR 922, HR 1008, SB 86, SB 441, SB 470

MISSOURI TOBACCO SETTLEMENT

Wednesday, April 11, 2001. Hearing Room 3 upon morning adjournment.

To be considered - HB 992, HB 1018

MUNICIPAL CORPORATIONS

Wednesday, April 11, 2001. Hearing Room 4 upon morning adjournment.

To be considered - SB 430

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, April 11, 2001, 8:00 am. Hearing Room 5.

To be considered - SB 207, SB 216, SB 357, SB 384, SB 393

RETIREMENT

Wednesday, April 11, 2001, 8:00 pm. Hearing Room 1.

Executive Session following hearing. AMENDED.

To be considered - HB 519, SB 316, SCR 27

SUBCOMMITTEE ON REDISTRICTING FOR CONGRESSIONAL DISTRICTS 1, 2, 3

Friday, April 13, 2001.

9:00 am, 2900 Arnold Tenbrook Rd., Arnold, MO.

2:00 pm, 2344 McKelvey, Maryland Heights, MO.

Public Hearing.

SUBCOMMITTEE ON REDISTRICTING FOR CONGRESSIONAL DISTRICTS 4,5,6,7,8,9
Thursday, April 12, 2001, 5:30 pm. Penn Valley Community College, Room 503.
Public hearing on Congressional Redistricting.

TRANSPORTATION

Wednesday, April 11, 2001. Hearing Room 6 upon morning adjournment.
Executive Session may follow.
To be considered - HB 959, HB 966, HB 1008, SB 406, SB 435, SB 436

UTILITIES REGULATION

Thursday, April 12, 2001, 8:15 am. Hearing Room 6.
Work Session and Executive Session to follow.
To be considered - SB 451

WAYS AND MEANS

Thursday, April 12, 2001, 9:45 am. Side gallery.
Executive Session.

HOUSE CALENDAR

FIFTY-FIFTH DAY, WEDNESDAY, APRIL 11, 2001

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 15 & 13 - Crawford

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 457, HA 2, as amended, tabled - Kreider
- 2 HCS HB 835, 90, 707, 373, 641, 510, 516 & 572, HS, as amended, pending - Britt
- 3 HB 286, HCA 1 & HCA 2 - Smith
- 4 HCS HB 280, 69, 497 & 689 - Hoppe
- 5 HB 527 - Luetkenhaus
- 6 HB 736 - Liese
- 7 HB 366 - Champion
- 8 HB 678 - Seigfreid
- 9 HB 436 - Merideth
- 10 HCS HB 472 - Burton
- 11 HCS HB 488 - Koller
- 12 HB 592, HCA 1 - Williams
- 13 HCS HB 660 - Hagan-Harrell
- 14 HB 555 - Foley
- 15 HCS HB 426 - O'Toole
- 16 HCS HB 831 - Carnahan
- 17 HCS HB 428 - Kelly (36)

- 18 HCS HB 593 - Riback Wilson (25)
- 19 HCS HB 170 - Froelker
- 20 HCS HB 239 - Smith
- 21 HB 715 - Foley
- 22 HCS HB 981 & 665 - Willoughby
- 23 HB 802 - Ransdall
- 24 HCS HB 374 - Fraser
- 25 HCS HB 780 - Scheve
- 26 HCS HB 853 & 258 - Crump
- 27 HCS HB 186 & 172 - Troupe
- 28 HCS HB 635 - Barry
- 29 HCS HB 868 - Merideth
- 30 HCS HB 253 - Ross
- 31 HCS HB 888, 942 & 943 - Scheve
- 32 HCS HB 293 - Kennedy
- 33 HB 809, HCA 1 - Carnahan
- 34 HCS HB 340, 303 & 316 - Graham
- 35 HB 640 - Johnson (90)
- 36 HCS HB 723 - Mays (50)
- 37 HCS HB 117 - Riback Wilson (25)
- 38 HCS HB 307 - Wiggins
- 39 HCS HB 663 & 375 - Kennedy

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HB 882 - Crump

HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 HCR 4, (3-26-01, pages 799 & 800) - Williams
- 2 HCR 10, (3-27-01, page 830) - Holand
- 3 HCR 12, (3-29-01, page 894) - Haywood
- 4 HCR 24, (3-29-01, pages 891 & 892) - Boucher
- 5 HCR 5, (3-29-01, pages 892 & 893) - Mays (50)
- 6 HCR 6, (3-29-01, page 890) - Myers
- 7 HCR 25, (4-5-01, pages 1006 & 1007) - Graham

HOUSE BILLS FOR THIRD READING - APPROPRIATIONS

- 1 HCS HB 13 - Bonner
- 2 HCS HB 18 - Green (73)
- 3 HCS HB 19 - Green (73)

HOUSE BILLS FOR THIRD READING

- 1 HB 915, E.C. - Graham
- 2 HS HB 891 - Smith

HOUSE BILL FOR THIRD READING - CONSENT - INFORMAL

HB 402 - Boucher

SENATE CONCURRENT RESOLUTION FOR SECOND READING

SCR 28

SENATE BILLS FOR SECOND READING

- 1 SCS SB 5 & 21
- 2 SCS SB 60
- 3 SS SCS SB 214, 124, 209 & 322
- 4 SS SCS SB 323 & 230
- 5 SS SCS SB 372
- 6 SB 385
- 7 SB 462

BILL IN CONFERENCE

SCS HCS HB 15 - Green (73)

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

FIFTY-FIFTH DAY, WEDNESDAY, APRIL 11, 2001

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God: we are told that if we seek we shall find, if we knock it will be opened to us. Help us to trust this truth of faith; and as a battery is recharged without a sound, so send Your Spirit and Your blessings into the hearts of the men and women of this House and their staff, that they may be enriched.

With a lightness of Spirit, renewed patience and inner peace, let them be ready for the challenges of this legislative day. To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Ronald London, Leslie Smith, Andrew Stout, Kathleen Haight, Antoine Miller, Laura Frasher, Ryan Hays, David Randolph, Zachary Tennant, Alex Brooke, Cody Jackson, Sarah Walton, D.J. Perkins, Erika Smith, B.J. Duvall, Morgan Cavender, Amanda Gilmore, Tony Mullen, Danny Culver, Brandon Kaut, James Ley, Stephen Batson, Stephen Klobe, Dianne Scott and Allison White.

The Journal of the fifty-fourth day was approved as corrected by the following vote:

AYES: 086

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Coleman	Copenhaver	Crump	Curls	Davis
Farnen	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Harlan
Haywood	Hickey	Hilgemann	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Kelly 27	Kennedy	Koller	Lawson	Liese
Lowe	Luetkenhaus	Marsh	Mays 50	McKenna
Merideth	Monaco	O'Connor	O'Toole	Overschmidt
Ransdall	Reynolds	Rizzo	Scheve	Seigfreid
Selby	Shelton	Shoemyer	Skaggs	Smith
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 065

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Froelker	Gaskill	Griesheimer
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Hunter	Jetton	Kelley 47	Kelly 144
King	Legan	Levin	Lograsso	Luetkemeyer
Marble	May 149	Mayer	Miller	Moore
Myers	Naeger	Nordwald	Phillips	Portwood
Purgason	Rector	Reinhart	Richardson	Ridgeway
Roark	Robirds	Ross	Schwab	Scott
Secrest	Shields	St. Onge	Vogel	Wright

PRESENT: 000

ABSENT WITH LEAVE: 009

Boykins	Holand	Kelly 36	Linton	Long
Murphy	Ostmann	Reid	Relford	

VACANCIES: 003

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1187 - Representative Koller
House Resolution No. 1188
through
House Resolution No. 1201 - Representative Levin
House Resolution No. 1202 - Representative Clayton
House Resolution No. 1203 - Representative Willoughby

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 28 was read the second time.

SECOND READING OF SENATE BILLS

SCS SBs 5 & 21, SCS SB 60, SS SCS SBs 214, 124, 209 & 322, SS SCS SBs 323 & 230, SS SCS SB 372, SB 385 and SB 462 were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HB 349**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

THIRD READING OF HOUSE BILLS

HB 915, relating to disability discrimination, was taken up by Representative Graham.

On motion of Representative Graham, **HB 915** was read the third time and passed by the following vote:

AYES: 153

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambara	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Lograsso
Long	Lowe	Luetkemeyer	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Treadway
Troupe	Villa	Vogel	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 002

Hohulin Townley

PRESENT: 000

ABSENT WITH LEAVE: 005

Dolan Linton Luetkenhaus Ostmann Van Zandt

VACANCIES: 003

Speaker Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 125

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Berkowitz	Berkstresser	Black
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Clayton
Coleman	Copenhaver	Crawford	Crump	Cunningham
Curls	Davis	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Harding
Harlan	Hartzler	Haywood	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Levin	Liese	Long	Lowe
Luetkemeyer	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	O'Connor
O'Toole	Overschmidt	Portwood	Ransdall	Reid
Relford	Reynolds	Ridgeway	Rizzo	Ross
Scheve	Schwab	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 027

Ballard	Bearden	Behnen	Boatright	Cierpiot
Cooper	Crowell	Dempsey	Froelker	Gaskill
Hanaway	Hegeman	Henderson	Hendrickson	Hohulin
Jetton	Kelly 144	Lograsso	Nordwald	Phillips
Purgason	Rector	Reinhart	Roark	Secrest
Townley	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 008

Legan	Linton	Luetkenhaus	Ostmann	Richardson
Robirds	Scott	Williams		

VACANCIES: 003

HS HB 891, relating to disclosure of health information, was taken up by Representative Smith.

On motion of Representative Smith, **HS HB 891** was read the third time and passed by the following vote:

AYES: 087

Abel	Barnitz	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Champion
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Haywood	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Johnson 61
Johnson 90	Jolly	Kelly 27	Kelly 36	Kennedy
Koller	Lawson	Liese	Lowe	Luetkenhaus
Mays 50	McKenna	Merideth	Monaco	O'Connor
O'Toole	Overschmidt	Ransdall	Relford	Reynolds
Rizzo	Scheve	Seigfreid	Selby	Shelton
Shoemyer	Skaggs	Smith	Thompson	Treadway
Troupe	Van Zandt	Villa	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 069

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Dolan	Enz
Fares	Froelker	Gaskill	Griesheimer	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Hunter	Jetton	Kelley 47	Kelly 144	King
Legan	Levin	Lograsso	Long	Luetkemeyer
Marsh	May 149	Mayer	Miller	Moore
Murphy	Myers	Naeger	Nordwald	Phillips
Portwood	Purgason	Rector	Reid	Reinhart
Richardson	Ridgeway	Roark	Robirds	Ross
Schwab	Scott	Secrest	Shields	St. Onge
Surface	Townley	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 004

Baker	Linton	Marble	Ostmann
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VACANCIES: 003

Speaker Kreider declared the bill passed.

ADOPTION AND THIRD READING OF HOUSE CONCURRENT RESOLUTION

HCR 4, relating to equal rights amendment, was taken up by Representative Williams.

Representative Williams moved that **HCR 4** be read the third time and passed.

Which motion was defeated by the following vote:

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AYES: 057

Abel	Baker	Bland	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Campbell
Carnahan	Clayton	Coleman	Copenhaver	Crump
Curls	Davis	Farnen	Foley	Franklin
Fraser	George	Graham	Green 73	Hagan-Harrell
Harding	Harlan	Haywood	Hickey	Hilgemann
Hollingsworth	Hosmer	Johnson 61	Johnson 90	Jolly
Kelly 27	Lawson	Lowe	Mays 50	Monaco
Relford	Rizzo	Scheve	Shelton	Skaggs
Smith	Thompson	Troupe	Van Zandt	Villa
Walton	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 094

Ballard	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boatright	Bonner	Burcham	Burton
Byrd	Champion	Cierpiot	Cooper	Crowell
Cunningham	Dempsey	Dolan	Enz	Froelker
Gambaro	Gaskill	Gratz	Green 15	Griesheimer
Hampton	Hanaway	Hartzler	Hegeman	Henderson
Hendrickson	Holand	Holt	Hoppe	Hunter
Jetton	Kelley 47	Kelly 144	Kelly 36	Kennedy
Koller	Legan	Levin	Liese	Lograsso
Long	Luetkemeyer	Luetkenhaus	Marsh	May 149
Mayer	McKenna	Merideth	Miller	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Reynolds
Richardson	Ridgeway	Roark	Robirds	Ross
Schwab	Scott	Secrest	Selby	Shields
Shoemyer	St. Onge	Surface	Townley	Treadway
Vogel	Wagner	Ward	Wright	

PRESENT: 001

Fares

ABSENT WITH LEAVE: 008

Crawford	Ford	Hohulin	King	Linton
Marble	Ostmann	Seigfreid		

VACANCIES: 003

Representative Williams requested a verification of the roll call on the Third Reading and Final Passage of **HCR 4**.

Speaker Pro Tem Abel assumed the Chair.

THIRD READING OF HOUSE BILLS - APPROPRIATIONS

HCS HB 13, relating to appropriations, was taken up by Representative Bonner.

On motion of Representative Bonner, **HCS HB 13** was read the third time and passed by the following vote:

AYES: 134

Abel	Baker	Ballard	Barnett	Barry 100
Bartle	Bearden	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burton
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crump
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Long	Lowe
Luetkemeyer	Luetkenhaus	Marsh	Mayer	Mays 50
McKenna	Miller	Monaco	Moore	Myers
Naeger	Nordwald	O'Connor	O'Toole	Overschmidt
Phillips	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Willoughby	Wilson 42	Wright	Mr. Speaker	

NOES: 020

Bartelsmeyer	Behnen	Burcham	Byrd	Crowell
Cunningham	Froelker	Hanaway	Hohulin	Hunter
Lograsso	Marble	May 149	Merideth	Murphy
Portwood	Richardson	Ridgeway	Roark	Williams

PRESENT: 000

ABSENT WITH LEAVE: 006

Barnitz	Harlan	Hickey	Linton	Ostmann
Wilson 25				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HCS HB 18, relating to appropriations, was taken up by Representative Green (73).

On motion of Representative Green (73), **HCS HB 18** was read the third time and passed by the following vote:

AYES: 143

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Overschmidt	Phillips	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Walton	Ward	Wiggins	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 008

Bartelsmeyer	Cunningham	Hanaway	Hohulin	Hunter
Marble	Portwood	Roark		

PRESENT: 000

ABSENT WITH LEAVE: 009

Byrd	Champion	Harlan	Hickey	Linton
Monaco	Ostmann	Wagner	Williams	

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HCS HB 19, relating to appropriations, was taken up by Representative Green (73).

On motion of Representative Green (73), **HCS HB 19** was read the third time and passed by the following vote:

AYES: 115

Abel	Ballard	Barnett	Barnitz	Barry 100
Behnen	Berkowitz	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Carnahan	Champion	Clayton
Coleman	Copenhaver	Crawford	Crowell	Crump
Curls	Davis	Dolan	Fares	Farnen
Foley	Franklin	Fraser	Gambaro	Gaskill
George	Graham	Green 15	Green 73	Hagan-Harrell
Hampton	Harding	Hartzler	Haywood	Hegeman
Hickey	Hilgemann	Hollingsworth	Holt	Hoppe
Hosmer	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Lograsso	Long	Lowe	Luetkenhaus	Marsh
Mayer	Mays 50	McKenna	Merideth	Miller
Moore	Myers	Naeger	O'Connor	O'Toole
Overschmidt	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Rizzo	Robirds	Ross
Scheve	Schwab	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Walton	Ward	Wiggins
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 033

Bartelsmeyer	Bartle	Bearden	Berkstresser	Boatright
Burcham	Byrd	Cierpiot	Cooper	Cunningham
Dempsey	Enz	Froelker	Griesheimer	Hanaway
Henderson	Hendrickson	Hohulin	Hunter	Kelly 144
Luetkemeyer	Marble	May 149	Murphy	Nordwald
Phillips	Portwood	Purgason	Rector	Ridgeway
Roark	Secrest	Surface		

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Black	Ford	Gratz	Harlan
Holand	Linton	Monaco	Ostmann	Scott
Wagner	Williams			

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

PERFECTION OF HOUSE BILL - INFORMAL

HB 882, relating to horse racing and pari-mutuel wagering, was taken up by Representative Crump.

Representative Crump offered **HS HB 882**.

Representative Ladd Baker offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Bill No. 882, Page 5, Section 3 13.500, Line 2, by adding after the word “**races**” the following:

“On any live racing days at such race meeting grounds”.

Representative Reynolds offered **House Substitute Amendment No. 1 for House Amendment No. 1.**

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Substitute for House Bill No. 882, Page 5, Section 3 13.500, Line 2, by inserting after the word “**races**,” the following:

“three days of simulcast for each day of live racing at such race meeting grounds,”.

Representative Reynolds moved that **House Substitute Amendment No. 1 for House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Ladd Baker moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 070

Baker	Ballard	Barnett	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Campbell	Champion	Cierpiot
Clayton	Cooper	Crawford	Crowell	Cunningham
Enz	Froelker	Griesheimer	Hampton	Hanaway
Harding	Hartzler	Hegeman	Hendrickson	Holand
Hosmer	Hunter	Jetton	Kelley 47	Kelly 144
Kelly 36	Lawson	Legan	Levin	Long
Luetkemeyer	Marble	Marsh	May 149	Mayer
Miller	Murphy	Myers	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Secrest	Shields	Shoemyer	Skaggs
St. Onge	Surface	Willoughby	Wilson 25	Wright

NOES: 080

Abel	Barnitz	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Britt
Brooks	Carnahan	Coleman	Copenhaver	Crump
Curls	Davis	Dempsey	Dolan	Fares
Farnen	Foley	Ford	Fraser	Gambaro
George	Graham	Gratz	Green 15	Green 73

Hagan-Harrell	Harlan	Haywood	Henderson	Hickey
Hilgemann	Hohulin	Hollingsworth	Holt	Johnson 61
Johnson 90	Jolly	Kelly 27	Kennedy	King
Koller	Liese	Lowe	Luetkenhaus	Mays 50
McKenna	Merideth	Monaco	Moore	Naeger
O'Connor	O'Toole	Overschmidt	Relford	Reynolds
Richardson	Rizzo	Scheve	Seigfreid	Selby
Shelton	Smith	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walton
Ward	Wiggins	Williams	Wilson 42	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 010

Bartelsmeyer	Bray 84	Franklin	Gaskill	Hoppe
Linton	Lograsso	Nordwald	Ostmann	Van Zandt

VACANCIES: 003

Representative Legan offered **House Amendment No. 2**.

Representative Crump raised a point of order that **House Amendment No. 2** goes beyond the scope of the house substitute.

The Chair ruled the point of order well taken.

Representative Shields offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Bill No. 882, Page 8, Section 313.530, Line 18, by deleting the words “**horse racing for education fund**” and replacing with “**Classroom Trust Fund**” and deleting the remainder of said section; and

Further amend said bill, Page 47, Line 13, by adding after said line one new section as follows:

“163.201 For fiscal year 2003 and each subsequent fiscal year, the “Classroom Trust Fund” which is hereby created in the state treasury, shall be distributed by the state board of education to each school district on a per eligible pupil basis. The moneys distributed pursuant to this section shall be exempt from salary compliance pursuant to section 165.016, RSMo. The moneys may be used by the district for:

- (1) school construction, renovation or leasing**
- (2) teacher recruitment, retention, salaries or professional development**
- (3) technology enhancements or textbooks or instructional materials; or**
- (4) school safety and violence prevention programs”;** and

Further amend said bill by amending the title and enacting clause accordingly.

HB 882, with House Amendment No. 2 and HS, pending, was laid over.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 351**, entitled:

An act to repeal sections 57.010, 488.5336, 590.100, 590.101, 590.105, 590.110, 590.112, 590.115, 590.117, 590.120, 590.121, 590.123, 590.125, 590.130, 590.131, 590.135, 590.150, 590.170, 590.175, 590.180 and 590.650, RSMo 2000, relating to selection and training of peace officers, and to enact in lieu thereof eighteen new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SBs 433 & 248**, entitled:

An act to repeal section 537.053, RSMo 2000, relating to consumption of intoxicating beverage as proximate cause of injury in tort actions, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 428**, entitled:

An act to repeal section 213.055, RSMo 2000, relating to unlawful employment practices, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

On motion of Representative Crump, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Abel.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Max McClorey, Jacob Hautly, Kyle Knoke, Johnny Matreci, Timmy Matreci and Jessica Castiaux.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1204	-	Representative Relford
House Resolution No. 1205	-	Representatives Bray and Fraser
House Resolution No. 1206	-	Representative Behnen
House Resolution No. 1207	-	Representative Riback Wilson (25)

House Resolution No. 1208
and
House Resolution No. 1209 - Representative Froelker
House Resolution No. 1210
through
House Resolution No. 1212 - Representative Byrd
House Resolution No. 1213 - Representative Graham
House Resolution No. 1214
and
House Resolution No. 1215 - Representatives Moore and Hartzler
House Resolution No. 1216 - Representative Smith
House Resolution No. 1217 - Representative Scott

ADOPTION AND THIRD READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 10, relating to students with disabilities, was taken up by Representative Holand.

Representative Holand offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Concurrent Resolution No. 10, Page 830 of the March 27, 2001 House Journal, fourth “whereas” clause, by striking the phrase “**at 40% of its cost**” and inserting in lieu thereof the following:

“at 40% of the average per pupil expenditures for Part B of IDEA”.

On motion of Representative Holand, **House Amendment No. 1** was adopted.

On motion of Representative Holand, **HCR 10, as amended**, was read the third time and passed by the following vote:

AYES: 155

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Long

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Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Ford	Gambaro	Linton	Lograsso	Scott
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VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HCR 24, relating to fuel prices, was taken up by Representative Boucher.

On motion of Representative Boucher, **HCR 24** was read the third time and passed by the following vote:

AYES: 156

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall

Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Ford	Harlan	Linton	Lograsso
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VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HCR 5, relating to the joint interim committee on telecommunications and energy, was taken up by Representative Mays (50).

Representative Mays (50) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Concurrent Resolution No. 5, Page 893 of the Journal of the House of Representatives for the Ninety-first General Assembly, First Regular Session, Line 18 of said page of the Journal, by deleting the word "**jointly**"; and

Further amend said resolution and page, Line 19 of said page of the Journal, by deleting the words "**and Co-Pro Tem**".

On motion of Representative Mays (50), **House Amendment No. 1** was adopted.

On motion of Representative Mays (50), **HCR 5, as amended**, was read the third time and passed by the following vote:

AYES: 140

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson

Hendrickson	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Levin
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Thompson
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 010

Boatright	Hohulin	Legan	Long	Mayer
Murphy	Purgason	Richardson	Surface	Townley

PRESENT: 000

ABSENT WITH LEAVE: 010

Baker	Bartelsmeyer	Dempsey	Ford	Gambaro
Hickey	Kennedy	Liese	Linton	Lograsso

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

PERFECTION OF HOUSE BILL - INFORMAL

HB 882, with House Amendment No. 2 and HS, pending, relating to horse racing and pari-mutuel wagering, was again taken up by Representative Crump.

Representative Kreider offered **House Substitute Amendment No. 1 for House Amendment No. 2**.

*House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Substitute for House Bill No. 882, Page 8, Section 3 13.530, Line 18, by deleting the words “**Horse Racing for Education Fund**” and inserting in lieu thereof the words “**school building revolving fund pursuant to 166.300, RSMo,**”; and

Further amend said bill, Page 8, Section 3 13.530, Line 23, by deleting the words “**horse racing for education fund**” and inserting in lieu thereof the words “**school building revolving fund**”.

On motion of Representative Kreider, **House Substitute Amendment No. 1 for House Amendment No. 2** was adopted by the following vote:

AYES: 085

Abel	Barnitz	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burton	Campbell	Carnahan
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Haywood	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Kelly 27	Kelly 36	Kennedy	Koller
Lawson	Liese	Lowe	Luetkenhaus	Marsh
Mays 50	McKenna	Merideth	Monaco	O'Connor
O'Toole	Overschmidt	Ransdall	Relford	Reynolds
Rizzo	Seigfreid	Selby	Shelton	Shoemyer
Smith	Thompson	Treadway	Troupe	Van Zandt
Villa	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 072

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Byrd	Champion	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Dolan	Enz
Fares	Froelker	Gaskill	Griesheimer	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Hunter	Jetton	Kelley 47	Kelly 144
King	Legan	Levin	Lograsso	Long
Luetkemeyer	Marble	May 149	Mayer	Miller
Moore	Myers	Naeger	Nordwald	Ostmann
Phillips	Portwood	Purgason	Rector	Reid
Reinhart	Richardson	Ridgeway	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Shields	Skaggs	St. Onge	Surface	Townley
Vogel	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 003

Baker	Linton	Murphy
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VACANCIES: 003

Representative Boucher offered **House Amendment No. 3**.

Representative Gambaro raised a point of order that **House Amendment No. 3** goes beyond the scope of the house substitute.

The Chair ruled the point of order well taken.

Representative Levin offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Bill No. 882, Page 47, Section 313.720, Line 13, by inserting after said line the following:

“Section B. Section A of this act is hereby submitted to the qualified voters of this state for approval or rejection at the next general election, pursuant to the laws and constitutional provisions of this state applicable to general elections and the submission of referendum measures by initiative petition, and it shall become effective when approved by a majority of the votes cast thereon at such election and not otherwise.”; and

Further amend the title, enacting clause and intersectional references accordingly.

Representative Levin moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote.

AYES: 056

Baker	Ballard	Barnett	Bartle	Bearden
Behnen	Berkstresser	Boatright	Boucher	Burcham
Burton	Champion	Cierpiot	Clayton	Cooper
Crowell	Cunningham	Dempsey	Froelker	Gaskill
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Holand	Hunter	Jetton	Kelley 47	Kelly 144
Kennedy	Legan	Levin	Luetkemeyer	Marble
Marsh	May 149	Mayer	Miller	Moore
Myers	Nordwald	Phillips	Portwood	Purgason
Rector	Reid	Reinhart	Ridgeway	Robirds
Schwab	Scott	Secrest	Skaggs	St. Onge
Wright				

NOES: 095

Abel	Barnitz	Barry 100	Berkowitz	Black
Bland	Bonner	Bowman	Boykins	Bray 84
Britt	Brooks	Byrd	Campbell	Carnahan
Coleman	Copenhaver	Crump	Curls	Davis
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Gambaro	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Harding	Haywood	Hickey
Hilgemann	Hohulin	Hollingsworth	Holt	Hoppe
Johnson 61	Johnson 90	Jolly	Kelly 27	Kelly 36
King	Koller	Lawson	Liese	Lowe
Luetkenhaus	Mays 50	McKenna	Merideth	Monaco
Murphy	O'Connor	O'Toole	Ostmann	Overschmidt
Ransdall	Relford	Reynolds	Richardson	Rizzo
Roark	Scheve	Seigfreid	Selby	Shelton
Shields	Shoemyer	Smith	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 009

Bartelsmeyer	Crawford	Harlan	Hosmer	Linton
Lograsso	Long	Naeger	Ross	

VACANCIES: 003

Representative Boatright offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Substitute for House Bill No. 882, Page 47, Section 313.720, Line 13, by inserting after all of said line the following:

“Section 1. A licensee as defined in section 313.500 shall pay to the Missouri horse racing commission an admission fee of two dollars for each person entering the race meeting grounds for every two hours each person is on the race meeting grounds. One dollar of such fee shall be deposited to the credit of the Missouri horse racing fund created pursuant to section 313.530, and one dollar of such fee shall not be considered state funds and shall be paid to the county in which the race meeting grounds are located.”; and

Further amend the title, enacting clause, and intersectional references accordingly.

Representative Smith assumed the Chair.

Representative Froelker offered **House Substitute Amendment No. 1 for House Amendment No. 4.**

*House Substitute Amendment No. 1
for
House Amendment No. 4*

AMEND House Substitute for House Bill No. 882, Page 33, Section 313.631, Line 15, by inserting after said line the following:

“Each licensee shall pay to the state treasurer an admission fee of two dollars for each person entering the race meeting ground with a ticket of admission. All revenue received by the state treasurer from the race meeting grounds admission fee shall be deposited in the state treasury to the credit of the “School Building Revolving Fund” pursuant to section 166.300. Moneys deposited into the “School Building Revolving Fund” shall be considered state funds pursuant to Article IV, Section 15 of the Missouri Constitution.”; and

Further amend the title, enacting clause and intersectional references accordingly.

Speaker Pro Tem Abel resumed the Chair.

On motion of Representative Froelker, **House Substitute Amendment No. 1 for House Amendment No. 4** was adopted by the following vote:

AYES: 140

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Boucher

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Bowman	Boykins	Bray 84	Britt	Burcham
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Enz	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Koller	Lawson
Legan	Levin	Liese	Long	Lowe
Luetkemeyer	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Myers	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 001

Byrd

ABSENT WITH LEAVE: 019

Bartelsmeyer	Bonner	Brooks	Dolan	Fares
Ford	Green 73	Harlan	Hoppe	Hosmer
Kennedy	King	Linton	Lograsso	Luetkenhaus
Murphy	Naeger	Seigfreid	Treadway	

VACANCIES: 003

Representative Boatright offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Substitute for House Bill No. 882, Page 47, Section 313.720, Line 13, by inserting after all of said section the following:

“Section 1. A tax is imposed on the adjusted gross receipts received from horse racing and pari-mutuel wagering authorized pursuant to sections 313.500 to 313.720 at the rate of ten percent for use in providing services necessary for the safety of the public visiting a race meeting grounds. The taxes imposed by this section shall be returned to the commission in accordance with the commission's rules and regulations who shall transfer such taxes to the director of revenue. All checks and drafts remitted for payment of these taxes and fees shall be made payable to the director of the department of revenue. The director of the department of revenue shall then transfer such taxes to the county in which the race meeting grounds are located. If the commission is not satisfied with the return or payment made by any licensee, it is hereby authorized and empowered to make an assessment of the amount due based upon any information within its possession or that shall come into its

possession. Any licensee against whom an assessment is made by the commission may petition for a reassessment. The request for reassessment shall be made within twenty days from the date the assessment was mailed or delivered to the licensee, whichever is earlier. Whereupon the commission shall give notice of a hearing for reassessment and fix the date upon which the hearing shall be held. The assessment shall become final if a request for reassessment is not received by the commission within the twenty days. Except as provided in this section, all functions incident to the administration, collection, enforcement, and operation of the tax imposed by sections 144.010 to 144.525, RSMo, shall be applicable to the taxes and fees imposed by this section.”; and

Further amend the title, enacting clause, and intersectional references accordingly.

Representative Boatright moved that **House Amendment No. 5** be adopted.

Which motion was defeated.

Representative Boucher offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for House Bill No. 882, Page 47, Section 313.720, Line 13, by inserting after all of said section the following:

“Section 1. A licensee as defined in section 313.800 RSMo 2000 is authorized to simulcast races and conduct pari-mutual wagering on the simulcast races under the supervision of the Missouri Horse Racing Commission. The Missouri Horse Racing Commission shall promulgate rules and regulations for the purpose of implementing this section.”; and

Further amend the title, enacting clause and intersectional references accordingly.

Representative Foley raised a point of order that **House Amendment No. 6** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Boucher moved that **House Amendment No. 6** be adopted.

Which motion was defeated.

Representative Marble offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Substitute for House Bill No. 882, Page 43, Section 313.655, Line 6, by adding after said line the following:

“However, no individual may place a wager unless they have reached the age of 21 years. No individual shall be allowed to lose more than \$500.00 per day.”.

Representative Marble moved that **House Amendment No. 7** be adopted.

Which motion was defeated.

Representative Purgason offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Substitute for House Bill No. 882, Page 46, Section 313.720, Line 20, by placing an opening bracket after the word “**receive**” and a closing bracket after the word “**provide**”.

Representative Purgason moved that **House Amendment No. 8** be adopted.

Which motion was defeated.

Representative Froelker offered **House Amendment No. 9**.

House Amendment No. 9 was withdrawn.

Representative Ballard offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Substitute for House Bill No. 882, Page 5, Section 313.510, Line 16, by removing the brackets from “**missouri gaming commission**”; and

Further amend by placing brackets around “**department of public safety**”.

Representative Ballard moved that **House Amendment No. 9** be adopted.

Which motion was defeated by the following vote:

AYES: 066

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Boucher
Burcham	Byrd	Campbell	Champion	Cierpiot
Cooper	Crawford	Crowell	Cunningham	Dempsey
Enz	Fraser	Froelker	Gaskill	Green 73
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Hunter	Jetton	Jolly	Kelley 47
Kelly 144	Kelly 27	Lawson	Legan	Levin
Luetkemeyer	Marble	May 149	Mayer	Miller
Moore	Myers	Phillips	Portwood	Purgason
Rector	Reid	Reinhart	Ridgeway	Roark
Robirds	Ross	Schwab	Scott	Secrest
Shields	St. Onge	Townley	Van Zandt	Vogel
Wright				

NOES: 082

Abel	Barnitz	Barry 100	Berkowitz	Bland
Bonner	Bowman	Boykins	Bray 84	Britt
Brooks	Burton	Carnahan	Clayton	Coleman
Copenhaver	Crump	Curls	Davis	Fares
Farnen	Foley	Ford	Franklin	Gambaro
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Harding	Harlan	Haywood
Hickey	Hilgemann	Hollingsworth	Holt	Johnson 90
Kelly 36	Kennedy	King	Koller	Liese
Long	Lowe	Luetkenhaus	Marsh	Mays 50
McKenna	Merideth	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Ransdall	Relford
Reynolds	Richardson	Rizzo	Seigfreid	Selby
Shelton	Shoemyer	Skaggs	Smith	Surface
Thompson	Troupe	Villa	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Dolan	Holand	Hoppe	Hosmer
Johnson 61	Linton	Lograsso	Monaco	Murphy
Scheve	Treadway			

VACANCIES: 003

Representative Froelker offered **House Amendment No. 10.**

House Amendment No. 10

AMEND House Substitute for House Bill No. 882, Page 10, Section 313.550, Line 9, by inserting after the word “**felony**” the following: “**and a class C felony for second and subsequent violations.**”.

On motion of Representative Froelker, **House Amendment No. 10** was adopted.

Representative Gaskill offered **House Amendment No. 11.**

House Amendment No. 11

AMEND House Substitute for House Bill No. 882, Page 46, Section 313.720, Line 14, by inserting after said line the following:

“**The program shall include a “Missouri Bred” event within two years of the first race held and such event will be held at least twice each calendar year.**”.

On motion of Representative Gaskill, **House Amendment No. 11** was adopted.

On motion of Representative Crump, **HS HB 882, as amended**, was adopted by the following vote:

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AYES: 069

Abel	Barnitz	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Britt
Carnahan	Coleman	Copenhaver	Crump	Curls
Davis	Dolan	Fares	Farnen	Foley
Ford	Franklin	Fraser	Gambaro	Gaskill
Graham	Green 15	Green 73	Griesheimer	Hagan-Harrell
Harlan	Haywood	Hilgemann	Hohulin	Holt
Johnson 90	Kennedy	King	Liese	Long
Lowe	Luetkenhaus	Mays 50	McKenna	Merideth
Monaco	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Ransdall	Reynolds	Richardson
Ridgeway	Selby	Shelton	Shoemyer	Thompson
Townley	Treadway	Villa	Vogel	Wagner
Ward	Williams	Wilson 42	Mr. Speaker	

NOES: 064

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Black	Boatright	Burcham	Burton
Campbell	Champion	Cierpiot	Cooper	Crawford
Cunningham	Enz	Froelker	Hampton	Hanaway
Harding	Hartzler	Hegeman	Hendrickson	Holand
Hunter	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Lawson	Legan	Levin	Lograsso
Luetkemeyer	Marble	Marsh	May 149	Mayer
Miller	Moore	Murphy	Myers	Phillips
Portwood	Purgason	Rector	Reid	Reinhart
Roark	Robirds	Ross	Schwab	Scott
Secrest	Shields	Skaggs	St. Onge	Surface
Walton	Willoughby	Wilson 25	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 027

Baker	Berkstresser	Bray 84	Brooks	Byrd
Clayton	Crowell	Dempsey	George	Gratz
Henderson	Hickey	Hollingsworth	Hoppe	Hosmer
Jetton	Johnson 61	Koller	Linton	Relford
Rizzo	Scheve	Seigfreid	Smith	Troupe
Van Zandt	Wiggins			

VACANCIES: 003

Representative Boatright requested verification of the roll call on the adoption of **HS HB 882, as amended.**

On motion of Representative Crump, **HS HB 882, as amended,** was ordered perfected and printed by the following vote:

AYES: 078

Abel	Barnitz	Barry 100	Berkowitz	Bland
Bonner	Bowman	Boykins	Britt	Brooks
Byrd	Carnahan	Coleman	Copenhaver	Crump
Curls	Davis	Dolan	Fares	Farnen
Foley	Ford	Franklin	Fraser	Gambara
Gaskill	George	Graham	Green 15	Green 73
Griesheimer	Hagan-Harrell	Harlan	Haywood	Henderson
Hilgemann	Hohulin	Hollingsworth	Holt	Johnson 61
Johnson 90	Kennedy	King	Koller	Liese
Long	Lowe	Luetkenhaus	Mays 50	McKenna
Merideth	Monaco	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Reynolds	Richardson
Ridgeway	Rizzo	Scheve	Selby	Shelton
Shoemyer	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Ward	Wiggins
Williams	Wilson 42	Mr. Speaker		

NOES: 073

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Black	Boatright	Boucher	Burcham
Burton	Campbell	Champion	Cierpiot	Clayton
Cooper	Crawford	Crowell	Cunningham	Dempsey
Enz	Froelker	Hampton	Hanaway	Harding
Hartzler	Hegeman	Hendrickson	Holand	Hoppe
Hosmer	Hunter	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Lawson	Legan	Levin
Lograsso	Luetkemeyer	Marble	Marsh	May 149
Mayer	Miller	Moore	Myers	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Roark	Robirds	Ross
Schwab	Scott	Secrest	Seigfreid	Shields
Skaggs	Smith	St. Onge	Surface	Walton
Willoughby	Wilson 25	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker	Berkstresser	Bray 84	Gratz	Hickey
Jetton	Linton	Murphy	Van Zandt	

VACANCIES: 003

Representative Purgason requested verification of the roll call on the perfection of **HS HB 882, as amended.**

RE-REFERRAL OF SENATE BILL

The following Senate Bill was re-referred to the Committee indicated:

SB 130 - Children, Families and Health

COMMITTEE REPORTS

Committee on Agriculture, Chairman Wiggins reporting:

Mr. Speaker: Your Committee on Agriculture, to which was referred **SRB 606**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Banks and Financial Institutions, Chairman Liese reporting:

Mr. Speaker: Your Committee on Banks and Financial Institutions, to which was referred **SB 179**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Banks and Financial Institutions, to which was referred **SCS SB 382**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Mr. Speaker: Your Committee on Banks and Financial Institutions, to which was referred **SB 538**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Committee on Civil and Administrative Law, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **HB 921**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Correctional and State Institutions, Chairman Gratz reporting:

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **SB 252**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **SB 301**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **SB 394**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **SB 431**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **SB 544**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **SB 553**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Education-Higher, Chairman Williams reporting:

Mr. Speaker: Your Committee on Education-Higher, to which was referred **SB 295**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Insurance, Chairman Luetkenhaus reporting:

Mr. Speaker: Your Committee on Insurance, to which was referred **SCS SB 151**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Mr. Speaker: Your Committee on Insurance, to which was referred **SB 227**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Mr. Speaker: Your Committee on Insurance, to which was referred **SCS SB 241**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Insurance, to which was referred **SB 521**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Mr. Speaker: Your Committee on Insurance, to which was referred **SB 605**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Miscellaneous Bills & Resolutions, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **SB 203**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Professional Registration and Licensing, Chairman Treadway reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SB 207**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SCS SB 357**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SCS SB 384**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Public Safety, Law Enforcement and Veteran Affairs, Chairman Boucher reporting:

Mr. Speaker: Your Committee on Public Safety, Law Enforcement and Veteran Affairs, to which was referred **SB 224**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Public Safety, Law Enforcement and Veteran Affairs, to which was referred **SCS SB 341**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Public Safety, Law Enforcement and Veteran Affairs, to which was referred **SB 443**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Transportation, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HJR 7**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Transportation, to which was referred **SB 406**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Transportation, to which was referred **SB 435**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Transportation, to which was referred **SB 436**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Urban Affairs, Chairman Curls reporting:

Mr. Speaker: Your Committee on Urban Affairs, to which was referred **SCS SB 383**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

ADJOURNMENT

On motion of Representative Foley, the House adjourned until 10:00 a.m., Thursday, April 12, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-fourth Day, Tuesday, April 10, 2001, pages 1035 and 1036, roll call, by showing Representative Jetton voting "aye" rather than "absent with leave".

Page 1055, roll call, by showing Representative Moore voting "aye" rather than "absent with leave".

Pages 1060 and 1061, roll call, by showing Representatives Hosmer and Liese voting "no" rather than "absent with leave".

Pages 1069 and 1070, roll call, by showing Representatives Dolan, Gratz and Purgason voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

BUDGET

Tuesday, April 17, 2001, 1:00 pm. Hearing Room 3.
Executive Session.
To be considered - HB 14

BUDGET

Tuesday, April 17, 2001, 7:30 pm. Hearing Room 3.
Executive Session.
To be considered - HB 14

CHILDREN, FAMILIES AND HEALTH

Thursday, April 12, 2001, 8:00 am. Hearing Room 3.
Executive Session will follow. AMENDED.
To be considered - HB 892, HB 964, SB 130

CORRECTIONAL & STATE INSTITUTIONS

Thursday, April 12, 2001, 9:50 am. Side gallery.
To be considered - Executive Session - SB 200

CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING

Thursday, April 12, 2001. Side gallery upon adjournment.
To be considered - Executive Session - HB 911, Executive Session - SB 264,
Executive Session - SB 274

ENVIRONMENT AND ENERGY

Thursday, April 12, 2001, 8:30 am. Hearing Room 7.
To be considered - HB 923, Executive Session - HB 985, Executive Session -SB 149,
Executive Session - SB 374

JUDICIARY

Thursday, April 12, 2001. Hearing Room 6 upon adjournment. AMENDED.

To be considered - SB 39, SB 267, Executive Session - SB 197, Executive Session - SB 270,
Executive Session - SB 304

LOCAL GOVERNMENT AND RELATED MATTERS

Thursday, April 12, 2001, 9:00 am. Hearing Room 1.

Executive Session.

To be considered - SB 191, SB 491

MISCELLANEOUS BILLS AND RESOLUTIONS

Thursday, April 12, 2001, 9:30 am. Side gallery.

Executive Session. CANCELLED.

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Thursday, April 12, 2001, 9:30 am. Side gallery. AMENDED.

To be considered - SB 540, Executive Session - SB 13,
Executive Session - SB 111, Executive Session - SB 142, Executive Session - SB 185,
Executive Session - SB 275, Executive Session - SB 400, Executive Session - SB 407,
Executive Session - SB 442, Executive Session - SB 520, Executive Session - SB 623

SUBCOMMITTEE ON REDISTRICTING FOR CONGRESSIONAL DISTRICTS 1, 2, 3

Friday, April 13, 2001, 9:00 am, 2900 Arnold Tenbrook Rd., Arnold, MO.

2:00 pm, 2344 McKelvey, Maryland Heights, MO.

Public Hearing.

SUBCOMMITTEE ON REDISTRICTING FOR CONGRESSIONAL DISTRICTS 4,5,6,7,8,9

Thursday, April 12, 2001, 5:30 pm. Penn Valley Community College, Room 503.

Public hearing on Congressional Redistricting.

URBAN AFFAIRS

Tuesday, April 17, 2001, 7:30 pm. Side gallery.

To be considered - SB 4, SB 76, SB 290, Executive Session - HB 963, Executive Session - HB 1011,
Executive Session - HJR 19

UTILITIES REGULATION

Thursday, April 12, 2001, 8:15 am. Hearing Room 6.

Work Session and Executive Session to follow.

To be considered - SB 451

WAYS AND MEANS

Thursday, April 12, 2001, 9:30 am. Side gallery.

Executive Session. AMENDED.

HOUSE CALENDAR

FIFTY-SIXTH DAY, THURSDAY, APRIL 12, 2001

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 15 & 13 - Crawford
- 2 HCS HJR 7 - Koller

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 457, HA 2, as amended, tabled - Kreider
- 2 HCS HB 835, 90, 707, 373, 641, 510, 516 & 572, HS, as amended, pending - Britt
- 3 HB 286, HCA 1 & HCA 2 - Smith
- 4 HCS HB 280, 69, 497 & 689 - Hoppe
- 5 HB 527 - Luetkenhaus
- 6 HB 736 - Liese
- 7 HB 366 - Champion
- 8 HB 678 - Seigfreid
- 9 HB 436 - Merideth
- 10 HCS HB 472 - Burton
- 11 HCS HB 488 - Koller
- 12 HB 592, HCA 1 - Williams
- 13 HCS HB 660 - Hagan-Harrell
- 14 HB 555 - Foley
- 15 HCS HB 426 - O'Toole
- 16 HCS HB 831 - Carnahan
- 17 HCS HB 428 - Kelly (36)
- 18 HCS HB 593 - Riback Wilson (25)
- 19 HCS HB 170 - Froelker
- 20 HCS HB 239 - Smith
- 21 HB 715 - Foley
- 22 HCS HB 981 & 665 - Willoughby
- 23 HB 802 - Ransdall
- 24 HCS HB 374 - Fraser
- 25 HCS HB 780 - Scheve
- 26 HCS HB 853 & 258 - Crump
- 27 HCS HB 186 & 172 - Troupe
- 28 HCS HB 635 - Barry
- 29 HCS HB 868 - Merideth
- 30 HCS HB 253 - Ross
- 31 HCS HB 888, 942 & 943 - Scheve
- 32 HCS HB 293 - Kennedy
- 33 HB 809, HCA 1 - Carnahan
- 34 HCS HB 340, 303 & 316 - Graham

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- 35 HB 640 - Johnson (90)
- 36 HCS HB 723 - Mays (50)
- 37 HCS HB 117 - Riback Wilson (25)
- 38 HCS HB 307 - Wiggins
- 39 HCS HB 663 & 375 - Kennedy
- 40 HCS HB 921 - Curls

HOUSE BILL FOR PERFECTION - INFORMAL

HCS HB 113 - Hickey

HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 HCR 12, (3-29-01, page 894) - Haywood
- 2 HCR 6, (3-29-01, page 890) - Myers
- 3 HCR 25, (4-5-01, pages 1006 & 1007) - Graham

HOUSE BILL FOR THIRD READING

HS HB 349 - Hosmer

HOUSE BILL FOR THIRD READING - CONSENT - INFORMAL

HB 402 - Boucher

SENATE BILLS FOR SECOND READING

- 1 SS SCS SB 351
- 2 SB 428
- 3 SS SCS SB 433 & 248

BILL IN CONFERENCE

SCS HCS HB 15 - Green (73)

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

FIFTY-SIXTH DAY, THURSDAY, APRIL 12, 2001

Speaker Pro Tem Abel in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God: We come before You in this moment of prayer. Protect us from the error of seeking Your guidance in our public life, while we close the door to You in our private living.

Help us all to be good men and women. And bless again the members of this House. Keep them willing to ask, before they make a decision, what Your love would have them do. And then, give them the courage so to act. We ask this in Your Holy Name. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Bryce Sullens, Megan Bickett, Frankie Morgan, Bridget Sandridge, Kristi Buchanan, Matthew Byrd, Priscilla Frazier, T.J. Penrod, Matt Ziemer, Shanice Lampkin, Bradley Hamm, Adam Nance, Dylan Hilliar, Emma Adams, Mary Grace Bruntrager, Susan Fontana, Katie Gallen, Kate Herbig, Audrey Kniffen, Alexandra Narez, Kelsey Newell, Emma Parisot, Meg Riley, Brittany Rohling, Katie Schmelzle, Danielle Trout, Courtney Underhill, Maggie Dewes, Deja Turner, Adam McDonald, Zach Hawkins, Samantha Tegan Trimble, Jordyn M. Musick, Chris Lim, Andrew Medlin, Peter Pham, Alex You, Matt Bond, Meaghan Dempsey, Abby Dempsey, Jack Dempsey, David Holland and Danielle Holland.

Speaker Kreider assumed the Chair.

The Journal of the fifty-fifth day was approved as corrected by the following vote:

AYES: 088

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Farnen	Foley	Ford	Franklin
Gambaro	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Harlan
Haywood	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Kelly 27	Kelly 36	Kennedy	Koller
Lawson	Liese	Lowe	Luetkenhaus	Mays 50
McKenna	Merideth	Monaco	O'Connor	O'Toole

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Overschmidt	Ransdall	Relford	Reynolds	Rizzo
Scheve	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 067

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Black	Boatright	Burcham	Burton
Byrd	Champion	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Dolan	Enz
Fares	Froelker	Gaskill	Griesheimer	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Hunter	Jetton	Kelley 47	Kelly 144	King
Legan	Levin	Linton	Lograsso	Long
Luetkemeyer	Marble	May 149	Mayer	Miller
Moore	Murphy	Myers	Naeger	Nordwald
Ostmann	Phillips	Portwood	Purgason	Rector
Reid	Reinhart	Richardson	Roark	Robirds
Ross	Schwab	Secrest	Shields	St. Onge
Vogel	Wright			

PRESENT: 001

Marsh

ABSENT WITH LEAVE: 004

Berkstresser	Fraser	Ridgeway	Scott
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VACANCIES: 003

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1218	-	Representative Troupe
House Resolution No. 1219	-	Representative Luetkemeyer
House Resolution No. 1220	-	Representative Boatright
House Resolution No. 1221		
through		
House Resolution No. 1239	-	Representative Bowman
House Resolution No. 1240	-	Representative Hagan-Harrell
House Resolution No. 1241	-	Representative Liese
House Resolution No. 1242	-	Representative Farnen
House Resolution No. 1243	-	Representative Naeger
House Resolution No. 1244	-	Representative Johnson (61)
House Resolution No. 1245	-	Representative Koller

SECOND READING OF SENATE BILLS

SS SCS SB 351, SB 428 and **SS SCS SBs 433 & 248** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HB 882**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

ADOPTION AND THIRD READING OF HOUSE CONCURRENT RESOLUTION

HCR 6, relating to the Missouri River, was taken up by Representative Myers.

Representative Myers offered **HS HCR 6**.

On motion of Representative Myers, **HS HCR 6** was adopted.

On motion of Representative Myers, **HS HCR 6** was read the third time and passed by the following vote:

AYES: 151

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Boucher	Bowman	Boykins	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Rizzo
Roark	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Bonner	Bray 84	Cierpiot	Harlan	Miller
O'Toole	Ridgeway	Robirds	Williams	

VACANCIES: 003

Speaker Kreider declared the bill passed.

PERFECTION OF HOUSE JOINT RESOLUTION

HCS HJR 7, relating to the highways and transportation commission, was taken up by Representative Koller.

Representative Koller moved that Rule 43 be suspended.

Representative Shields made a substitute motion that Rules 43 and 49(d) be suspended.

Representative Crump moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Haywood	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Kelly 27	Kelly 36	Kennedy	Koller
Lawson	Liese	Lowe	Luetkenhaus	Mays 50
McKenna	Merideth	Monaco	O'Connor	O'Toole
Overschmidt	Ransdall	Relford	Reynolds	Rizzo
Scheve	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Villa	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 072

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Froelker	Gaskill	Griesheimer

Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Hunter	Jetton	Kelley 47	Kelly 144
King	Legan	Levin	Linton	Lograsso
Long	Luetkemeyer	Marble	Marsh	May 149
Mayer	Miller	Moore	Murphy	Myers
Naeger	Nordwald	Ostmann	Phillips	Portwood
Purgason	Rector	Reid	Reinhart	Richardson
Roark	Robirds	Ross	Schwab	Scott
Secrest	Shields	St. Onge	Surface	Townley
Vogel	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 002

Holand Ridgeway

VACANCIES: 003

Representative Shields again moved that Rules 43 and 49(d) be suspended.

Which motion was defeated by the following vote:

AYES: 017

Britt	Clayton	Ford	Green 15	Hagan-Harrell
Harding	Hickey	Hoppe	McKenna	Merideth
O'Connor	Reynolds	Selby	Shoemyer	Wagner
Williams	Willoughby			

NOES: 135

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 73
Griesheimer	Hampton	Hanaway	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hilgemann	Hohulin
Hollingsworth	Holt	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Long	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	Miller
Moore	Murphy	Myers	Naeger	Nordwald
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Richardson	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Shelton	Shields	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe

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Van Zandt	Villa	Vogel	Walton	Ward
Wiggins	Wilson 25	Wilson 42	Wright	Mr. Speaker

PRESENT: 001

Baker

ABSENT WITH LEAVE: 007

Ballard	Harlan	Holand	Lowe	Monaco
Ridgeway	Seigfreid			

VACANCIES: 003

Representative Crump moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Haywood	Hickey	Hilgemann	Hollingsworth
Holt	Hosmer	Johnson 61	Johnson 90	Jolly
Kelly 27	Kelly 36	Kennedy	Koller	Lawson
Liese	Lowe	Luetkenhaus	Mays 50	McKenna
Merideth	Monaco	O'Connor	O'Toole	Overschmidt
Ransdall	Relford	Reynolds	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Thompson	Treadway	Troupe	Van Zandt
Villa	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 069

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cooper	Crawford
Crowell	Cunningham	Dempsey	Dolan	Enz
Fares	Froelker	Gaskill	Griesheimer	Hartzler
Hegeman	Henderson	Hendrickson	Hohulin	Holand
Hunter	Jetton	Kelley 47	Kelly 144	King
Legan	Levin	Linton	Lograsso	Luetkemeyer
Marble	Marsh	May 149	Mayer	Miller
Moore	Murphy	Myers	Naeger	Nordwald
Phillips	Portwood	Purgason	Rector	Reid
Reinhart	Richardson	Roark	Robirds	Ross
Schwab	Scott	Secrest	Shields	St. Onge
Surface	Townley	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 006

Cierpiot	Hanaway	Hoppe	Long	Ostmann
Ridgeway				

VACANCIES: 003

Representative Koller again moved that Rule 43 be suspended.

Which motion was adopted by the following vote:

AYES: 086

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Dolan	Farnen	Foley	Ford
Franklin	Fraser	Gambaro	George	Graham
Gratz	Green 15	Green 73	Hagan-Harrell	Hampton
Harding	Harlan	Haywood	Hickey	Hilgemann
Hollingsworth	Holt	Hoppe	Hosmer	Johnson 61
Johnson 90	Jolly	Kelly 27	Kelly 36	Kennedy
Koller	Lawson	Liese	Lowe	Luetkenhaus
Mays 50	McKenna	Monaco	O'Connor	O'Toole
Overschmidt	Ransdall	Relford	Reynolds	Rizzo
Scheve	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Villa	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 072

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cooper	Crawford
Crowell	Cunningham	Dempsey	Enz	Fares
Froelker	Gaskill	Griesheimer	Hanaway	Hartzler
Hegeman	Henderson	Hendrickson	Hohulin	Holand
Hunter	Jetton	Kelley 47	Kelly 144	King
Legan	Levin	Linton	Lograsso	Long
Luetkemeyer	Marble	Marsh	May 149	Mayer
Merideth	Miller	Moore	Murphy	Myers
Naeger	Nordwald	Ostmann	Phillips	Portwood
Purgason	Rector	Reid	Reinhart	Richardson
Roark	Robirds	Ross	Schwab	Scott
Secrest	Shields	St. Onge	Surface	Townley
Vogel	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 002

Cierpiot	Ridgeway
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VACANCIES: 003

Representative Koller offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Committee Substitute for House Joint Resolution No. 7, Page 1, Section 29, Lines 5 and 6, by deleting all of said lines and inserting in lieu thereof the following:

“and consent of the senate, shall consist of one member from each of the state’s congressional districts appointed to six-year terms. The commissioner of the”; and

Further amend said joint resolution, Page 2, Section 29, Lines 18 and 19, by deleting all of said lines and inserting in lieu thereof the following:

“[highways and] transportation commission shall be fixed by law, and not more than [one-half] a majority of one of its members shall be of the same political party, excluding ex officio members of the”.

Representative Reid raised a point of order that the provisions of **HCS HJR 7** go beyond the scope of the title.

The Chair ruled the point of order not well taken and not timely.

Representative Black offered **House Substitute Amendment No. 1 for House Amendment No. 1.**

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Committee Substitute for House Joint Resolution No. 7, Pages 1 and 2, Section 29, Lines 4 to 9, by deleting all of said lines and inserting in lieu thereof the following:

"2. A transportation commission appointed by the governor, by and with the advice and consent of the senate, shall consist of six members appointed to six-year terms, except that of the initial appointments, two members shall be appointed, with two additional members appointed two years following the initial appointments, and two additional members appointed four years from the date of the initial appointments. The leadership of each political party of the house of representatives and senate shall each supply three candidates to the governor for selection as members of the commission. The governor shall select one candidate from each party. The candidates shall be appointed on or before June thirtieth in odd numbered years. In the event of a vacancy on the commission, the political party of the vacating member shall submit three candidates for selection as a member to the commission to the governor within thirty days of the vacancy. The governor shall have fifteen days to select a new member of the commission. The new member of the commission shall serve only the remainder of the unexpired six-year term of the vacating member."; and

Further amend said resolution, Page 2, Section 29, Lines 18 and 19, by deleting all of said lines and inserting in lieu thereof the following:

"[highways and] transportation commission shall be fixed by law, and not more than one-half of its members shall be of the same political party, excluding ex officio members of the"; and

Further amend said title, enacting clause and intersectional references accordingly.

Speaker Pro Tem Abel resumed the Chair.

Representative Legan offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1.**

*House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Substitute Amendment No. 1 for House Amendment No. 1 to House Committee Substitute for House Joint Resolution No. 7, Page 1, Subsection 2, Line 8, by adding after the word “**each**” the following: “**of the two major**”.

On motion of Representative Legan, **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1** was adopted.

Representative Crump moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Farnen	Foley	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Harlan
Haywood	Hickey	Hilgemann	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Kelly 27	Kelly 36	Kennedy	Koller	Lawson
Liese	Lowe	Luetkenhaus	Mays 50	McKenna
Merideth	Monaco	O'Connor	O'Toole	Overschmidt
Ransdall	Relford	Reynolds	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Thompson	Treadway	Troupe	Van Zandt
Villa	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 070

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Froelker	Gaskill	Griesheimer
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Hunter	Jetton	Kelley 47
Kelly 144	King	Levin	Lograsso	Long
Luetkemeyer	Marble	Marsh	May 149	Mayer
Miller	Moore	Murphy	Myers	Naeger
Nordwald	Ostmann	Phillips	Portwood	Purgason

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Rector	Reid	Reinhart	Richardson	Roark
Robirds	Ross	Schwab	Scott	Secrest
Shields	St. Onge	Townley	Vogel	Wright

PRESENT: 000

ABSENT WITH LEAVE: 005

Ford	Legan	Linton	Ridgeway	Surface
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VACANCIES: 003

Representative Black moved that **House Substitute Amendment No. 1 for House Amendment No. 1, as amended**, be adopted.

Which motion was defeated by the following vote.

AYES: 061

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Gaskill	Hanaway	Hartzler
Hegeman	Henderson	Hendrickson	Hohulin	Holand
Hunter	Jetton	Kelley 47	Kelly 144	King
Legan	Levin	Lograsso	Long	Luetkemeyer
Marble	Mayer	Miller	Moore	Myers
Naeger	Nordwald	Phillips	Portwood	Purgason
Rector	Reinhart	Richardson	Roark	Robirds
Schwab	Scott	Secrest	Shields	Townley
Vogel				

NOES: 091

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Harding	Harlan	Haywood	Hickey	Hilgemann
Hollingsworth	Holt	Hoppe	Johnson 61	Johnson 90
Jolly	Kelly 27	Kelly 36	Kennedy	Koller
Lawson	Liese	Lowe	Luetkenhaus	Marsh
May 149	Mays 50	McKenna	Merideth	Monaco
Murphy	O'Connor	O'Toole	Ostmann	Overschmidt
Ransdall	Reid	Relford	Reynolds	Rizzo
Ross	Scheve	Seigfreid	Selby	Shelton
Shoemyer	Skaggs	Smith	St. Onge	Thompson
Villa	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 008

Froelker	Hosmer	Linton	Ridgeway	Surface
Treadway	Troupe	Van Zandt		

VACANCIES: 003

Representative Wright offered **House Substitute Amendment No. 2 for House Amendment No. 1.**

*House Substitute Amendment No. 2
for
House Amendment No. 1*

AMEND House Committee Substitute for House Joint Resolution No. 7, Page 1, Section 29, Line 6, by inserting after the word “**districts**” on Line 6 the following:

“and being a member of the party of the congressional district’s congress person. The congress person’s party shall submit two names to the governor, one of which shall be appointed by the governor.”.

Representative Ransdall offered **House Amendment No. 1 to House Substitute Amendment No. 2 for House Amendment No. 1.**

*House Amendment No. 1
to
House Substitute Amendment No. 2
for
House Amendment No. 1*

AMEND House Substitute Amendment No. 2 for House Amendment No. 1 to House Committee Substitute for House Joint Resolution No. 7, Page 1, Section 29, Line 3, by adding at the end of said line the word “**different**”.

On motion of Representative Ransdall, **House Amendment No. 1 to House Substitute Amendment No. 2 for House Amendment No. 1** was adopted.

Representative Crawford offered **House Amendment No. 2 to House Substitute Amendment No. 2 for House Amendment No. 1.**

*House Amendment No. 2
to
House Substitute Amendment No. 2
for
House Amendment No. 1*

AMEND House Substitute Amendment No. 2 for House Amendment No. 1 to House Committee Substitute for House Joint Resolution No. 7, Page 1, by adding at the end of said amendment the following:

“The governor shall appoint an additional member of the commission at large.”.

Representative Crawford moved that **House Amendment No. 2 to House Substitute Amendment No. 2 for House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Wright moved that **House Substitute Amendment No. 2 for House Amendment No. 1, as amended**, be adopted.

Which motion was defeated.

On motion of Representative Koller, **House Amendment No. 1** was adopted.

Representative Reid offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Joint Resolution No. 7, Page 6, Section 30(b), Line 54, by inserting after the word "**motortricycles**" the following:

", excluding the sales tax levied and disbursed pursuant to sections 43 (a), (b) and (c), and sections 47 (a), (b) and (c) of this article,"; and

Further amend said bill, Page 6, Section 30(b), Line 60, by inserting after the word "**motortricycles**" the following: "**other than the taxes enumerated in subsection 2 of this section**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Reid moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Bearden offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Joint Resolution No. 7, Page 6, Section 30(e), Line 6, by inserting after "**state highway system.**" the following:

"The commission shall not fix and collect tolls on the existing state highway system without approval by the legislature."

Representative Bearden moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Levin offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Joint Resolution No. 7, Page 2, Section 29, Line 12, by inserting after the word "**basis.**" the following: "**approval of the program shall be by at least 6 of the commissioners**".

Representative Seigfreid offered **House Substitute Amendment No. 1 for House Amendment No. 4.**

*House Substitute Amendment No. 1
for
House Amendment No. 4*

AMEND House Committee Substitute for House Joint Resolution No. 7, Page 2, Section 29, Lines 10-11, by deleting the following words: “, **for its approval or rejection,**”; and

Further amend said resolution, Page 2, Section 29, Line 12, by inserting after the period “.” on said line the following: “**The program shall stand as approved by the commission unless rejected by a vote of at least two-thirds of the members of the commission.**”.

On motion of Representative Seigfreid, **House Substitute Amendment No. 1 for House Amendment No. 4** was adopted.

Representative Bray offered **House Amendment No. 5.**

House Amendment No. 5 was withdrawn.

Representative Crowell requested a division of the question on **HCS HJR 7.**

The division of the question was denied by the Chair.

Representative Crump moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Haywood	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Kelly 27	Kelly 36	Kennedy	Koller
Lawson	Liese	Lowe	Luetkenhaus	Mays 50
McKenna	Merideth	Monaco	O'Connor	O'Toole
Overschmidt	Ransdall	Relford	Reynolds	Rizzo
Scheve	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Villa	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

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NOES: 068

Ballard	Barnett	Bartle	Bearden	Behnen
Berkstresser	Black	Boatright	Burcham	Burton
Byrd	Champion	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Dolan	Enz
Fares	Froelker	Gaskill	Griesheimer	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Hunter	Jetton	Kelley 47	Kelly 144	King
Legan	Levin	Lograsso	Luetkemeyer	Marble
Marsh	May 149	Mayer	Miller	Moore
Murphy	Myers	Naeger	Nordwald	Ostmann
Phillips	Portwood	Purgason	Rector	Reid
Reinhart	Richardson	Roark	Robirds	Ross
Schwab	Scott	Secrest	Shields	St. Onge
Townley	Vogel	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 006

Bartelsmeyer	Holand	Linton	Long	Ridgeway
Surface				

VACANCIES: 003

On motion of Representative Koller, **HCS HJR 7, as amended**, was adopted.

Representative Crump moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Abel	Barnitz	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Coleman	Copenhaver	Crump	Curls	Davis
Farnen	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Harlan
Haywood	Hickey	Hilgemann	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Kelly 27	Kelly 36	Kennedy	Koller	Lawson
Liese	Lowe	Luetkenhaus	Mays 50	McKenna
Merideth	Monaco	O'Connor	O'Toole	Overschmidt
Ransdall	Relford	Reynolds	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Thompson	Treadway	Troupe	Van Zandt
Villa	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 070

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper

Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Froelker	Gaskill	Griesheimer
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Hunter	Jetton	Kelley 47
Kelly 144	King	Legan	Levin	Long
Luetkemeyer	Marble	Marsh	May 149	Mayer
Miller	Moore	Murphy	Myers	Naeger
Nordwald	Ostmann	Phillips	Portwood	Purgason
Rector	Reid	Reinhart	Richardson	Roark
Robirds	Ross	Schwab	Scott	Secrest
Shields	St. Onge	Townley	Vogel	Wright

PRESENT: 000

ABSENT WITH LEAVE: 005

Baker	Linton	Lograsso	Ridgeway	Surface
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VACANCIES: 003

On motion of Representative Koller, **HCS HJR 7, as amended**, was ordered perfected and printed by the following vote:

AYES: 119

Abel	Baker	Barnett	Barnitz	Barry 100
Bearden	Behnen	Berkowitz	Black	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Campbell	Carnahan
Cierpiot	Clayton	Coleman	Copenhaver	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambara	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Kelly 27	Kelly 36
Kennedy	Koller	Lawson	Levin	Liese
Long	Lowe	Luetkenhaus	Marsh	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Portwood	Ransdall	Reinhart
Relford	Reynolds	Rizzo	Scheve	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Thompson
Treadway	Troupe	Van Zandt	Villa	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 035

Ballard	Bartelsmeyer	Bartle	Berkstresser	Boatright
Burton	Byrd	Champion	Crawford	Enz
Gaskill	Henderson	Hendrickson	Hohulin	Hunter
Jetton	Kelley 47	Kelly 144	King	Legan

Lograsso	Luetkemeyer	Marble	May 149	Myers
Phillips	Purgason	Rector	Reid	Richardson
Roark	Robirds	Ross	Schwab	Townley

PRESENT: 000

ABSENT WITH LEAVE: 006

Cooper	Linton	Nordwald	Ridgeway	Surface
Vogel				

VACANCIES: 003

Representative Koller requested a verification of the roll call on the perfection of **HCS HJR 7, as amended**.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 349 - Fiscal Review and Government Reform (Fiscal Note)

RE-REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was re-referred to the Committee indicated:

SCR 25 - Children, Families and Health

COMMITTEE REPORTS

Committee on Children, Families and Health, Chairman Barry reporting:

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **SB 110**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **SB 130**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **SB 348**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **SCS SB 514**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Civil and Administrative Law, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **SB 87**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Commerce and Economic Development, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce and Economic Development, to which was referred **SCS SB 617**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Committee on Correctional and State Institutions, Chairman Gratz reporting:

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **SB 200**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **SCS SB 568**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Committee on Critical Issues, Consumer Protection and Housing, Chairman Harlan reporting:

Mr. Speaker: Your Committee on Critical Issues, Consumer Protection and Housing, to which was referred **SB 274**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Committee on Education-Elementary and Secondary, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **SB 58**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **SB 201**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **SB 303**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **SB 321**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **SB 353**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Amendment No. 1**.

House Committee Amendment No. 1

AMEND Senate Bill No. 353, Page 6, Section 163.011, Line 166, by placing an opening bracket “[“ immediately in front of the word “**except**”; and

Further amend said bill, Page 6, Section 163.011, Line 177, by placing a closing bracket “]” immediately after the word “**entitlement**”;

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **SB 543**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **SB 575**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Judiciary, Chairman Monaco reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SCS SB 197**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SCS SB 270**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 304**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Committee on Local Government and Related Matters, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SCS SB 178**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SB 191**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SB 345**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SCS SB 352**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SCS SB 515**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SB 556**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SCS SB 591**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SB 610**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SCS SB 619**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Committee on Miscellaneous Bills & Resolutions, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **SB 441**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Committee on Motor Vehicle and Traffic Regulations, Chairman O'Connor reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **SCS SB 13**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **SB 111**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **SB 142**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **SCS SB 407**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **SB 442**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **SCS SB 520**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **SB 540**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Retirement, Chairman Hagan-Harrell reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **SB 316**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Utilities Regulation, Chairman Mays (50) reporting:

Mr. Speaker: Your Committee on Utilities Regulation, to which was referred **SB 451**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Ways and Means, Chairman Kennedy reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **SB 307**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 15

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 15, begs leave to report that we, after open, free and fair discussion of the differences between the Senate and the House, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for House Bill No. 15;
2. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 15; and
3. That the attached Conference Committee Substitute for House Bill No. 15 be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Timothy P. Green
/s/ Yvonne Wilson
/s/ Chuck Graham
/s/ Ken Legan
/s/ Charlie Shields

FOR THE SENATE:

/s/ John Russell
/s/ Larry Rohrbach
/s/ Morris Westfall
/s/ Wayne Goode
/s/ Harry Wiggins

The following member's presence was noticed: Ridgeway

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 3:00 p.m., Tuesday, April 17, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-fifth Day, Wednesday, April 11, 2001, page 1106, line 23, by deleting "**SB 301**" and inserting in lieu thereof "**SCS SB 301**".

Page 1106, line 27, by deleting "**SB 431**" and inserting in lieu thereof "**SCS SB 431**".

Page 1083, roll call, by showing Representative Dolan voting "aye" rather than "absent with leave".

Pages 1083 and 1084, roll call, by showing Representative Robirds voting "aye" rather than "absent with leave".

Page 1088, roll call, by showing Representative Champion voting "aye" rather than "absent with leave".

Pages 1088 and 1089, roll call, by showing Representative Gratz voting "aye" rather than "absent with leave".

Pages 1090 and 1091, roll call, by showing Representative Bartelsmeyer voting "aye" rather than "absent with leave".

Pages 1095 and 1096, roll call, by showing Representatives Dempsey and Liese voting "aye" rather than "absent with leave".

Pages 1098 and 1099, roll call, by showing Representatives Bartelsmeyer, Crawford, Naeger and Ross voting "aye" rather than "absent with leave".

Pages 1098 and 1099, roll call, by showing Representative Hosmer voting "no" rather than "absent with leave".

Pages 1099 and 1100, roll call, by showing Representatives Bartelsmeyer, Bonner, Fares, Hosmer and Naeger voting "aye" rather than "absent with leave".

Pages 1099 and 1100, roll call, by showing Representative Dolan voting "no" rather than "absent with leave".

Pages 1103 and 1104, roll call, by showing Representative Johnson (61) voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

BUDGET

Tuesday, April 17, 2001, 1:00 pm. Hearing Room 3.
Executive Session. CANCELLED.
To be considered - HB 14

BUDGET

Tuesday, April 17, 2001, 7:30 pm. Hearing Room 3.
Executive Session.
To be considered - HB 14

COMMERCE AND ECONOMIC DEVELOPMENT

Tuesday, April 17, 2001, 1:30 pm. Hearing Room 6.
To be considered - SB 317, SB 392

EDUCATION - HIGHER

Wednesday, April 18, 2001, 12:30 pm. Hearing Room 5.
Committee will meet at 12:30 pm or upon noon adjournment - whichever is later.
To be considered - Executive Session - SB 284

FISCAL REVIEW AND GOVERNMENT REFORM

Wednesday, April 18, 2001, 8:30 am. Hearing Room 5.
HS HB 349 (Fiscal Note).
To be considered - HB 787, SB 50, SCR 22

INSURANCE

Tuesday, April 17, 2001, 6:00 pm. Hearing Room 5.
Committee will meet upon evening adjournment or 6:00 pm.
Executive Session to follow.
To be considered - HB 497, HB 968, SB 193, SB 344, SB 535, SB 605

LABOR

Tuesday, April 17, 2001, 2:00 pm. Hearing Room 5.
To be considered - SB 381, SB 500

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, April 18, 2001, 8:45 am. Hearing Room 6.

Executive Session.

To be considered - SCR 14, SJR 9

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Tuesday, April 17, 2001, 2:00 pm. Hearing Room 3.

Executive Session will follow.

To be considered - SB 339

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, April 17, 2001, 8:00 pm. Hearing Room 6.

To be considered - HB 931, SB 48, Executive Session - SB 236, Executive Session - SB 449

SUBCOMMITTEE ON HIGHER EDUCATION

Wednesday, April 18, 2001, 9:00 am. Side gallery.

Purpose--Course Credit for American Sign Language.

URBAN AFFAIRS

Tuesday, April 17, 2001. Hearing Room 1 upon adjournment. CORRECTED.

To be considered - SB 4, SB 76, SB 290, Executive Session - HB 963, Executive Session - HB 1011,
Executive Session - HJR 19

HOUSE CALENDAR

FIFTY-SEVENTH DAY, TUESDAY, APRIL 17, 2001

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 15 & 13 - Crawford

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 457, HA 2, as amended, tabled - Kreider
- 2 HCS HB 835, 90, 707, 373, 641, 510, 516 & 572, HS, as amended, pending - Britt
- 3 HB 286, HCA 1 & HCA 2 - Smith
- 4 HCS HB 280, 69, 497 & 689 - Hoppe
- 5 HB 527 - Luetkenhaus
- 6 HB 736 - Liese
- 7 HB 366 - Champion
- 8 HB 678 - Seigfreid
- 9 HB 436 - Merideth
- 10 HCS HB 472 - Burton
- 11 HCS HB 488 - Koller
- 12 HB 592, HCA 1 - Williams

- 13 HCS HB 660 - Hagan-Harrell
- 14 HB 555 - Foley
- 15 HCS HB 426 - O'Toole
- 16 HCS HB 831 - Carnahan
- 17 HCS HB 428 - Kelly (36)
- 18 HCS HB 593 - Riback Wilson (25)
- 19 HCS HB 170 - Froelker
- 20 HCS HB 239 - Smith
- 21 HB 715 - Foley
- 22 HCS HB 981 & 665 - Willoughby
- 23 HB 802 - Ransdall
- 24 HCS HB 374 - Fraser
- 25 HCS HB 780 - Scheve
- 26 HCS HB 853 & 258 - Crump
- 27 HCS HB 186 & 172 - Troupe
- 28 HCS HB 635 - Barry
- 29 HCS HB 868 - Merideth
- 30 HCS HB 253 - Ross
- 31 HCS HB 888, 942 & 943 - Scheve
- 32 HCS HB 293 - Kennedy
- 33 HB 809, HCA 1 - Carnahan
- 34 HCS HB 340, 303 & 316 - Graham
- 35 HB 640 - Johnson (90)
- 36 HCS HB 723 - Mays (50)
- 37 HCS HB 117 - Riback Wilson (25)
- 38 HCS HB 307 - Wiggins
- 39 HCS HB 663 & 375 - Kennedy
- 40 HCS HB 921 - Curls

HOUSE BILL FOR PERFECTION - INFORMAL

HCS HB 113 - Hickey

HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 HCR 12, (3-29-01, page 894) - Haywood
- 2 HCR 25, (4-5-01, pages 1006 & 1007) - Graham

HOUSE BILLS FOR THIRD READING

- 1 HS HB 349, (Fiscal Review 4-12-01) - Hosmer
- 2 HS HB 882 - Crump

HOUSE BILL FOR THIRD READING - CONSENT - INFORMAL

HB 402 - Boucher

SENATE BILLS FOR THIRD READING - CONSENT

(April 17, 2001)

- 1 SB 25 - Farnen
- 2 HCS SB 321 - Crump
- 3 HCS SB 441 - Williams
- 4 HCS SB 521 - Luetkenhaus
- 5 SCS SB 301 - Hegeman
- 6 SB 295 - McKenna
- 7 SB 394 - Hosmer
- 8 SB 442 - O'Connor
- 9 SB 203 - O'Toole
- 10 HCS SCS SB 151 - Gaskill
- 11 HCS SB 191 - George
- 12 HCS SB 130 - Barry
- 13 SCS SB 234 - Kennedy
- 14 SB 553 - Barnett
- 15 SCS SB 270 - Monaco
- 16 SCS SB 341 - Britt
- 17 SB 87 - Smith
- 18 SCS SB 431 - Shoemyer
- 19 SB 142 - Robirds
- 20 SCS SB 383 - Harding
- 21 SB 436 - Koller
- 22 SB 606 - Clayton
- 23 SB 605 - Luetkenhaus
- 24 SB 111 - Ostmann
- 25 HCS SCS SB 591 - Hoppe
- 26 HCS SB 544 - Relford
- 27 SB 200 -
- 28 SB 316 - Hagan-Harrell
- 29 SCS SB 357 -
- 30 SB 207 - Kennedy
- 31 SB 252 - Surface
- 32 SB 443 - Hosmer
- 33 SCS SB 384 - Johnson (90)
- 34 SCS SB 241 - Ward
- 35 HCS SCS SB 382 - Liese
- 36 SB 224 - Luetkemeyer
- 37 SB 179 - Wagner

- 38 HCS SCS SB 617 - Rizzo
- 39 SB 435 - Koller
- 40 SB 223 - Hosmer
- 41 HCS SCS SB 520 - Myers
- 42 HCS SB 227 - Burton
- 43 SB 110 - Ladd Baker
- 44 SCS SB 514 - Hosmer
- 45 SB 353, HCA 1 - Shields
- 46 HCS SB 274 - Harlan
- 47 HCS SCS SB 568 -
- 48 SB 451 - Mays (50)
- 49 SCS SB 352 - Lawson
- 50 HCS SCS SB 178 - Hoppe
- 51 HCS SB 345 - Holt
- 52 HCS SCS SB 515 - Kennedy
- 53 SCS SB 407 - Hilgemann
- 54 SB 540 - Levin
- 55 HCS SCS SB 619 - Hoppe
- 56 SB 201 - Farnen
- 57 SB 58 - Wagner
- 58 SB 303 - Relford
- 59 HCS SB 610 - Hoppe
- 60 SCS SB 13 - Ross
- 61 HCS SB 543 - Britt
- 62 SB 556 - Hoppe
- 63 SB 575 - Davis
- 64 HCS SB 304 - Monaco
- 65 SB 406 - Scott
- 66 SCS SB 197 - Luetkenhaus
- 67 SB 148 -
- 68 HCS SB 307 - Froelker
- 69 HCS SB 348 -
- 70 HCS SB 538 - Luetkemeyer

BILL IN CONFERENCE

CCR SCS HCS HB 15 - Green (73)

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

FIFTY-SEVENTH DAY, TUESDAY, APRIL 17, 2001

Speaker Pro Tem Abel in the Chair.

Prayer by Father David Buescher.

Heavenly Father, for many of us, these past days have been resonant with the sounds and music of Passover or Easter. Believers and non-believers alike treasure new life, re-birth, transformations from sadness to joy, and the togetherness of family. Let attitudes like those continue to radiate from the hearts and minds of these men and women, our elected representatives, that they might glow with promise and expectation.

It is the middle of April already, and the session continues towards its close, busily, sometimes almost severely. With Your help, may this day end in the delight of a job well done, a day well spent. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jackie Perkovic, Kelly Harbke, Emily Lagura, Deanah McClendon, Tamra Butler, Willie Penson, Caitlyn Schott, Jonathan Snow, Michael Jacobs, Erin Melton, Dana Rathert and D.J. Redmund.

The Journal of the fifty-sixth day was approved as corrected by the following vote:

AYES: 085

Abel	Barnitz	Barry 100	Bartelsmeyer	Berkowitz
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Coleman	Copenhaver	Crump	Curls	Davis
Farnen	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Hartzler
Haywood	Hilgemann	Hollingsworth	Holt	Hoppe
Johnson 61	Johnson 90	Jolly	Kelly 27	Kennedy
Koller	Lawson	Liese	Long	Lowe
Luetkenhaus	Marsh	Mays 50	McKenna	Merideth
Monaco	O'Connor	O'Toole	Overschmidt	Ransdall
Relford	Reynolds	Rizzo	Scheve	Seigfreid
Selby	Shelton	Shoemyer	Skaggs	Smith
Surface	Thompson	Townley	Treadway	Troupe
Villa	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

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NOES: 062

Ballard	Barnett	Bartle	Bearden	Behnen
Berkstresser	Black	Boatright	Burcham	Burton
Byrd	Champion	Cooper	Crawford	Crowell
Cunningham	Dempsey	Dolan	Enz	Fares
Froelker	Gaskill	Griesheimer	Hanaway	Hegeman
Henderson	Hendrickson	Hohulin	Jetton	Kelley 47
Kelly 144	King	Legan	Levin	Linton
Luetkemeyer	Marble	May 149	Mayer	Miller
Moore	Murphy	Myers	Naeger	Nordwald
Ostmann	Phillips	Portwood	Purgason	Rector
Reinhart	Richardson	Roark	Robirds	Ross
Schwab	Scott	Secrest	Shields	St. Onge
Vogel	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 013

Baker	Bland	Cierpiot	Harlan	Hickey
Holand	Hosmer	Hunter	Kelly 36	Lograsso
Reid	Ridgeway	Van Zandt		

VACANCIES: 003

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1246 - Representative Gratz
House Resolution No. 1247 - Representative Luetkenhaus
House Resolution No. 1248
through
House Resolution No. 1269 - Representative Crowell
House Resolution No. 1270 - Representative Portwood
House Resolution No. 1271 - Representative Richardson
House Resolution No. 1272
through
House Resolution No. 1277 - Representative Ridgeway
House Resolution No. 1278 - Representative Williams
House Resolution No. 1279
and
House Resolution No. 1280 - Representatives Ross and Lograsso
House Resolution No. 1281
through
House Resolution No. 1299 - Representatives Dempsey and Green (15)
House Resolution No. 1300 - Representative Hampton
House Resolution No. 1301 - Representative Selby
House Resolution No. 1302
through
House Resolution No. 1306 - Representative Crowell
House Resolution No. 1307 - Representative Cooper

House Resolution No. 1308

and

House Resolution No. 1309 - Representative Villa
House Resolution No. 1310 - Representative Townley
House Resolution No. 1311 - Representative Enz
House Resolution No. 1312 - Representative Abel

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HJR 7**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

PERFECTION OF HOUSE BILL

HCS HBs 835, 90, 707, 373, 641, 510, 516 & 572, with HS, as amended, pending, relating to omnibus crime bill, was taken up by Representative Britt.

Representative Crump offered **House Amendment No. 15**.

House Amendment No. 15

AMEND House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 & 572, Page 83, Section 570.120, Line 12, by inserting immediately after said line the following:

- “571.030. 1. A person commits the crime of unlawful use of weapons if he or she knowingly:
- (1) Carries concealed upon or about his or her person a knife, a firearm, a blackjack or any other weapon readily capable of lethal use; or
 - (2) Sets a spring gun; or
 - (3) Discharges or shoots a firearm into a dwelling house, a railroad train, boat, aircraft, or motor vehicle as defined in section 302.010, RSMo, or any building or structure used for the assembling of people; or
 - (4) Exhibits, in the presence of one or more persons, any weapon readily capable of lethal use in an angry or threatening manner; or
 - (5) Possesses or discharges a firearm or projectile weapon while intoxicated; or
 - (6) Discharges a firearm within one hundred yards of any occupied schoolhouse, courthouse, or church building;
- or
- (7) Discharges or shoots a firearm at a mark, at any object, or at random, on, along or across a public highway or discharges or shoots a firearm into any outbuilding; or
 - (8) Carries a firearm or any other weapon readily capable of lethal use into any church or place where people have assembled for worship, or into any election precinct on any election day, or into any building owned or occupied by any agency of the federal government, state government, or political subdivision thereof, or into any public assemblage of persons met for any lawful purpose; or
 - (9) Discharges or shoots a firearm at or from a motor vehicle, as defined in section 301.010, RSMo, while within any city, town, or village, and discharges or shoots a firearm at any person, or at any other motor vehicle, or at any building or habitable structure, unless the person was lawfully acting in self-defense; or
 - (10) Carries a firearm, whether loaded or unloaded, or any other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any function or activity sponsored or sanctioned by school officials

or the district school board.

2. Subdivisions (1), (3), (4), (6), (7), (8), (9) and (10) of subsection 1 of this section shall not apply to or affect any of the following:

(1) All state, county and municipal law enforcement officers possessing the duty and power of arrest for violation of the general criminal laws of the state or for violation of ordinances of counties or municipalities of the state, or any person summoned by such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime;

(3) Members of the armed forces or national guard while performing their official duty;

(4) Those persons vested by article V, section 1 of the Constitution of Missouri with the judicial power of the state and those persons vested by article III of the Constitution of the United States with the judicial power of the United States, the members of the federal judiciary;

(5) Any person whose bona fide duty is to execute process, civil or criminal;

(6) Any federal probation officer;

(7) Any state probation or parole officer, including supervisors and members of the board of probation and parole; and

(8) Any corporate security advisor meeting the definition and fulfilling the requirements of the regulations established by the board of police commissioners under section 84.340, RSMo.

3. Subdivisions (1), (5), (8) and (10) of subsection 1 of this section do not apply when the actor is transporting such weapons in a nonfunctioning state or in an unloaded state when ammunition is not readily accessible or when such weapons are not readily accessible. **Ordinances of any political subdivision notwithstanding**, Subdivision (1) of subsection 1 of this section does not apply **to any person twenty-one years of age or older transporting a concealable firearm in the passenger compartment of a motor vehicle, so long as such concealable firearm is otherwise lawfully possessed and is not carried on the person, nor** when the actor is also in possession of an exposed firearm or projectile weapon for the lawful pursuit of game, or is in his dwelling unit or upon business premises over which the actor has possession, authority or control, or is traveling in a continuous journey peaceably through this state. Subdivision (10) of subsection 1 of this section does not apply if the firearm is otherwise lawfully possessed by a person while traversing school premises for the purposes of transporting a student to or from school, or possessed by an adult for the purposes of facilitation of a school-sanctioned firearm-related event.

4. Nothing in this section shall make it unlawful for a student to actually participate in school-sanctioned gun safety courses, student military or ROTC courses, or other school-sponsored firearm-related events, provided the student does not carry a firearm or other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any function or activity sponsored or sanctioned by school officials or the district school board.

5. Unlawful use of weapons is a class D felony unless committed pursuant to subdivision (5), (6), (7) or (8) of subsection 1 of this section, in which cases it is a class B misdemeanor, or subdivision (10) of subsection 1 of this section, in which case it is a class A misdemeanor if the firearm is unloaded and a class D felony if the firearm is loaded, or subdivision (9) of subsection 1 of this section, in which case it is a class B felony, except that if the violation of subdivision (9) of subsection 1 of this section results in injury or death to another person, it is a class A felony.

6. Violations of subdivision (9) of subsection 1 of this section shall be punished as follows:

(1) For the first violation a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony;

(2) For any violation by a prior offender as defined in section 558.016, RSMo, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation or conditional release for a term of ten years;

(3) For any violation by a persistent offender as defined in section 558.016, RSMo, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation, or conditional release;

(4) For any violation which results in injury or death to another person, a person shall be sentenced to an authorized disposition for a class A felony.

7. Any person knowingly aiding or abetting any other person in the violation of subdivision (9) of subsection 1 of this section shall be subject to the same penalty as that prescribed by this section for violations by other persons.”.

On motion of Representative Crump, **House Amendment No. 15** was adopted by the following vote:

AYES: 105

Abel	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boatright	Bonner	Britt	Burcham
Burton	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Davis
Dempsey	Dolan	Enz	Farnen	Froelker
Gaskill	Graham	Gratz	Green 15	Griesheimer
Hampton	Hartzler	Hegeman	Henderson	Hickey
Hohulin	Holand	Holt	Hosmer	Hunter
Jetton	Johnson 90	Kelley 47	Kelly 144	Kelly 27
King	Koller	Lawson	Legan	Liese
Linton	Lograsso	Long	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Moore	Myers
Naeger	Nordwald	O'Connor	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Ridgeway
Roark	Robirds	Ross	Schwab	Scott
Secrest	Seigfreid	Selby	Shields	Shoemyer
Smith	Surface	Townley	Treadway	Troupe
Vogel	Wagner	Ward	Wright	Mr. Speaker

NOES: 047

Baker	Barry 100	Boucher	Bowman	Boykins
Bray 84	Brooks	Byrd	Campbell	Carnahan
Coleman	Cunningham	Curls	Fares	Ford
Franklin	Fraser	Gambaro	George	Hagan-Harrell
Hanaway	Harding	Harlan	Haywood	Hendrickson
Hilgemann	Hoppe	Johnson 61	Jolly	Kennedy
Lowe	Murphy	O'Toole	Reynolds	Rizzo
Scheve	Shelton	Skaggs	St. Onge	Thompson
Villa	Walton	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42			

PRESENT: 000

ABSENT WITH LEAVE: 008

Bland	Foley	Green 73	Hollingsworth	Kelly 36
Levin	Monaco	Van Zandt		

VACANCIES: 003

Representative Campbell offered **House Amendment No. 16.**

House Amendment No. 16

AMEND House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 & 572, Page 13, Section 210.001, Line 21 of said page, by inserting after all of said section the following:

"210.025. 1. To qualify for receipt of state or federal funds for providing child-care services in the home either by direct payment or through reimbursement to a child-care beneficiary, an applicant and any person over the age of eighteen who is living in the applicant's home shall be required to submit to a criminal background check pursuant to section 43.540, RSMo, and a check of the central registry for child abuse established in section 210.145. Effective January 1, 2001, the requirements of this subsection or subsection 2 of this section shall be satisfied through registration with the family care safety registry established in sections 210.900 to 210.936. Any costs associated with such checks shall be paid by the applicant.

2. Upon receipt of an application for state or federal funds for providing child-care services in the home, the division of family services shall:

(1) Determine if a probable cause finding of child abuse or neglect involving the applicant or any person over the age of eighteen who is living in the applicant's home has been recorded pursuant to section 210.221 or 210.145;

(2) Determine if the applicant or any person over the age of eighteen who is living in the applicant's home has been refused licensure or has experienced licensure suspension or revocation pursuant to section 210.221 or 210.496; and

(3) Request a criminal background check of the applicant and any person over the age of eighteen who is living in the applicant's home pursuant to section 43.540, RSMo.

3. Except as otherwise provided in subsection 4 of this section, upon completion of the background checks in subsection 2 of this section, an applicant shall be denied state or federal funds for providing child care if such applicant or any person over the age of eighteen who is living in the applicant's home:

(1) Has had a probable cause finding of child abuse or neglect pursuant to section 210.145;

(2) Has been refused licensure or has experienced licensure suspension or revocation pursuant to section 210.496;

(3) Has pled guilty or nolo contendere to or been found guilty of any felony for an offense against the person as defined by chapter 565, RSMo, **any misdemeanor offense pursuant to chapter 565, RSMo, when the victim is a child**, or any other offense against the person involving the endangerment of a child as prescribed by law; of any misdemeanor or felony for a sexual offense as defined by chapter 566, RSMo; of any misdemeanor or felony for an offense against the family as defined in chapter 568, RSMo, with the exception of the sale of fireworks, as defined in section 320.110, RSMo, to a child under the age of eighteen; of any misdemeanor or felony for pornography or related offense as defined by chapter 573, RSMo; or of any similar crime in any federal, state, municipal or other court of similar jurisdiction of which the director has knowledge or any offenses or reports which will disqualify an applicant from receiving state or federal funds; **of any offense involving stalking of a person that is considered a felony in the jurisdiction where such offense is charged; of any offense of prostitution, robbery or arson whether a misdemeanor or felony; or of any offense involving a firearm whether a misdemeanor or felony.**

4. An applicant shall be given an opportunity by the division to offer any extenuating or mitigating circumstances regarding the findings, refusals or violations against such applicant or any person over the age of eighteen who is living in the applicant's home listed in subsection 2 of this section. Such extenuating and mitigating circumstances may be considered by the division in its determination of whether to permit such applicant to receive state or federal funds for providing child care in the home.

5. An applicant who has been denied state or federal funds for providing child care in the home may appeal such denial decision in accordance with the provisions of section 208.080, RSMo.

6. If an applicant is denied state or federal funds for providing child care in the home based on the background check results for any person over the age of eighteen who is living in the applicant's home, the applicant shall not apply for such funds until such person is no longer living in the applicant's home.

7. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. All rulemaking authority delegated prior to August 28, 1999, is of no force and effect and repealed. Nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to August 28, 1999, if it fully complied with all applicable provisions of law. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void."; and

Further amend said bill, by amending the title, enacting clause and intersectional references accordingly.

On motion of Representative Campbell, **House Amendment No. 16** was adopted.

Representative Richardson offered **House Amendment No. 17**.

House Amendment No. 17

AMEND House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 & 572, Page 5, Section 150.465, Line 20 of said page, by inserting after the word “**available**” the following: “**within seventy-two hours**”; and

Further amend said bill, Page 5, Section 150.465, Line 21 of said page, by deleting the word “**receipt**” and inserting in lieu thereof the following: “**proof of purchase**”; and

Further amend said bill, Page 5, Section 150.465, Line 24 of said page, by deleting the word “**receipt**” and inserting in lieu thereof the following: “**proof of purchase**”.

On motion of Representative Richardson, **House Amendment No. 17** was adopted.

Representative Jolly offered **House Amendment No. 18**.

House Amendment No. 18

AMEND House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 & 572, Page 6, Section 150.465, Line 2 of said page, by inserting after all of said section the following:

"195.222. 1. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than thirty grams of a mixture or substance containing a detectable amount of heroin. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is ninety grams or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

2. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than one hundred fifty grams of a mixture or substance containing a detectable amount of coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts and their optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their salts, isomers, and salts of isomers; or any compound, mixture, or preparation which contains any quantity of any of the foregoing substances. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than one hundred fifty grams but less than four hundred fifty grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is four hundred fifty grams or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

3. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than two grams of a mixture or substance described in subsection 2 of this section which contains cocaine base. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than two grams but less than six grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is six grams or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

4. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than five hundred milligrams of a mixture or substance containing a detectable amount of lysergic acid diethylamide (LSD). Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than five hundred milligrams but less than one gram the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is one gram or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

5. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than thirty grams of a mixture or substance containing a detectable amount of phencyclidine (PCP). Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is ninety grams or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

6. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than four grams of phencyclidine. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than four grams but less than twelve grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is twelve grams or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

7. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than thirty kilograms of a mixture or substance containing marijuana. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty kilograms but less than one hundred kilograms the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is one hundred kilograms or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

8. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than thirty grams of any material, compound, mixture or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system: amphetamine, its salts, optical isomers and salts of its optical isomers; methamphetamine, its salts, optical isomers and salts of its optical isomers; phenmetrazine and its salts; or methylphenidate. Violations of this subsection or attempts to violate this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is ninety grams or more, or if the quantity involved was thirty grams or more and the location of the offense was within two thousand feet of a school or public housing as defined in section 195.214 or section 195.218 or within a motor vehicle, or any structure or building which contains rooms furnished for the accommodation or lodging of guests, and kept, used, maintained, advertised, or held out to the public as a place where sleeping accommodations are sought for pay or compensation to transient guests or permanent guests, the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

9. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he or she distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than thirty grams of any material, compound, mixture or preparation which contains any quantity of 3,4-methylenedioxymethamphetamine. Violations of this subsection or attempts to violate this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is ninety grams or more, or if the quantity involved was thirty grams or more and the location of the offense was within two thousand feet of a school or public housing as defined in section 195.214 or section 195.218 or within a motor vehicle, or any structure or building which contains rooms furnished for the accommodation or lodging of guests, and kept, used, maintained, advertised, or held out to the public as a place where sleeping accommodations are sought for pay or compensation to transient guests or permanent guests, the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

195.223. 1. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than thirty grams of a mixture or substance containing a detectable amount of heroin. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be guilty of a class B felony;

(2) If the quantity involved is ninety grams or more the person shall be guilty of a class A felony.

2. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than one hundred fifty grams of a mixture or substance containing a detectable amount of coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts and their optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their salts, isomers, and salts of isomers; or any compound, mixture, or preparation which contains any quantity of any of the foregoing substances. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than one hundred fifty grams but less than four hundred fifty grams the person shall be guilty of a class B felony;

(2) If the quantity involved is four hundred fifty grams or more the person shall be guilty of a class A felony.

3. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than two grams of a mixture or substance described in subsection 2 of this section which contains cocaine base. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than two grams but less than six grams the person shall be guilty of a class B felony;

(2) If the quantity involved is six grams or more the person shall be guilty of a class A felony.

4. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than five hundred milligrams of a mixture or substance containing a detectable amount of lysergic acid diethylamide (LSD). Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than five hundred milligrams but less than one gram the person shall be guilty of a class B felony;

(2) If the quantity involved is one gram or more the person shall be guilty of a class A felony.

5. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than thirty grams of a mixture or substance containing a detectable amount of phencyclidine (PCP). Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be guilty of a class B felony;

(2) If the quantity involved is ninety grams or more the person shall be guilty of a class A felony.

6. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than four grams of phencyclidine. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than four grams but less than twelve grams the person shall be guilty of a class B felony;

(2) If the quantity involved is twelve grams or more the person shall be guilty of a class A felony.

7. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than thirty kilograms or more of a mixture or substance containing marijuana. Violations of this subsection shall

be punished as follows:

(1) If the quantity involved is more than thirty kilograms but less than one hundred kilograms the person shall be guilty of a class B felony;

(2) If the quantity involved is one hundred kilograms or more the person shall be guilty of a class A felony.

8. A person commits the class A felony of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than five hundred marijuana plants.

9. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than thirty grams of any material, compound, mixture or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system: amphetamine, its salts, optical isomers and salts of its optical isomers; methamphetamine, its salts, isomers and salts of its isomers; phenmetrazine and its salts; or methylphenidate. Violations of this subsection or attempts to violate this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be guilty of a class B felony;

(2) If the quantity involved is ninety grams or more but less than four hundred fifty grams, the person shall be guilty of a class A felony;

(3) If the quantity involved is four hundred fifty grams or more, the person shall be guilty of a class A felony and the term of imprisonment shall be served without probation or parole.

10. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he or she possesses or has under his or her control, purchases or attempts to purchase, or brings into this state more than thirty grams of any material, compound, mixture or preparation which contains any quantity of 3,4-methylenedioxymethamphetamine. Violations of this subsection or attempts to violate this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be guilty of a class B felony;

(2) If the quantity involved is ninety grams or more but less than four hundred fifty grams, the person shall be guilty of a class A felony;

(3) If the quantity involved is four hundred fifty grams or more, the person shall be guilty of a class A felony and the term of imprisonment shall be served without probation or parole."; and

Further amend said bill, by amending the title, enacting clause and intersectional references accordingly.

On motion of Representative Jolly, **House Amendment No. 18** was adopted.

Representative Thompson offered **House Amendment No. 19**.

House Amendment No. 19

AMEND House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 & 572, Page 90, Section 578.610, Line 9 of said page, by inserting after all of said section the following:

"590.650. 1. As used in this section "minority group" means individuals of African, Hispanic, Native American or Asian descent.

2. Each time a peace officer stops a driver of a motor vehicle [for a violation of any motor vehicle statute or ordinance], that officer shall report the following information to the law enforcement agency that employs the officer:

(1) The age, gender and race or minority group of the individual stopped;

(2) The traffic violation or violations alleged to have been committed that led to the stop;

(3) Whether a search was conducted as a result of the stop;

(4) If a search was conducted, whether the individual consented to the search, the probable cause for the search, whether the person was searched, whether the person's property was searched, and the duration of the search;

(5) Whether any contraband was discovered in the course of the search and the type of any contraband discovered;

- (6) Whether any warning or citation was issued as a result of the stop;
- (7) If a warning or citation was issued, the violation charged or warning provided;
- (8) Whether an arrest was made as a result of either the stop or the search;
- (9) If an arrest was made, the crime charged; and
- (10) The location of the stop.

Such information may be reported using a format determined by the department of public safety which uses existing citation and report forms.

3. (1) Each law enforcement agency shall compile the data described in subsection 2 of this section for the calendar year into a report to the attorney general.

(2) Each law enforcement agency shall submit the report to the attorney general no later than March first of the following calendar year.

(3) The attorney general shall determine the format that all law enforcement agencies shall use to submit the report.

4. (1) The attorney general shall analyze the annual reports of law enforcement agencies required by this section and submit a report of the findings to the governor, the general assembly and each law enforcement agency no later than June first of each year.

(2) The report of the attorney general shall include at least the following information for each agency:

- (a) The total number of vehicles stopped by peace officers during the previous calendar year;
- (b) The number and percentage of stopped motor vehicles that were driven by members of each particular minority group;
- (c) A comparison of the percentage of stopped motor vehicles driven by each minority group and the percentage of the state's population that each minority group comprises; and
- (d) A compilation of the information reported by law enforcement agencies pursuant to subsection 2 of this section.

5. Each law enforcement agency shall adopt a policy on race-based traffic stops that:

(1) Prohibits the practice of routinely stopping members of minority groups for violations of vehicle laws as a pretext for investigating other violations of criminal law;

(2) Provides for periodic reviews by the law enforcement agency of the annual report of the attorney general required by subsection 4 of this section that:

(a) Determine whether any peace officers of the law enforcement agency have a pattern of stopping members of minority groups for violations of vehicle laws in a number disproportionate to the population of minority groups residing or traveling within the jurisdiction of the law enforcement agency; and

(b) If the review reveals a pattern, require an investigation to determine whether any peace officers of the law enforcement agency routinely stop members of minority groups for violations of vehicle laws as a pretext for investigating other violations of criminal law;

(3) Provides for appropriate counseling and training of any peace officer found to have engaged in race-based traffic stops within ninety days of the review; and

(4) Provides for annual sensitivity training for any employees who may conduct stops of motor vehicles regarding the prohibition against racial profiling.

The course or courses of instruction and the guidelines shall stress understanding and respect for racial and cultural differences, and development of effective, noncombative methods of carrying out law enforcement duties in a racially and culturally diverse environment.

6. If a law enforcement agency fails to comply with the provisions of this section, the governor may withhold any state funds appropriated to the noncompliant law enforcement agency.

7. Each law enforcement agency in this state may utilize federal funds from community-oriented policing services grants or any other federal sources to equip each vehicle used for traffic stops with a video camera and voice-activated microphone."; and

Further amend said bill, by amending the title, enacting clause and intersectional references accordingly.

On motion of Representative Thompson, **House Amendment No. 19** was adopted.

Representative Ross offered **House Amendment No. 20**.

AMEND House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 & 572, Page 28, Section 304.012, Line 14 of said page, by inserting after all of said section the following:

"374.695. Sections 374.695 to 374.775 may be known and shall be cited as the "Professional Bail Bondsman Licensing Act".

[374.700. As used in sections 374.700 to 374.775, the following terms shall mean:

- (1) "Bail bond agent", a surety agent or an agent of a property bail bondsman who is duly licensed under the provisions of sections 374.700 to 374.775, is employed by and is working under the authority of a licensed general bail bond agent;
- (2) "Department", the department of insurance of the state of Missouri;
- (3) "Director", the director of the department of insurance;
- (4) "General bail bond agent", a surety agent or a property bail bondsman, as defined in sections 374.700 to 374.775, who is licensed in accordance with sections 374.700 to 374.775 and who devotes at least fifty percent of his working time to the bail bond business in this state;
- (5) "Property bail bondsman", a person who pledges United States currency, United States postal money orders or cashier's checks or other property as security for a bail bond in connection with a judicial proceeding, and who receives or is promised therefor money or other things of value;
- (6) "Surety bail bond agent", any person appointed by an insurer by power of attorney to execute or countersign bail bonds in connection with judicial proceedings, and who receives or is promised money or other things of value therefor.]

374.700. For the purposes of sections 374.700 to 374.775, the following terms mean:

- (1) "Admission to bail", an order from a competent court that the defendant be discharged from actual custody on bail and fixing the amount of the bail;
- (2) "Bail bond agent", a surety agent or an agent of a property bail bondsman who is duly licensed pursuant to the provisions of sections 374.700 to 374.775, is employed by or is working under the authority of a licensed general bail bond agent;
- (3) "Bail bond or appearance bond", a bond for a specified monetary amount which is executed by the defendant and a qualified licensee pursuant to sections 374.700 to 374.775 and which is issued to a court or authorized officer as security for the subsequent court appearance of the defendant upon the defendant's release from actual custody pending the appearance;
- (4) "Department", the department of insurance of the state of Missouri;
- (5) "General bail bond agent", a surety agent or a property bail bondsman who is licensed in accordance with sections 374.700 to 374.775 and who devotes at least fifty percent of his or her working time to the bail bond business in this state;
- (6) "Insurer", any surety insurance company which is qualified by the department to transact surety business in Missouri;
- (7) "Licensee", a bail bond agent or a general bail bond agent;
- (8) "Property bail bondsman", a person who pledges United States currency, United States postal money orders or cashier's checks or other property as security for a bail bond in connection with a judicial proceeding, and who receives or is promised therefor money or other things of value;
- (9) "Surety", a bail bond agent acting through a general bail bond agent, or a resident of the state and an owner of visible property, over and above that exempt from execution to the value of the sum in which bail is required which shall be worth that amount after the payment of debts and liabilities;
- (10) "Surety bail bond agent", any person appointed by an insurer by power of attorney to execute or countersign bail bonds in connection with judicial proceedings, and who receives or is promised money or other

things of value therefor;

(11) "Taking of bail" or "take bail", the acceptance by a person authorized to take bail of the undertaking of a sufficient surety for the appearance of the defendant according to the terms of the undertaking or that the surety will pay to the court the sum specified. Taking of bail or take bail does not include the fixing of the amount of bail and no person other than a competent court shall fix the amount of bail.

374.702. 1. No person shall engage in the bail bond business without being licensed as provided in sections 374.700 to 374.775.

2. No judge, attorney, court official, law enforcement officer, state, county or municipal employee, who is either elected or appointed, shall be licensed as a bail bond agent or a general bail bond agent.

3. A bail bond agent shall not execute or issue an appearance bond in this state without holding a valid appointment from a general bail bond agent and without attaching to the appearance bond an executed and prenumbered power of attorney referencing the general bail bond agent or insurer. A person licensed as a bail bond agent shall hold the license for at least one year prior to owning or being an officer of a licensed general bail bond agent.

4. A general bail bond agent shall not engage in the bail bond business:

(1) Without having been licensed as a general bail bond agent pursuant to sections 374.700 to 374.775;

(2) Except through an agent licensed as a bail bond agent pursuant to sections 374.700 to 374.775.

5. A general bail bond agent shall not permit any unlicensed person to solicit or engage in the bail bond business in the general bail bond agent's behalf, except for individuals who are employed solely for the performance of clerical, stenographic, investigative or other administrative duties which do not require a license pursuant to sections 374.700 to 374.775.

6. Any person who is convicted of a provision of this section is guilty of a class A misdemeanor. For any subsequent convictions, a person who is convicted of a provision of this section is guilty of a class D felony.

374.704. 1. Every applicant for a bail bond agent license or a general bail bond agent license shall apply on forms furnished by the department.

2. The application of a bail bond agent shall be accompanied by a duly executed general power of attorney issued by the general bail bond agent or insurer for whom the bail bond agent will be acting. Upon issuance of the license, a bail bond agent shall not issue an appearance bond exceeding the monetary amount for each recognizance which is specified in and authorized by the general power of attorney filed with the department until the department receives a duly executed qualifying power of attorney from the general bail bond agent or insurer evidencing or authorizing increased monetary limits or amounts for the recognizance.

3. An application for a general bail bond agent license shall be accompanied by proof that the applicant is a Missouri partnership, firm or corporation, or an individual who is a resident of the state. A corporation shall file proof that its most recent annual franchise tax has been paid to the department of revenue as provided in chapter 147, RSMo.

4. No license shall be granted without a showing that the applicant or applicant's insurer has proof of a three hundred thousand dollar bond or liability policy insuring against any damage to persons or property caused by the applicant.

374.715. Applications for examination and licensure as a bail bond agent or general bail bond agent shall be in writing and on forms prescribed and furnished by the department, and shall contain such information as the department requires. Each application shall be accompanied by proof satisfactory to the department that the applicant is a citizen of the United States, is at least twenty-one years of age, is of good moral character, and meets the qualifications for surety on bail bonds as provided by supreme court rule. Each application shall be accompanied by the examination and application fee set by the department. In addition, each applicant for licensure as a general bail bond agent shall furnish proof satisfactory to the department that the applicant, or, if the applicant is a corporation or partnership, that each officer or partner thereof has completed at least two years as a bail bond agent, as defined in sections 374.700 to 374.775, and that the applicant possesses liquid assets [of at least ten thousand dollars] **according to the following schedule**, along with a duly executed assignment [of ten thousand dollars] to the state of Missouri[, which] **in the same amount:**

(a) If the general bail bond agent employs three or less bail bond agents, at least fifteen thousand dollars;

(b) If the general bail bond agent employs four to ten bail bond agents, at least twenty-five thousand dollars;

(c) If the general bail bond agent employs eleven to fifteen bail bond agents, at least forty-five thousand dollars;

(d) If the general bail bond agent employs sixteen to twenty bail bond agents, at least sixty-five thousand dollars;

(e) If the general bail bond agent employs twenty-one to twenty-five bail bond agents, at least eighty-five thousand dollars;

(f) If the general bail bond agent employs twenty-six to fifty bail bond agents, at least one hundred thousand dollars;

(g) If the general bail bond agent employs over fifty bail bond agents, at least two hundred thousand dollars.

The assignment shall become effective upon the applicant's violating any provision of sections 374.700 to 374.775. The assignment required by this section shall be in the form, and executed in the manner, prescribed by the department.

374.717. No insurer or licensee, court or law enforcement officer shall:

(1) Pay a fee or rebate or give or promise anything of value in order to secure a settlement, compromise, remission or reduction of the amount of any bail bond to:

(a) A jailer, policeman, peace officer, committing judge or any other person who has power to arrest or to hold in custody any person; or

(b) Any public official or public employee;

(2) Pay a fee or rebate or give anything of value to an attorney in bail bond matters, except in defense of any action on a bond;

(3) Pay a fee or rebate or give promise of anything of value to the principal or anyone in the principal's behalf;

(4) Accept anything of value from a principal except the premium and expenses incurred; provided that, the licensee shall be permitted to accept collateral security or other indemnity from the principal which shall be returned upon final termination of liability on the bond. If a forfeiture has occurred, the collateral security or other indemnity from the principal may be used to reimburse the licensee for any costs and expenses incurred associated with the forfeiture. The collateral security or other indemnity required by the licensee shall be reasonable in relation to the amount of the bond. Collateral may not be sold or otherwise transferred until the termination of liability on the bond. When a licensee accepts collateral, the licensee shall provide a prenumbered written receipt, which shall include in detail a full account of the collateral received by the licensee.

374.755. 1. The department may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621, RSMo, against any holder of any license required by sections 374.700 to 374.775 or any person who has failed to renew or has surrendered his license for any one or any combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, RSMo, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of the profession licensed under sections 374.700 to 374.775;

(2) Having entered a plea of guilty or having been found guilty of a felony or crime involving moral turpitude;

(3) Use of fraud, deception, misrepresentation or bribery in securing any license [issued pursuant to sections 374.700 to 374.775] or in obtaining permission to take any examination [given or] required pursuant to sections 374.700 to 374.775;

(4) Obtaining or attempting to obtain any compensation as a member of the profession licensed by sections 374.700 to 374.775 by means of fraud, deception or misrepresentation;

(5) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of the profession licensed or regulated by sections 374.700 to 374.775;

(6) Violation of[, or assisting or enabling any other person to violate, any provision of sections 374.700 to 374.775 or of any lawful rule or regulation promulgated pursuant to sections 374.700 to 374.775] **any provisions of, or any obligations imposed by, the laws of this state, department of insurance rules and regulations or aiding or abetting other persons to violate such laws, orders, rules or regulations;**

(7) Transferring a license or permitting another person to use a license of the licensee;

(8) Disciplinary action against the holder of a license or other right to practice the profession regulated by sections 374.700 to 374.775 granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;

(9) Being finally adjudged insane or incompetent by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice the profession licensed or regulated by sections 374.700 to 374.775 who is not currently licensed and eligible to practice [under] **pursuant to** sections 374.700

to 374.775;

(11) [Paying a fee or rebate, or giving or promising anything of value, to a jailer, policeman, peace officer, judge or any other person who has the power to arrest or to hold another person in custody, or to any public official or employee, in order to secure a settlement, compromise, remission or reduction of the amount of any bail bond or estreatment thereof;

(12) Paying a fee or rebate, or giving anything of value to an attorney in bail bond matters, except in defense of any action on a bond;

(13) Paying a fee or rebate, or giving or promising anything of value, to the principal or anyone in his behalf;

(14)] Participating in the capacity of an attorney at a trial or hearing of one on whose bond he is surety.

2. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621, RSMo. Upon a finding by the administrative hearing commission that one or more of the causes stated in subsection 1 of this section have been met, the department may [do any or all of the following:

(1) Censure the person involved;

(2) Place the person involved on probation on such terms and conditions as the department deems appropriate for a period not to exceed ten years;

(3) Suspend, for a period not to exceed three years, the license of the person involved;

(4) Revoke the license of the person involved.] **admonish or censure a licensee, or suspend or revoke the license or enter into an agreement for a monetary or other penalty pursuant to section 374.280.**

3. In lieu of filing a complaint at the administrative hearing commission, the department and the bail bond agent or general bail bond agent may enter into an agreement for a monetary or other penalty pursuant to section 374.280.

4. In addition to any other remedies available, the department may issue a cease and desist order or may seek an injunction in a court of law pursuant to the provisions of section 374.046 whenever it appears that any person is acting as a bail bond agent or general bail bond agent without a license.

374.757. 1. Any agent licensed by sections 374.700 to 374.775 who intends to apprehend any person in this state shall inform law enforcement authorities in the city or county in which such agent intends such apprehension, before attempting such apprehension. Such agent shall present to the local law enforcement authorities a certified copy of the bond and all other appropriate paperwork identifying the principal and the person to be apprehended. Local law enforcement may accompany the agent. Failure of any agent to whom this section applies to comply with the provisions of this section shall be a class A misdemeanor for the first violation and a class D felony for subsequent violations; and shall also be a violation of section 374.755 and may in addition be punished pursuant to that section.

2. Any agent licensed by sections 374.700 to 374.775 who wrongfully causes damages to any person or property, including but not limited to trespass, unlawful arrest, unlawful detainment or assault, shall be liable for such damages and may be liable for punitive damages.

374.764. 1. The director shall examine and inquire into all violations of the bail bond law of the state, and inquire into and investigate the bail bond business transacted in this state by any bail bond agent, general bail bond agent or surety recovery agent.

2. The director or any of his duly appointed agents may compel the attendance before him, and may examine, under oath, the directors, officers, bail bond agents, general bail bond agents, surety recovery agents, employees or any other person, in reference to the condition, affairs, management of the bail bond or surety recovery business or any matters relating thereto. He may administer oaths or affirmations and shall have power to summon and compel the attendance of witnesses and to require and compel the production of records, books, papers, contracts or other documents, if necessary.

3. The director may make and conduct the investigation in person, or he may appoint one or more persons to make and conduct the same for him. If made by a person other than the director, the person duly appointed by the director shall have the same powers as granted to the director pursuant to this section. A certificate of appointment, under the official seal of the director, shall be sufficient authority and evidence thereof for the person to act. For the purpose of making the investigations, or having the same made, the director may employ the necessary clerical, actuarial and other assistance.

374.782. 1. Sections 374.782 to 374.789 shall be known as "The Surety Recovery Agent Licensure Act".

2. As used in sections 374.782 to 374.789, the following terms mean:

(1) "Department", the department of insurance of the state of Missouri;

(2) "Fugitive recovery", the tracking down, recapturing and surrendering to the custody of a court a

fugitive who has violated a bail bond agreement;

(3) "Surety recovery agent", a person not performing the duties of a sworn peace officer who tracks down, captures and surrenders to the custody of a court a fugitive who has violated a bail bond agreement, excluding a bail bond agent or general bail bond agent.

374.783. 1. No person shall hold himself or herself out as being a surety recovery agent in this state, unless such person is licensed in accordance with the provisions of sections 374.782 to 374.789.

2. The department shall have authority to license all surety recovery agents in this state. The department shall have control and supervision over the licensing of such agents and the enforcement of the terms and provisions of sections 374.782 to 374.789.

3. The department shall have power to:

(1) Set and determine the amount of the fees which sections 374.782 to 374.789 authorize and require. The fees shall be set at a level sufficient to produce revenue which shall not substantially exceed the cost and expense of administering sections 374.782 to 374.789; and

(2) Determine the sufficiency of the qualifications of applicants for licensure.

4. The department shall license all surety recovery agents in this state who meet the requirements of sections 374.782 to 374.789.

374.784. 1. A candidate for a surety recovery agent's license shall be at least twenty-one years of age. A candidate shall furnish evidence of such person's qualifications by completing an approved licensed surety recovery agent course with at least forty hours of minimum training at an institution of higher education or any institution approved by the department.

2. The basic course of training shall consist of at least forty hours of training, be taught by personnel with qualifications approved by the department and may include instruction in:

(1) The following areas of the law:

(a) Constitutional law;

(b) Procedures for arresting defendants and surrendering defendants into custody;

(c) Civil liability;

(d) The civil rights of persons who are detained in custody;

(e) The use of force;

(2) Procedures for field operations, including, without limitation:

(a) Safety and survival techniques;

(b) Searching buildings;

(c) Handling persons who are mentally ill or under the influence of alcohol or a controlled substance; and

(d) The care and custody of prisoners;

(3) The skills required regarding:

(a) Writing reports, completing forms and procedures for exoneration;

(b) Methods of arrest;

(c) Nonlethal weapons;

(d) The retention of weapons;

(e) Qualifications for the use of firearms;

(f) Defensive tactics; and

(g) Principles of investigation, including, without limitation, the basic principles of locating defendants who have not complied with the terms and conditions established by a court for their release from custody or the terms and conditions of a contract entered into with a surety;

(4) The following subjects:

(a) Demeanor in a courtroom;

(b) First aid used in emergencies; and

(c) Cardiopulmonary resuscitation.

3. No license shall be granted unless the candidate has proof of a one million dollar bond or liability policy insuring against any damages to persons or property caused by the candidate.

374.785. 1. The department shall issue a license to any surety recovery agent who is licensed in another jurisdiction and who has had no violations, suspensions or revocations of a license to engage in fugitive recovery in any jurisdiction, provided that such person is licensed in a jurisdiction whose requirements are substantially equal to, or greater than, the requirements for licensure of surety recovery agents in Missouri at the time the applicant applies for licensure, the applicant has proof of a one million dollar bond or liability policy and such

general bail bond agent employs a surety recovery agent holding a valid Missouri surety recovery license.

2. For the purpose of surrender of the defendant, a surety may apprehend the defendant, anywhere within the state of Missouri, before or after the forfeiture of the undertaking without personal liability for false imprisonment or may empower any recovery agent to make apprehension by providing written authority endorsed on a certified copy of the undertaking and paying the lawful fees.

3. The surety or recovery agent shall inform the local law enforcement in the county or city where such agent is planning to enter a residence. Such agent shall have a certified copy of the bond and all appropriate paperwork to identify the principal. Local law enforcement, when notified, may accompany the surety or recovery agent to that location to keep the peace if an active warrant is effective for a felony or misdemeanor. If a warrant is not active, the local law enforcement officers may accompany the surety or recovery agent to such location. Failure to report to the local law enforcement agency is a class A misdemeanor. For any subsequent violations, failure to report to the local law enforcement agency is a class D felony.

4. Every applicant for a license pursuant to this section, upon making application and showing the necessary qualifications as provided in this section, shall be required to pay the same fee as the fee required to be paid by resident applicants. Within the limits provided in this section, the department may negotiate reciprocal compacts with licensing entities of other states for the admission of licensed surety recovery agents from Missouri in other states.

374.786. 1. Every person licensed pursuant to sections 374.782 to 374.789 shall, on or before the license renewal date, apply to the department for a licensure renewal for the ensuing licensing period. The application shall be made on a form furnished to the applicant and shall state the applicant's full name, the applicant's business address, the address at which the applicant resides, the date the applicant first received a license and the applicant's surety recovery agent identification number, if any.

2. A blank form for the application for licensure renewal shall be mailed to each person licensed in this state at the person's last known address. The failure to mail the form of application or the failure of a person to receive it does not, however, relieve any person of the duty to be licensed and to pay the license fee required nor exempt such person from the penalties provided for failure to be licensed.

3. Each applicant for licensure renewal shall accompany such application with a licensure renewal fee to be paid to the department for the licensing period for which licensure renewal is sought.

4. The department may refuse to issue or renew any license required pursuant to sections 374.782 to 374.789 for any one or any combination of causes stated in section 374.787. The department shall notify the applicant in writing of the reasons for refusal and shall advise the applicant of his or her right to file a complaint with the administrative hearing commission as provided by chapter 621, RSMo.

374.787. 1. The department may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621, RSMo, against any surety recovery agent or any person who has failed to renew or has surrendered his or her license for any one or any combinations of the following causes:

(1) Violation of any provisions of, or any obligations imposed by, the laws of this state, department of insurance rules and regulations, or aiding or abetting other persons to violate such laws, orders, rules or regulations;

(2) Having been convicted of a felony or crime involving moral turpitude;

(3) Using fraud, deception, misrepresentation or bribery in securing a license or in obtaining permission to take any examination required by sections 374.782 to 374.789;

(4) Obtaining or attempting to obtain any compensation as a surety recovery agent by means of fraud, deception or misrepresentation;

(5) Acting as a surety recovery agent or aiding or abetting another in acting as a surety recovery agent without a license;

(6) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions of duties of a surety recovery agent;

(7) Having revoked or suspended any license by another state.

2. After the filing of the complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621, RSMo. Upon a finding by the administrative hearing commission that one or more of the causes stated in subsection 1 of this section have been met, the department may suspend or revoke the license or enter into an agreement for a monetary or other penalty pursuant to section 374.280.

3. In lieu of filing a complaint with the administrative hearing commission, the department and the surety recovery agent may enter into an agreement for a monetary or other penalty pursuant to section 374.280.

4. In addition to any other remedies available, the department may issue a cease and desist order or may seek an injunction in a court of law pursuant to section 374.046 whenever it appears that any person is acting as a surety recovery agent without a license.

374.788. A surety recovery agent having probable grounds to believe a subject, free on his or her bond, has failed to appear as directed by a court, has breached the terms of the subject's surety agreement or has taken a substantial step toward absconding, may utilize all lawful means to arrest the subject. To surrender a subject to a court a licensed surety recovery agent, having probable grounds to believe the subject is free on their bond, may:

- (1) Detain a subject in a reasonable manner, for a reasonable time not to exceed seventy-two hours;**
- (2) Transport a subject in a reasonable manner from state to state and county to county to a place of authorized surrender; and**
- (3) Enter upon private or public property in a reasonable manner to execute an arrest of a subject.**

374.789. 1. A person is guilty of a class D felony if he or she does not hold a valid surety recovery agent's license or a bail bondsman's license and commits any of the following acts:

- (1) Holds himself or herself out to be a licensed surety recovery agent within this state;**
- (2) Claims that he or she can render surety recovery agent services; or**
- (3) Engages in fugitive recovery in this state.**

2. Any person who engages in fugitive recovery in this state and wrongfully causes damage to any person or property, including, but not limited to, trespass, unlawful arrest, unlawful detainment or assault, shall be liable for such damages and may be liable for punitive damages."; and

Further amend said bill, Page 90, Section 578.610, Line 9 of said page, by inserting after all of said section the following:

"590.132. No person shall be commissioned or employed as a peace officer unless he or she is a resident of Missouri."; and

Further amend said bill, by amending the title, enacting clause and intersectional references accordingly.

Representative Monaco assumed the Chair.

On motion of Representative Ross, **House Amendment No. 20** was adopted.

Representative Kelly (27) offered **House Amendment No. 21.**

House Amendment No. 21

AMEND House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 & 572, Page 90, Section 578.610, Line 9 of said page, by inserting after all of said section the following:

"595.030. 1. No compensation shall be paid unless the claimant has incurred an out-of-pocket loss of at least fifty dollars or has lost two continuous weeks of earnings or support from gainful employment. "Out-of-pocket loss" shall mean unreimbursed or unreimbursable expenses or indebtedness reasonably incurred for medical care or other services, including psychiatric, psychological or counseling expenses, necessary as a result of the crime upon which the claim is based, except that the amount paid for psychiatric, psychological or counseling expenses per eligible claim shall not exceed two thousand five hundred dollars. [Fifty dollars shall be deducted from any award granted under sections 595.010 to 595.075, except that an award to a person sixty-five years of age or older is not subject to any deduction.]

2. No compensation shall be paid unless the division of workers' compensation finds that a crime was committed, that such crime directly resulted in personal physical injury to, or the death of, the victim, and that police records show that such crime was promptly reported to the proper authorities. In no case may compensation be paid if the police records show that such report was made more than forty-eight hours after the occurrence of such crime, unless the division of workers' compensation finds that the report to the police was delayed for good cause. If the victim is under eighteen years of age such report may be made by the victim's parent, guardian or custodian; by a physician, a nurse,

or hospital emergency room personnel; by the division of family services personnel; or by any other member of the victim's family.

3. No compensation shall be paid for medical care if the service provider is not a medical provider as that term is defined in section 595.027, and the individual providing the medical care is not licensed by the state of Missouri or the state in which the medical care is provided.

4. No compensation shall be paid for psychiatric treatment or other counseling services, including psychotherapy, unless the service provider is a:

(1) Physician licensed pursuant to chapter 334, RSMo, or licensed to practice medicine in the state in which the service is provided;

(2) Psychologist licensed pursuant to chapter 337, RSMo, or licensed to practice psychology in the state in which the service is provided;

(3) Clinical social worker licensed pursuant to chapter 337, RSMo; or

(4) Professional counselor licensed pursuant to chapter 337, RSMo.

5. Any compensation paid [under] **pursuant to** sections 595.010 to 595.075 for death or personal injury shall be in an amount not exceeding out-of-pocket loss, together with loss of earnings or support from gainful employment, not to exceed two hundred dollars per week, resulting from such injury or death. In the event of death of the victim, an award may be made for reasonable and necessary expenses actually incurred for preparation and burial not to exceed five thousand dollars.

6. Any compensation for loss of earnings or support from gainful employment shall be in an amount equal to the actual loss sustained not to exceed two hundred dollars per week; provided, however, that no award [under] **pursuant to** sections 595.010 to 595.075 shall exceed [fifteen] **twenty-five** thousand dollars. If two or more persons are entitled to compensation as a result of the death of a person which is the direct result of a crime or in the case of a sexual assault, the compensation shall be apportioned by the division of workers' compensation among the claimants in proportion to their loss.

7. The method and timing of the payment of any compensation [under] **pursuant to** sections 595.010 to 595.075 shall be determined by the division.

595.035. 1. For the purpose of determining the amount of compensation payable pursuant to sections 595.010 to 595.075, the division of workers' compensation shall, insofar as practicable, formulate standards for the uniform application of sections 595.010 to 595.075, taking into consideration the provisions of sections 595.010 to 595.075, the rates and amounts of compensation payable for injuries and death [under] **pursuant to** other laws of this state and of the United States, excluding pain and suffering, and the availability of funds appropriated for the purpose of sections 595.010 to 595.075. All decisions of the division of workers' compensation on claims heard [under] **pursuant to** sections 595.010 to 595.075 shall be in writing, setting forth the name of the claimant, the amount of compensation and the reasons for the decision. The division of workers' compensation shall immediately notify the claimant in writing of the decision and shall forward to the state treasurer a certified copy of the decision and a warrant for the amount of the claim. The state treasurer, upon certification by the commissioner of administration, shall, if there are sufficient funds in the crime victims' compensation fund, pay to or on behalf of the claimant the amount determined by the division.

2. The crime victims' compensation fund is not a state health program and is not intended to be used as a primary payor to other health care assistance programs, but is a public, quasi-charitable fund whose fundamental purpose is to assist victims of violent crimes through a period of financial hardship, as a payor of last resort. Accordingly, any compensation paid pursuant to sections 595.010 to 595.075 shall be reduced by the amount of any payments, benefits or awards received or to be received as a result of the injury or death:

(1) From or on behalf of the offender;

(2) Under private or public insurance programs, including champus, Medicare, Medicaid and other state or federal programs, **but not including any life insurance proceeds**; or

(3) From any other public or private funds, including an award payable [under] **pursuant to** the workers' compensation laws of this state.

3. In determining the amount of compensation payable, the division of workers' compensation shall determine whether, because of the victim's consent, provocation, incitement or negligence, the victim contributed to the infliction of the victim's injury or death, and shall reduce the amount of the compensation or deny the claim altogether, in accordance with such determination; provided, however, that the division of workers' compensation may disregard the responsibility of the victim for his **or her** own injury where such responsibility was attributable to efforts by the victim to aid a victim, or to prevent a crime or an attempted crime from occurring in his **or her** presence, or to apprehend a person who had committed a crime in his **or her** presence or had in fact committed a felony.

4. In determining the amount of compensation payable pursuant to sections 595.010 to 595.070, monthly Social Security disability or retirement benefits received by the victim shall not be considered by the division as a factor for reduction of benefits.

5. The division shall not be liable for payment of compensation for any out-of-pocket expenses incurred more than three years following the date of the occurrence of the crime upon which the claim is based.”; and

Further amend said bill, by amending the title, enacting clause and intersectional references accordingly.

On motion of Representative Kelly (27), **House Amendment No. 21** was adopted.

Representative Naeger offered **House Amendment No. 22**.

House Amendment No. 22

AMEND House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 & 572, Page 8, Section 195.524, Line 24, by deleting the words “**ninety-six**” and inserting in lieu thereof the words “**one-hundred**”.

Speaker Pro Tem Abel resumed the Chair.

On motion of Representative Naeger, **House Amendment No. 22** was adopted.

Representative O'Toole offered **House Amendment No. 23**.

Representative Burcham raised a point of order that **House Amendment No. 23** goes beyond the scope of the house substitute.

The Chair ruled the point of order well taken.

Representative Hosmer offered **House Amendment No. 23**.

House Amendment No. 23

AMEND House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 & 572, Page 29, Section 491.707, Line 18 of said page, by inserting after all of said section the following:

“494.425. The following persons shall be disqualified from serving as a petit or grand juror:

- (1) Any person who is less than [twenty-one] **eighteen** years of age;
- (2) Any person not a citizen of the United States;
- (3) Any person not a resident of the county or city not within a county served by the court issuing the summons;
- (4) Any person who has been convicted of a felony, unless such person has been restored to [his] **such person's** civil rights;
- (5) Any person unable to read, speak and understand the English language;
- (6) Any person on active duty in the armed forces of the United States or any member of the organized militia on active duty under order of the governor;
- (7) Any licensed attorney at law;
- (8) Any judge of a court of record;
- (9) Any person who, in the judgment of the court or the board of jury commissioners, is incapable of performing the duties of a juror because of mental or physical illness or infirmity.

494.430. Upon timely application to the court, the following persons shall be excused from service as a petit or grand juror:

- (1) Any person actually performing the duties of a clergyman;
- (2) Any person who has served on a state or federal petit or grand jury within the preceding year;
- (3) Any person whose absence from [his] **such person's** regular place of employment would, in the judgment of the court, tend materially and adversely to affect the public safety, health, welfare or interest;
- (4) Any person upon whom service as a juror would in the judgment of the court impose an extreme hardship;
- (5) Any person licensed to engage in and actively engaged in the practice of medicine, osteopathy, chiropractic, dentistry or pharmacy[.];
- (6) **Any person who is enrolled as a full-time student and is not residing within twenty miles of the city or county where the jury summons is issued.**"; and

Further amend said bill, by amending the title, enacting clause and intersectional references accordingly.

On motion of Representative Hosmer, **House Amendment No. 23** was adopted.

Representative Crawford offered **House Amendment No. 24**.

House Amendment No. 24

AMEND House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 & 572, Page 68, Section 566.141, Line 7 of said page, by inserting after all of said section the following:

"568.176. 1. Any person who sells or attempts to sell any person less than eighteen years of age to another or receives money or anything of value in consideration of placing any person less than eighteen years of age in the custody or under the power or control of another, or who buys or attempts to buy any person less than eighteen years of age, or pays money or delivers anything of value to another in consideration of having any person less than eighteen years of age placed in his or her custody or under his or her power or control is guilty of a class B felony.

2. The provisions of this section shall not apply to legitimate adoptions, to legitimate actions by department of corrections officials or county jailers, or to any negotiations or legal proceedings of any kind between parents, guardians, grandparents or other similar concerned parties that relate to the legal custody of minor children."; and

Further amend said bill, by amending the title, enacting clause and intersectional references accordingly.

On motion of Representative Crawford, **House Amendment No. 24** was adopted.

Representative Jetton offered **House Amendment No. 25**.

House Amendment No. 25

AMEND House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 & 572, Page 90, Section 578.610, Line 9, by inserting after all of said line the following:

"589.320. 1. The department of public safety shall establish a law enforcement grants program, to be known as "The Drug Detection Program", which shall, subject to appropriations, make funds available to municipal or county law enforcement agencies for the purpose of purchasing drug dogs to aid in the detection of illegal drugs.

2. Appropriations for such grants shall be made to the department of public safety who shall administer such grants for transmission to municipal or county law enforcement agencies to which grants are made.

3. An application for a grant hereunder may be made to and processed by the department of public safety. The department of public safety shall make the necessary rules and regulations for the consideration and processing of all grant requests.

4. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Jetton, **House Amendment No. 25** was adopted.

Representative Clayton offered **House Amendment No. 26**.

House Amendment No. 26

AMEND House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 & 572, Page 60, Section 565.070, Line 4 of said page, by inserting after said line the following:

“565.084. 1. A person commits the crime of tampering with a judicial officer if, with the purpose to harass, intimidate or influence a judicial officer in the performance of such officer's official duties, [he] **the actor**:

- (1) Threatens or causes harm to such judicial officer or members of such judicial officer's family;
- (2) Uses force, threats, or deception against or toward such judicial officer or members of such judicial officer's family;
- (3) Offers, conveys or agrees to convey any benefit direct or indirect upon such judicial officer or such judicial officer's family;
- (4) Engages in conduct reasonably calculated to harass or alarm such judicial officer or such judicial officer's family, including stalking pursuant to section 565.225.

2. A judicial officer for purposes of this section shall be a judge, arbitrator, special master, juvenile court commissioner, state probation or parole officer, **juvenile court officer** or referee.

3. A judicial officer's family for purposes of this section shall be:

- (1) [His] **The officer** spouse; or
- (2) [His or his] **The officer's or the officer's** spouse's ancestor or descendant by blood or adoption; or
- (3) [His] **The officer's** stepchild, while the marriage creating that relationship exists.

4. Tampering with a judicial officer is a class C felony.”.

On motion of Representative Clayton, **House Amendment No. 26** was adopted.

Representative Kelley (47) offered **House Amendment No. 27**.

House Amendment No. 27

AMEND House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 & 572, Page 13, Section 210.001, Line 21, by inserting immediately after said line the following:

“210.140. Any legally recognized privileged communication, except that between attorney and client **or involving communications made to a minister or clergyperson**, shall not apply to situations involving known or suspected child abuse or neglect and shall not constitute grounds for failure to report as required or permitted by sections 210.110 to 210.165, or to give or accept evidence in any judicial proceeding relating to child abuse or neglect.”; and

Further amend the title and enacting clause of said bill accordingly.

On motion of Representative Kelley (47), **House Amendment No. 27** was adopted.

Representative Black offered **House Amendment No. 28**.

House Amendment No. 28

AMEND House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 & 572, Page 83, Section 570.120, Line 12 of said page, by inserting after all of said line the following:

"571.030. 1. A person commits the crime of unlawful use of weapons if he or she knowingly:

(1) Carries concealed upon or about his or her person a knife, a firearm, a blackjack or any other weapon readily capable of lethal use; or

(2) Sets a spring gun; or

(3) Discharges or shoots a firearm into a dwelling house, a railroad train, boat, aircraft, or motor vehicle as defined in section 302.010, RSMo, or any building or structure used for the assembling of people; or

(4) Exhibits, in the presence of one or more persons, any weapon readily capable of lethal use in an angry or threatening manner; or

(5) Possesses or discharges a firearm or projectile weapon while intoxicated; or

(6) Discharges a firearm within one hundred yards of any occupied schoolhouse, courthouse, or church building; or

(7) Discharges or shoots a firearm at a mark, at any object, or at random, on, along or across a public highway or discharges or shoots a firearm into any outbuilding; or

(8) Carries a firearm or any other weapon readily capable of lethal use into any church or place where people have assembled for worship, or into any election precinct on any election day, or into any building owned or occupied by any agency of the federal government, state government, or political subdivision thereof, or into any public assemblage of persons met for any lawful purpose; or

(9) Discharges or shoots a firearm at or from a motor vehicle, as defined in section 301.010, RSMo, while within any city, town, or village, and discharges or shoots a firearm at any person, or at any other motor vehicle, or at any building or habitable structure, unless the person was lawfully acting in self-defense; or

(10) Carries a firearm, whether loaded or unloaded, or any other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any function or activity sponsored or sanctioned by school officials or the district school board.

2. Subdivisions (1), (3), (4), (6), (7), (8), (9) and (10) of subsection 1 of this section shall not apply to or affect any of the following:

(1) All state, county and municipal law enforcement officers possessing the duty and power of arrest for violation of the general criminal laws of the state or for violation of ordinances of counties or municipalities of the state, or any person summoned by such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime;

(3) Members of the armed forces or national guard while performing their official duty;

(4) Those persons vested by article V, section 1 of the Constitution of Missouri with the judicial power of the state and those persons vested by article III of the Constitution of the United States with the judicial power of the United States, the members of the federal judiciary;

(5) Any person whose bona fide duty is to execute process, civil or criminal;

(6) Any federal probation officer;

(7) Any state probation or parole officer, including supervisors and members of the board of probation and parole; [and]

(8) Any corporate security advisor meeting the definition and fulfilling the requirements of the regulations established by the board of police commissioners under section 84.340, RSMo; **and**

(9) Any juvenile officer while performing duties incident to his or her office who has fulfilled the requirements of section 590.105, RSMo.

3. Subdivisions (1), (5), (8) and (10) of subsection 1 of this section do not apply when the actor is transporting such weapons in a nonfunctioning state or in an unloaded state when ammunition is not readily accessible or when such weapons are not readily accessible. Subdivision (1) of subsection 1 of this section does not apply when the actor is also in possession of an exposed firearm or projectile weapon for the lawful pursuit of game, or is in his dwelling unit or upon business premises over which the actor has possession, authority or control, or is traveling in a continuous journey peaceably through this state. Subdivision (10) of subsection 1 of this section does not apply if the firearm is otherwise

lawfully possessed by a person while traversing school premises for the purposes of transporting a student to or from school, or possessed by an adult for the purposes of facilitation of a school-sanctioned firearm- related event.

4. Nothing in this section shall make it unlawful for a student to actually participate in school-sanctioned gun safety courses, student military or ROTC courses, or other school-sponsored firearm-related events, provided the student does not carry a firearm or other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any function or activity sponsored or sanctioned by school officials or the district school board.

5. Unlawful use of weapons is a class D felony unless committed pursuant to subdivision (5), (6), (7) or (8) of subsection 1 of this section, in which cases it is a class B misdemeanor, or subdivision (10) of subsection 1 of this section, in which case it is a class A misdemeanor if the firearm is unloaded and a class D felony if the firearm is loaded, or subdivision (9) of subsection 1 of this section, in which case it is a class B felony, except that if the violation of subdivision (9) of subsection 1 of this section results in injury or death to another person, it is a class A felony.

6. Violations of subdivision (9) of subsection 1 of this section shall be punished as follows:

(1) For the first violation a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony;

(2) For any violation by a prior offender as defined in section 558.016, RSMo, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation or conditional release for a term of ten years;

(3) For any violation by a persistent offender as defined in section 558.016, RSMo, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation, or conditional release;

(4) For any violation which results in injury or death to another person, a person shall be sentenced to an authorized disposition for a class A felony.

7. Any person knowingly aiding or abetting any other person in the violation of subdivision (9) of subsection 1 of this section shall be subject to the same penalty as that prescribed by this section for violations by other persons."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Monaco resumed the Chair.

Representative Ballard offered **House Substitute Amendment No. 1 for House Amendment No. 28**.

House Substitute Amendment No. 1 for House Amendment No. 28 was withdrawn.

On motion of Representative Black, **House Amendment No. 28** was adopted by the following vote:

AYES: 088

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Behnen	Berkstresser	Black	Boatright	Bonner
Boucher	Britt	Burcham	Burton	Byrd
Champion	Cierpiot	Cooper	Copenhaver	Crowell
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Franklin	Fraser	Gaskill	Graham
Griesheimer	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Hoppe	Hosmer	Hunter	Jetton
Jolly	Kelley 47	Kennedy	King	Koller
Levin	Linton	Long	Lowe	Luetkemeyer
Marble	Marsh	May 149	Mayer	Merideth
Miller	Moore	Murphy	Myers	Naeger
Ostmann	Phillips	Portwood	Purgason	Ransdall

Rector	Reid	Reinhart	Richardson	Rizzo
Roark	Robirds	Scott	Secret	Seigfreid
Selby	Skaggs	St. Onge	Surface	Townley
Treadway	Vogel	Wagner	Ward	Wiggins
Williams	Wilson 25	Mr. Speaker		

NOES: 057

Barry 100	Bearden	Berkowitz	Bowman	Boykins
Bray 84	Brooks	Campbell	Carnahan	Clayton
Coleman	Crawford	Crump	Curls	Foley
Ford	Froelker	Gambaro	George	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hickey	Hilgemann
Holt	Johnson 61	Johnson 90	Kelly 144	Kelly 27
Legan	Liese	Lograsso	Mays 50	McKenna
O'Connor	O'Toole	Overschmidt	Relford	Reynolds
Ridgeway	Ross	Schwab	Shelton	Shoemyer
Smith	Thompson	Troupe	Villa	Walton
Willoughby	Wilson 42			

PRESENT: 000

ABSENT WITH LEAVE: 015

Abel	Baker	Bland	Cunningham	Harlan
Hollingsworth	Kelly 36	Lawson	Luetkenhaus	Monaco
Nordwald	Scheve	Shields	Van Zandt	Wright

VACANCIES: 003

Representative Hosmer offered **House Amendment No. 29.**

House Amendment No. 29

AMEND House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 & 572, Page 83, Line 12, by adding after said line the following:

“570.135. 1. No person shall knowingly make or cause to be made, directly or indirectly, a false statement regarding another person for the purpose of fraudulently procuring the issuance of a credit card or debit card. **No person shall knowingly use the credit card or debit card of another person without the consent of such person.**

2. No person shall willfully obtain personal identifying information of another person without the authorization of that person and use that information fraudulently to obtain, or attempt to obtain, credit, goods or services in the name of the other person without the consent of that person.

3. Any person who violates the provisions of subsection 1 or 2 of this section is guilty of a [class A misdemeanor] **D felony, unless ten thousand dollars or more in goods or services are procured as a result of such violation in which case it is a class C felony. Any second or subsequent violation of subsection 1 or 2 of this section is a class C felony.**

4. As used in this section, "personal identifying information" means the name, address, telephone number, driver's license number, Social Security number, [place of employment,] employee identification number, [mother's maiden name,] demand deposit account number, savings account number or credit card number of a person.

5. Notwithstanding subsections 1 to 4 of this section, no corporation, proprietorship, partnership, limited liability company, limited liability partnership or other business entity shall be liable under this section for accepting applications for credit cards or debit cards or for the credit cards or debit cards in any credit or debit transaction, absent clear and convincing evidence that such business entity conspired with or was a part of the fraudulent procuring of the issuance of a credit card or debit card.”; and

Further amend the title and enacting clause accordingly.

On motion of Representative Hosmer, **House Amendment No. 29** was adopted.

Representative Portwood offered **House Amendment No. 30**.

House Amendment No. 30

AMEND House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 & 572, Page 52, Section 558.019, Line 18 of said page, by inserting after all of said section the following:

- "565.024. 1. A person commits the crime of involuntary manslaughter in the first degree if [he] **the person:**
- (1) Recklessly causes the death of another person; or
 - (2) While in an intoxicated condition operates a motor vehicle in this state and, when so operating, acts with criminal negligence to cause the death of any person; **or**
 - (3) **While in the process of committing any crime pursuant to chapter 195, RSMo, or while in the process of committing any other crime wherein the possession, sale, distribution, trafficking, use or other activity involving any controlled substance is an element of such crime, knowingly fails to summon aid when a reasonable person in the same circumstance would have done so, for a person whose death could have been avoided had aid been summoned, or prevents others from summoning such aid.**
2. Involuntary manslaughter in the first degree is a class C felony.
 3. A person commits the crime of involuntary manslaughter in the second degree if he acts with criminal negligence to cause the death of any person.
 4. Involuntary manslaughter in the second degree is a class D felony."; and

Further amend said bill, by amending the title, enacting clause and intersectional references accordingly.

HCS HBs 835, 90, 707, 373, 641, 510, 516 & 572, with House Amendment No. 30 and HS, as amended, pending, was laid over.

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HCS HJR 7 - Fiscal Review and Government Reform (Fiscal Note)

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SCR 28 - Environment and Energy

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SBs 5 & 21 - Miscellaneous Bills & Resolutions
SCS SB 60 - Social Services, Medicaid and the Elderly
SS SCS SBs 214, 124, 209 & 322 - Criminal Law
SS SB 220 - Banks and Financial Institutions
SS SCS SBs 323 & 230 - Tourism, Recreation and Cultural Affairs
SS SCS SB 351 - Public Safety, Law Enforcement and Veteran Affairs
SB 385 - Professional Registration and Licensing
SB 428 - Labor
SS SCS SBs 433 & 248 - Local Government and Related Matters
SB 462 - Agriculture

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS SBs 22 & 106**, entitled:

An act to repeal section 135.095, RSMo 2000, relating to prescription drugs for the elderly and to enact in lieu thereof twelve new sections relating to the same subject, with an emergency clause for certain sections and a contingent termination date for a certain section.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SBs 89 & 37**, entitled:

An act to repeal section 570.030, RSMo 2000, and to enact in lieu thereof nine new sections relating to the manufacture of methamphetamine, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SBs 347 & 487**, entitled:

An act to repeal section 137.100, RSMo 2000, relating to assessment and levy of property taxes, and to enact in lieu thereof four new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

LETTER OF OBJECTION

April 17, 2001

Ted Wedel
Chief Clerk
State Capitol Building, Room 306 C
Jefferson City, MO 65101-6806

Dear Chief Clerk:

Comes now the undersigned members of the Missouri House of Representatives, 91st General Assembly, pursuant to Rule 48, and to object to **HCS SCS SB 591** as a consent bill.

Sincerely,

/s/ John Bowman
/s/ Maida Coleman
/s/ Connie Johnson
/s/ Dr. Charles Portwood
/s/ Gary Burton

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated pursuant to Rule 48:

HCS SCS SB 591 - Rules, Joint Rules and Bills Perfected and Printed

The following member's presence was noted: Bland.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, April 18, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-sixth Day, Thursday, April 12, 2001, pages 1113 and 1114, roll call, by showing Representative Fraser voting "aye" rather than "absent with leave".

Pages 1115 and 1116, roll call, by showing Representatives Miller and Robirds voting "aye" rather than "absent with leave".

Pages 1118 and 1119, roll call, by showing Representative Hanaway voting "no" rather than "absent with leave".

Pages 1121 and 1122, roll call, by showing Representative Surface voting "no" rather than "absent with leave".

Pages 1122 and 1123, roll call, by showing Representative Surface voting "yes" rather than "absent with leave".

Pages 1125 and 1126, roll call, by showing Representative Surface voting "no" rather than "absent with leave".

Pages 1126 and 1127, roll call, by showing Representative Surface voting "no" rather than "absent with leave".

Pages 1127 and 1128, roll call, by showing Representative Surface voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

BUDGET

Wednesday, April 18, 2001. Hearing Room 3 upon morning adjournment.
Executive Session.
To be considered - HB 14

CHILDREN, FAMILIES, AND HEALTH

Thursday, April 19, 2001, 8:00 am. Hearing Room 3.
Possible Executive Session.
To be considered - HB 722, HB 964, SB 44, SB 46

CIVIL AND ADMINISTRATIVE LAW

Wednesday, April 18, 2001. Hearing Room 1 upon morning adjournment.
Executive Session may follow.
To be considered - HB 965

CRIMINAL LAW

Wednesday, April 18, 2001. Hearing Room 7 upon evening adjournment.
Executive Session may follow.
To be considered - SB 214

EDUCATION - ELEMENTARY AND SECONDARY

Thursday, April 19, 2001, 9:00 am. Side gallery.
To be considered - SB 32, SB 319, SCR 3, SCR 26,
Executive Session -HB 860, Executive Session - HB 948

EDUCATION - HIGHER

Wednesday, April 18, 2001, 12:30 pm. Hearing Room 5.
Committee will meet at 12:30 pm or upon noon adjournment, whichever is later.
To be considered - Executive Session - SB 284

FISCAL REVIEW AND GOVERNMENT REFORM

Wednesday, April 18, 2001, 8:30 am. Hearing Room 5.

HS HB 349 (Fiscal Note).

To be considered - HB 787, SB 50, SCR 22

JOINT COMMITTEE ON CAPITAL IMPROVEMENTS AND LEASING

Thursday, April 19, 2001, 8:30 am. Hearing Room 1.

Re-appropriations, pending FY01 capital budget, prison construction, proposed revenue bonding projects, etc.

LABOR

Wednesday, April 18, 2001. Hearing Room 3 upon evening adjournment.

CORRECTED NOTICE.

To be considered - SB 381, SB 500

LOCAL GOVERNMENT AND RELATED MATTERS

Wednesday, April 18, 2001. Hearing Room 6 upon morning adjournment.

Executive Session may follow.

To be considered - SB 14, SB 125, SB 486

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, April 18, 2001, 8:45 am. Hearing Room 6.

Executive Session.

To be considered - SCR 14, SJR 9

SUBCOMMITTEE ON HIGHER EDUCATION

Wednesday, April 18, 2001, 9:00 am. Side gallery.

Purpose--Course Credit for American Sign Language.

SUBCOMMITTEE ON REDISTRICTING FOR CONGRESSIONAL DISTRICTS 1, 2 AND 3

Friday, April 20, 2001, 9:00 am.

Mini Auditorium, Room 311, Harris Stowe College, 3028 Laclede Ave., St. Louis, MO.

Public Hearing.

UTILITIES REGULATION

Thursday, April 19, 2001, 8:15 am. Hearing Room 6. Study session.

Panel on Electric Transmission.

Executive Session may follow.

HOUSE CALENDAR

FIFTY-EIGHTH DAY, WEDNESDAY, APRIL 18, 2001

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 15 & 13 - Crawford

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 457, HA 2, as amended, tabled - Kreider
- 2 HCS HB 835, 90, 707, 373, 641, 510, 516 & 572, HA 30 and HS, as amended, pending - Britt
- 3 HB 286, HCA 1 & HCA 2 - Smith
- 4 HCS HB 280, 69, 497 & 689 - Hoppe
- 5 HB 527 - Luetkenhaus
- 6 HB 736 - Liese
- 7 HB 366 - Champion
- 8 HB 678 - Seigfreid
- 9 HB 436 - Merideth
- 10 HCS HB 472 - Burton
- 11 HCS HB 488 - Koller
- 12 HB 592, HCA 1 - Williams
- 13 HCS HB 660 - Hagan-Harrell
- 14 HB 555 - Foley
- 15 HCS HB 426 - O'Toole
- 16 HCS HB 831 - Carnahan
- 17 HCS HB 428 - Kelly (36)
- 18 HCS HB 593 - Riback Wilson (25)
- 19 HCS HB 170 - Froelker
- 20 HCS HB 239 - Smith
- 21 HB 715 - Foley
- 22 HCS HB 981 & 665 - Willoughby
- 23 HB 802 - Ransdall
- 24 HCS HB 374 - Fraser
- 25 HCS HB 780 - Scheve
- 26 HCS HB 853 & 258 - Crump
- 27 HCS HB 186 & 172 - Troupe
- 28 HCS HB 635 - Barry
- 29 HCS HB 868 - Merideth
- 30 HCS HB 253 - Ross
- 31 HCS HB 888, 942 & 943 - Scheve
- 32 HCS HB 293 - Kennedy
- 33 HB 809, HCA 1 - Carnahan
- 34 HCS HB 340, 303 & 316 - Graham
- 35 HB 640 - Johnson (90)

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- 36 HCS HB 723 - Mays (50)
- 37 HCS HB 117 - Riback Wilson (25)
- 38 HCS HB 307 - Wiggins
- 39 HCS HB 663 & 375 - Kennedy
- 40 HCS HB 921 - Curls

HOUSE BILL FOR PERFECTION - INFORMAL

HCS HB 113 - Hickey

HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 HCR 12, (3-29-01, page 894) - Haywood
- 2 HCR 25, (4-5-01, pages 1006 & 1007) - Graham

HOUSE JOINT RESOLUTION FOR THIRD READING

HCS HJR 7, (Fiscal Review 4-17-01) - Koller

HOUSE BILLS FOR THIRD READING

- 1 HS HB 349, (Fiscal Review 4-12-01) - Hosmer
- 2 HS HB 882 - Crump

HOUSE BILL FOR THIRD READING - CONSENT - INFORMAL

HB 402 - Boucher

SENATE BILLS FOR SECOND READING

- 1 SS#2 SCS SB 22 & 106
- 2 SS SCS SB 89 & 37
- 3 SS SCS SB 347 & 487

SENATE BILLS FOR THIRD READING - CONSENT

(April 17, 2001)

- 1 SB 25 - Farnen
- 2 HCS SB 321 - Crump
- 3 HCS SB 441 - Williams
- 4 HCS SB 521 - Luetkenhaus
- 5 SCS SB 301 - Hegeman
- 6 SB 295 - McKenna
- 7 SB 394 - Hosmer

- 8 SB 442 - O'Connor
- 9 SB 203 - O'Toole
- 10 HCS SCS SB 151 - Gaskill
- 11 HCS SB 191 - George
- 12 HCS SB 130 - Barry
- 13 SCS SB 234 - Kennedy
- 14 SB 553 - Barnett
- 15 SCS SB 270 - Monaco
- 16 SCS SB 341 - Britt
- 17 SB 87 - Smith
- 18 SCS SB 431, E.C. - Shoemyer
- 19 SB 142 - Robirds
- 20 SCS SB 383 - Harding
- 21 SB 436 - Koller
- 22 SB 606 - Clayton
- 23 SB 605 - Luetkenhaus
- 24 SB 111 - Ostmann
- 25 HCS SB 544 - Relford
- 26 SB 200 -
- 27 SB 316 - Hagan-Harrell
- 28 SCS SB 357, E.C. -
- 29 SB 207 - Kennedy
- 30 SB 252 - Surface
- 31 SB 443, E.C. - Hosmer
- 32 SCS SB 384 - Johnson (90)
- 33 SCS SB 241 - Ward
- 34 HCS SCS SB 382, E.C. - Liese
- 35 SB 224, E.C. - Luetkemeyer
- 36 SB 179 - Wagner
- 37 HCS SCS SB 617 - Rizzo
- 38 SB 435 - Koller
- 39 SB 223 - Hosmer
- 40 HCS SCS SB 520 - Myers
- 41 HCS SB 227 - Burton
- 42 SB 110 - Ladd Baker
- 43 SCS SB 514 - Hosmer
- 44 SB 353, HCA 1 - Shields
- 45 HCS SB 274 - Harlan
- 46 HCS SCS SB 568 -
- 47 SB 451 - Mays (50)
- 48 SCS SB 352 - Lawson
- 49 HCS SCS SB 178 - Hoppe
- 50 HCS SB 345 - Holt
- 51 HCS SCS SB 515 - Kennedy
- 52 SCS SB 407 - Hilgemann

- 53 SB 540 - Levin
- 54 HCS SCS SB 619, E.C. - Hoppe
- 55 SB 201 - Farnen
- 56 SB 58 - Wagner
- 57 SB 303 - Relford
- 58 HCS SB 610 - Hoppe
- 59 SCS SB 13 - Ross
- 60 HCS SB 543 - Britt
- 61 SB 556 - Hoppe
- 62 SB 575 - Davis
- 63 HCS SB 304 - Monaco
- 64 SB 406 - Scott
- 65 SCS SB 197 - Luetkenhaus
- 66 SB 148 -
- 67 HCS SB 307 - Froelker
- 68 HCS SB 348 -
- 69 HCS SB 538 - Luetkemeyer

BILL IN CONFERENCE

CCR SCS HCS HB 15 - Green (73)

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

FIFTY-EIGHTH DAY, WEDNESDAY, APRIL 18, 2001

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God: the sky is a rich blue. The grass is a deep green. The Spring air is fresh. These halls are alive with Missouri's children. Thank you. Bless the men and women of the House on this new day.

Help them to make good decisions. Protect them from narrow self-interest. Keep before them the absolutes of life, honesty, justice and obedience to what You require. To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Tina Bittner, Carolina Herrera, Clementine Seguin, Ulrike Geisemeyer, Macarena Martinez, Marc Kuster, Marco Dominici, Barbara Castellanos, Alex Bieg, Lisa Corsale, Laura Illinger, Jon McKenna, Ryan Armstrong, Jerrian Johnson, Wayne Sisk, Nash Stephens, Cassandra Wright, Derek Thomas Schloemann, Kathryn L. Wolterman, Aaron Aston Awtrey, Martha Stolzenberg, Bryan Timothy Currinder, Celia Catharine Rudolph, Lindsey Marlee Harrison, Emmanuel Christian Smith, Elise Gray, Lyndon Gray, Denny J. Merideth IV and Kristofer D. Merideth.

The Journal of the fifty-seventh day was approved as corrected by the following vote:

AYES: 087

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Farnen	Foley	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Harlan
Haywood	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Kelly 27	Kelly 36	Kennedy	Koller
Lawson	Liese	Lowe	Luetkenhaus	Mays 50
McKenna	Merideth	Monaco	O'Connor	O'Toole
Overschmidt	Ransdall	Relford	Reynolds	Rizzo
Scheve	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	Surface	Thompson	Treadway

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Troupe	Van Zandt	Villa	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 070

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Froelker	Gaskill	Griesheimer
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Hunter	Jetton	Kelley 47	Kelly 144
King	Legan	Levin	Linton	Long
Luetkemeyer	Marble	May 149	Mayer	Miller
Moore	Murphy	Myers	Naeger	Nordwald
Ostmann	Phillips	Portwood	Purgason	Rector
Reid	Reinhart	Richardson	Ridgeway	Roark
Robirds	Ross	Schwab	Scott	Secrest
Shields	St. Onge	Townley	Vogel	Wright

PRESENT: 001

Marsh

ABSENT WITH LEAVE: 002

Ford Lograsso

VACANCIES: 003

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1313

and

House Resolution No. 1314 - Representative Naeger

House Resolution No. 1315

and

House Resolution No. 1316 - Representative Fares

House Resolution No. 1317 - Representative Williams

House Resolution No. 1318 - Representative Kelly (36)

House Resolution No. 1319 - Representative Mayer

House Resolution No. 1320 - Representatives Vogel and Gratz

SECOND READING OF SENATE BILLS

SS #2 SCS SBs 22 & 106, SS SCS SBs 89 & 37 and SS SCS SBs 347 & 487 were read the second time.

BILL IN CONFERENCE

Representative Smith assumed the Chair.

Speaker Pro Tem Abel assumed the Chair.

CCR SCS HCS HB 15, relating to appropriations, was taken up by Representative Green (73).

On motion of Representative Green (73), **CCR SCS HCS HB 15** was adopted by the following vote:

AYES: 093

Abel	Baker	Barnett	Barnitz	Barry 100
Berkowitz	Black	Bland	Bonner	Boucher
Bowman	Boykins	Britt	Brooks	Burton
Campbell	Carnahan	Clayton	Coleman	Copenhaver
Crump	Curls	Davis	Farnen	Foley
Franklin	Fraser	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Harding	Harlan	Hartzler	Haywood
Hegeman	Hickey	Hilgemann	Holand	Hollingsworth
Johnson 61	Johnson 90	Jolly	Kelly 27	Kelly 36
Kennedy	Koller	Lawson	Legan	Liese
Lowe	Mays 50	McKenna	Merideth	Monaco
Murphy	Myers	O'Connor	O'Toole	Overschmidt
Ransdall	Relford	Reynolds	Rizzo	Scheve
Schwab	Seigfreid	Shelton	Shields	Shoemyer
Skaggs	Smith	Surface	Thompson	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 063

Ballard	Bartelsmeyer	Bartle	Bearden	Behnen
Berkstresser	Boatright	Burcham	Byrd	Champion
Cierpiot	Cooper	Crawford	Crowell	Cunningham
Dempsey	Enz	Fares	Froelker	Griesheimer
Hanaway	Henderson	Hendrickson	Hohulin	Holt
Hoppe	Hosmer	Hunter	Jetton	Kelley 47
Kelly 144	King	Levin	Linton	Lograsso
Long	Luetkemeyer	Marble	Marsh	May 149
Mayer	Miller	Moore	Naeger	Nordwald
Ostmann	Phillips	Portwood	Purgason	Rector
Reid	Reinhart	Richardson	Ridgeway	Roark
Robirds	Ross	Scott	Secrest	Selby
St. Onge	Townley	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 004

Bray 84	Dolan	Ford	Luetkenhaus
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VACANCIES: 003

On motion of Representative Green (73), **CCS SCS HCS HB 15** was read the third time and passed by the following vote:

AYES: 093

Abel	Baker	Barnett	Barry 100	Behnen
Berkowitz	Black	Bland	Bonner	Boucher
Bowman	Boykins	Britt	Brooks	Burton
Campbell	Carnahan	Clayton	Coleman	Cooper
Copenhaver	Crump	Curls	Davis	Farnen
Foley	Franklin	Fraser	Gambaro	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Harlan	Hartzler	Haywood	Hegeman
Hickey	Hilgemann	Holand	Hollingsworth	Johnson 61
Johnson 90	Jolly	Kelly 27	Kelly 36	Kennedy
Koller	Lawson	Legan	Liese	Long
Lowe	Mays 50	McKenna	Merideth	Monaco
Murphy	Myers	O'Connor	O'Toole	Overschmidt
Ransdall	Relford	Reynolds	Robirds	Scheve
Schwab	Seigfreid	Shelton	Shields	Shoemyer
Skaggs	Smith	Surface	Thompson	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 055

Ballard	Bartelsmeyer	Bartle	Bearden	Berkstresser
Boatright	Burcham	Byrd	Champion	Cierpiot
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Froelker	Hanaway	Henderson
Hendrickson	Hohulin	Holt	Hoppe	Hosmer
Hunter	Jetton	Kelly 144	Levin	Linton
Lograsso	Marble	Marsh	Mayer	Miller
Moore	Naeger	Nordwald	Ostmann	Phillips
Portwood	Purgason	Rector	Reid	Reinhart
Richardson	Ridgeway	Roark	Ross	Scott
Secrest	Selby	St. Onge	Townley	Wright

PRESENT: 000

ABSENT WITH LEAVE: 012

Barnitz	Bray 84	Ford	Gaskill	Griesheimer
Harding	Kelley 47	King	Luetkemeyer	Luetkenhaus
May 149	Rizzo			

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

THIRD READING OF HOUSE BILL

HS HB 882, relating to horse racing and pari-mutuel wagering, was taken up by Representative Crump.

On motion of Representative Crump, **HS HB 882** was read the third time and passed by the following vote:

AYES: 083

Abel	Barnitz	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Byrd	Carnahan	Clayton	Coleman
Copenhaver	Crump	Curls	Davis	Dolan
Farnen	Foley	Ford	Franklin	Fraser
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Harlan
Haywood	Henderson	Hickey	Hohulin	Hollingsworth
Holt	Hoppe	Johnson 61	Johnson 90	Kennedy
King	Koller	Liese	Long	Lowe
Luetkenhaus	Mays 50	McKenna	Merideth	Monaco
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Scheve	Seigfreid	Selby	Shelton
Shoemyer	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Wagner	Ward	Wiggins
Williams	Wilson 42	Mr. Speaker		

NOES: 069

Baker	Ballard	Barnett	Bartelsmeyer	Bartle
Bearden	Behnen	Berkstresser	Black	Boatright
Burcham	Burton	Campbell	Champion	Cooper
Crawford	Crowell	Cunningham	Dempsey	Enz
Hampton	Harding	Hartzler	Hegeman	Hendrickson
Hilgemann	Holand	Hunter	Jetton	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Lawson
Legan	Levin	Linton	Lograsso	Luetkemeyer
Marsh	May 149	Mayer	Miller	Moore
Murphy	Myers	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Roark
Robirds	Ross	Schwab	Scott	Secrest
Shields	Skaggs	Smith	St. Onge	Surface
Walton	Willoughby	Wilson 25	Wright	

PRESENT: 001

Fares

ABSENT WITH LEAVE: 007

Brooks	Cierpiot	Froelker	Hanaway	Hosmer
Marble	Vogel			

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

Representative Purgason requested a verification of the roll call on the Third Reading and Final Passage of **HS HB 882**.

On motion of Representative Foley, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Kreider.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Brandt Shields.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1321 - Representative Luetkenhaus
House Resolution No. 1322 - Representative Burcham
House Resolution No. 1323 - Representative Boucher
House Resolution No. 1324
and
House Resolution No. 1325 - Representative Wilson (42)
House Resolution No. 1326 - Representative Seigfreid
House Resolution No. 1327 - Representative Kelley (47)
House Resolution No. 1328
and
House Resolution No. 1329 - Representative Skaggs
House Resolution No. 1330
through
House Resolution No. 1382 - Representative Crowell
House Resolution No. 1383
and
House Resolution No. 1384 - Representative Troupe
House Resolution No. 1385
through
House Resolution No. 1395 - Representatives Harding, Skaggs and Phillips
House Resolution No. 1396 - Representative Kreider
House Resolution No. 1397 - Representative Rector

PERFECTION OF HOUSE BILLS

HCS HBs 835, 90, 707, 373, 641, 510, 516 & 572, with House Amendment No. 30 and HS, as amended, pending, relating to omnibus crime bill, was taken up by Representative Britt.

House Amendment No. 30 was withdrawn.

Representative Portwood offered **House Amendment No. 30.**

House Amendment No. 30

AMEND House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 & 572, Page 52, Section 558.019, Line 18 of said page, by inserting after all of said section the following:

"565.024. 1. A person commits the crime of involuntary manslaughter in the first degree if [he] **the person:**

- (1) Recklessly causes the death of another person; or
- (2) While in an intoxicated condition operates a motor vehicle in this state and, when so operating, acts with criminal negligence to cause the death of any person; **or**
- (3) **While in the process of committing any crime pursuant to chapter 195, RSMo, or while in the process of committing any other crime wherein the sale, distribution, trafficking, use or other activity involving any controlled substance is:**
 - (a) **An element of such crime; and**
 - (b) **The cause of such death;**

knowingly fails to summon aid when a reasonable person in the same circumstance would have done so, for a person whose death could have been avoided had aid been summoned, or prevents others from summoning such aid.

- 2. Involuntary manslaughter in the first degree is a class C felony.
- 3. A person commits the crime of involuntary manslaughter in the second degree if he acts with criminal negligence to cause the death of any person.
- 4. Involuntary manslaughter in the second degree is a class D felony."; and

Further amend said bill, by amending the title, enacting clause and intersectional references accordingly.

On motion of Representative Portwood, **House Amendment No. 30** was adopted.

Representative Boucher offered **House Amendment No. 31.**

House Amendment No. 31

AMEND House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 & 572, Page 37, Section 544.170, Line 4 of said page, by inserting after all of said section the following:

"547.035. 1. **A person in the custody of the department of corrections claiming that forensic DNA testing will demonstrate the person's innocence of the crime for which the person is in custody may file a post-conviction motion in the sentencing court seeking such testing. The procedure to be followed for such motions is governed by the rules of civil procedure insofar as applicable.**

- 2. **The motion must allege facts under oath demonstrating that:**
 - (1) **There is evidence upon which DNA testing can be conducted; and**
 - (2) **The evidence was secured in relation to the crime; and**
 - (3) **The evidence was not previously tested by the movant because:**
 - (a) **The technology for the testing was not reasonably available to the movant at the time of the trial;**
 - (b) **Neither the movant nor his or her trial counsel was aware of the existence of the evidence at the time of trial; or**
 - (c) **The evidence was otherwise unavailable to both the movant and movant's trial counsel at the time of trial; and**
 - (4) **Identity was an issue in the trial; and**
 - (5) **The evidence to be tested has been subject to a chain of custody sufficient to establish that it has not been substituted, tampered with, replaced or altered in any material aspect; and**
 - (6) **A reasonable probability exists that the movant would not have been convicted if exculpatory results had been obtained through the requested DNA testing.**

- 3. **Movant shall file the motion and two copies thereof with the clerk of the sentencing court. The clerk**

shall file the motion in the original criminal case and shall immediately deliver a copy of the motion to the prosecutor.

4. The court shall issue to the prosecutor an order to show cause why the motion should not be granted unless:

- (1) It appears from the motion that the movant is not entitled to relief; or
- (2) The court finds that the files and records of the case conclusively show that the movant is not entitled to relief.

5. Upon the issuance of the order to show cause, the clerk shall notify the court reporter to prepare and file the transcript of the trial or the movant's guilty plea and sentencing hearing if the transcript has not been prepared or filed.

6. If the court finds that the motion and the files and records of the case conclusively show that the movant is not entitled to relief, a hearing shall not be held. If a hearing is ordered, counsel shall be appointed to represent the movant if the movant is indigent. The hearing shall be on the record. Movant need not be present at the hearing. The court may order that testimony of the movant shall be received by deposition. The movant shall have the burden of proving the allegations of the motion by a preponderance of the evidence.

7. The court shall order appropriate testing if the court finds:

- (1) A reasonable probability exists that the movant would not have been convicted if exculpatory results had been obtained through the requested DNA testing; and
- (2) That movant is entitled to relief.

Such testing shall be conducted by a facility mutually agreed upon by the movant and by the state and approved by the court. If the parties are unable to agree, the court shall designate the testing facility. The court shall impose reasonable conditions on the testing to protect the state's interests in the integrity of the evidence and the testing process.

8. The court shall issue findings of fact and conclusions of law whether or not a hearing is held.”; and

Further amend House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 & 572, Page 91, Section 632.486, Line 16, by inserting after the number “1980.” the following:

“650.050. 1. The Missouri department of public safety shall develop and establish a "DNA Profiling System", referred to in sections 650.050 to 650.057 as the system to support criminal justice services in the local communities throughout this state in DNA identification. This establishment shall be accomplished through consultation with the Kansas City, Missouri regional crime laboratory, Missouri state highway patrol crime laboratory, St. Louis, Missouri metropolitan crime laboratory, St. Louis county crime laboratory, southeast Missouri regional crime laboratory, Springfield regional crime laboratory, and the Missouri Southern State College police academy regional crime lab.

2. The DNA profiling system as established in this section shall be compatible with that used by the Federal Bureau of Investigation to ensure that DNA records are fully exchangeable between DNA laboratories and that quality assurance standards issued by the director of the Federal Bureau of Investigations are applied and performed.

3. **The DNA profiling system established by this section shall include a separate statistical data base containing DNA profiles of persons whose identity is unknown. Information in this data base may be used for any legitimate law enforcement purpose upon written request of any federal, state, or local law enforcement agency, using the procedure provided by subsection 3 of section 650.055.**

4. **The DNA profiling system may charge a reasonable fee to search and provide a comparative analysis of DNA profiles to any law enforcement agency outside of this state.”; and**

Further amend said bill, Page 91, Section 650.055, Line 17, by deleting all of said lines and inserting in lieu thereof the following:

"650.055. 1. Every [individual] **adult convicted of a felony and every juvenile certified as an adult and convicted of a felony which is defined as a violent offense pursuant to chapter 565, RSMo, or as a sex offense pursuant to chapter 565, RSMo, or as a sex offense pursuant to chapter 566 RSMo, in a Missouri**”; and

Further amend said bill, Page 91, Section 650.055, Line 18, by inserting after the word “court” the following: “[“; and

Further amend said bill, Page 91, Section 650.055, Lines 18 and 19, by deleting the following: “[under] **pursuant to**” and inserting in lieu thereof the following: “under”; and

Further amend said bill, Page 91, Section 650.055, Lines 19 and 20, by deleting the following: “[under] **pursuant to**” and inserting in lieu thereof the following: “under”; and

Further amend said bill, Page 91, Section 650.055, Line 21, by inserting after “RSMo.” the following: “]”; and

Further amend House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 & 572, Page 92, Section 650.055, Line 1, by inserting after the following: “**RSMo,**” the following: “**section 571.015, and 571.030, RSMo.**”; and

Further amend House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 & 572, Page 92, Section 650.055, Line 2, by inserting after the word “**analysis**” the following:

“On and after August 28, 2001, every adult convicted of burglary in the first degree pursuant to section 569.160, RSMo, or of burglary in the second degree pursuant to section 569.170, RSMo, shall have a blood or scientifically accepted biological sample collected for purposes of DNA profiling analysis. On and after January 1, 2003, every adult convicted of any felony, or of any sex offense pursuant to chapter 566, RSMo, shall have a blood or scientifically accepted biological sample collected for purposes of DNA profiling analysis. On and after January 1, 2004, every juvenile certified as an adult and convicted of any felony, or of any sex offense pursuant to chapter 566, RSMo, shall have a blood or scientifically accepted biological sample collected for purposes of DNA profiling analysis. The blood or other sample which this section requires to be collected shall be collected”;
and

Further amend House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 & 572, Section 650.055, Page 92, Line 11, by inserting after “**RSMo**” the following: “; **or (4) on or after August 28, 2001, upon conviction.**”; and

Further amend House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 & 572, Page 93, Section 650.055, Line 7, by inserting after the word “**system.**” the following:

“A written request to analyze and compare DNA samples provided by any federal, state or local law enforcement agency with those in the Missouri DNA profiling system shall be fulfilled if made by any federal, state or local law enforcement officers in furtherance of an official investigation of any criminal offense. The name of the requesting law enforcement official and the law enforcement agency for which the request is made shall be maintained on file by the DNA profiling system. Any person identified and charged with an offense as a result of a search of the Missouri DNA profiling system shall, upon written request, be provided a copy of the relevant written search request made by law enforcement, if the person submits a DNA sample which matches the requestor's profile in the Missouri DNA profiling system. Upon showing by the defendant in a criminal case that access to the Missouri DNA profiling system is material to the investigation, preparation or presentation of a defense at trial or in a motion for a new trial, any court having jurisdiction in such case shall direct the Missouri DNA profiling system to compare a DNA profile which has been generated by the defendant through an independent test against the profiling system, provided that such DNA has been generated in accordance with standards for forensic DNA analysis adopted pursuant to sections 650.050 to 650.057.”; and

Further amend House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 & 572, Page 93, Section 650.055, Line 8, by inserting after the number “**4.**” the following:

“The name of a convicted offender whose profile is contained in the data bases may be related to any other data bases which are constructed for law enforcement purposes and may be disseminated only for law enforcement purposes except as otherwise provided by this section.”; and

Further amend House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 & 572, Page 93, Section 650.055, Line 15, by inserting after the word “**system.**” the following:

"6. Upon written request of any person whose DNA profile has been included in the Missouri DNA profiling system pursuant to this section and whose relevant felony conviction has been reversed, the system shall expunge the DNA profile of such person from the system, and the Missouri DNA profiling system shall purge all records and identifiable information in the system pertaining to such person and destroy all samples from such person."; and

Further amend said bill by amending the title, enacting clause and intersectional references accordingly.

On motion of Representative Boucher, **House Amendment No. 31** was adopted.

Representative Foley suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 149

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Legan	Levin	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Ransdall	Rector	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 002

Clayton	Purgason
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PRESENT: 003

Bartelsmeyer Reynolds Wright

ABSENT WITH LEAVE: 006

Cierpiot Henderson Hohulin Lawson Luetkenhaus
Reid

VACANCIES: 003

Representative Marble offered **House Amendment No. 32.**

House Amendment No. 32

AMEND House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 & 572, Page 89, Section 578.605, Line 14, by inserting after the word "**investigations**" the following:

"; except that technological crime shall not include any services, goods or memberships given to a contributor by an entity, organized pursuant to chapter 501 (c) of the United States Internal Revenue Code, while such entity is engaged in fund raising to support the charitable purpose for which the entity was established as defined in chapter 407, RSMo."

On motion of Representative Marble, **House Amendment No. 32** was adopted.

Representative Campbell offered **House Amendment No. 33.**

House Amendment No. 33

AMEND House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 & 572, Page 83, Section 570.120, Line 12 of said page, by inserting after all of said section the following:

"570.130. 1. A person commits the crime of fraudulent use of a credit device or debit device if the person uses a credit device or debit device for the purpose of obtaining services or property, knowing that:

- (1) The device is stolen, fictitious or forged; or
- (2) The device has been revoked or canceled; or
- (3) For any other reason his use of the device is unauthorized; or

(4) Uses a credit device or debit device for the purpose of paying property taxes and knowingly cancels or charges said payment with a credit card company or financial institution without just cause. It shall be a prima facie evidence of violation of this section if a person cancels or charges back said payment after obtaining a property tax receipt to obtain license tags from the Missouri department of revenue.

2. Fraudulent use of a credit device or debit device is a class A misdemeanor unless the value of the property or services obtained or sought to be obtained within any thirty-day period is one hundred fifty dollars or more, in which case fraudulent use of a credit device or debit device is a class D felony."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Campbell, **House Amendment No. 33** was adopted.

Representative Gaskill offered **House Amendment No. 34.**

House Amendment No. 34

AMEND House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 & 572, Page 83, Section 570.120, Line 12 of said page, by inserting after all of said section the following:

- "571.030. 1. A person commits the crime of unlawful use of weapons if [he] **the person** knowingly:
- (1) Carries concealed upon or about his **or her** person a knife, a firearm, a blackjack or any other weapon readily capable of lethal use; or
 - (2) Sets a spring gun; or
 - (3) Discharges or shoots a firearm into a dwelling house, a railroad train, boat, aircraft, or motor vehicle as defined in section 302.010, RSMo, or any building or structure used for the assembling of people; or
 - (4) Exhibits, in the presence of one or more persons, any weapon readily capable of lethal use in an angry or threatening manner; or
 - (5) Possesses or discharges a firearm or projectile weapon while intoxicated; or
 - (6) Discharges a firearm within one hundred yards of any occupied school house, courthouse, or church building; or
 - (7) Discharges or shoots a firearm at a mark, at any object, or at random, on, along or across a public highway or discharges or shoots a firearm into any outbuilding; or
 - (8) Carries a firearm or any other weapon readily capable of lethal use into any church or place where people have assembled for worship, or into any school, or into any election precinct on any election day, or into any building owned or occupied by any agency of the federal government, state government, or political subdivision thereof, or into any public assemblage of persons met for any lawful purpose; or
 - (9) Discharges or shoots a firearm at or from a motor vehicle, as defined in section 301.010, RSMo, while within any city, town, or village, and discharges or shoots a firearm at any person, or at any other motor vehicle, or at any building or habitable structure, unless the person was lawfully acting in self-defense.
2. Subdivisions (1), (3), (4), (6), (7), (8) and (9) of subsection 1 of this section shall not apply to or affect any of the following:
- (1) All state, county and municipal law enforcement officers possessing the duty and power of arrest for violation of the general criminal laws of the state or for violation of ordinances of counties or municipalities of the state, or any person summoned by such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;
 - (2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime;
 - (3) Members of the armed forces or national guard while performing their official duty;
 - (4) Those persons vested by article V, section 1 of the Constitution of Missouri with the judicial power of the state and those persons vested by article III of the Constitution of the United States with the judicial power of the United States, the members of the federal judiciary;
 - (5) Any person whose bona fide duty is to execute process, civil or criminal;
 - (6) Any federal probation officer;
 - (7) Any state probation or parole officer, including supervisors and members of the board of probation and parole; and
 - (8) Any corporate security advisor meeting the definition and fulfilling the requirements of the regulations established by the board of police commissioners under section 84.340, RSMo; **and**
 - (9) **Any prosecuting or circuit attorney.**
3. Subdivisions (1), (5) and (8) of subsection 1 of this section do not apply when the [actor] **person** is transporting such weapons in a nonfunctioning state or in an unloaded state when ammunition is not readily accessible or when such weapons are not readily accessible. Subdivision (1) of subsection 1 of this section does not apply when the [actor] **person** is also in possession of an exposed firearm or projectile weapon for the lawful pursuit of game, or is in [his] **such person's** dwelling unit or upon business premises over which the [actor] **person** has possession, authority or control, or is traveling in a continuous journey peaceably through this state.
4. Unlawful use of weapons is a class D felony unless committed [under] **pursuant to** subdivision (5), (6), (7) or (8) of subsection 1 of this section, in which cases it is a class B misdemeanor, or subdivision (9) of subsection 1 of this section, in which case it is a class B felony, except that if the violation of subdivision (9) of subsection 1 of this section results in injury or death to another person, it is a class A felony.

5. Violations of subdivision (9) of subsection 1 of this section shall be punished as follows:

(1) For the first violation a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony;

(2) For any violation by a prior offender as defined in section 558.016, RSMo, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation or conditional release for a term of ten years;

(3) For any violation by a persistent offender as defined in section 558.016, RSMo, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation, or conditional release;

(4) For any violation which results in injury or death to another person, a person shall be sentenced to an authorized disposition for a class A felony.

6. Any person knowingly aiding or abetting any other person in the violation of subdivision (9) of subsection 1 of this section shall be subject to the same penalty as that prescribed by this section for violations by other persons."; and

Further amend said bill, by amending the title, enacting clause and intersectional references accordingly.

On motion of Representative Gaskill, **House Amendment No. 34** was adopted.

Representative Johnson (90) offered **House Amendment No. 35**.

House Amendment No. 35

AMEND House Substitute for House Committee Substitute for House Bill Nos. 835, 90, 707, 373, 641, 510, 516 & 572, Page 60, Section 565.070, Line 4, by inserting after all of said line the following:

"565.200. 1. Any owner or employee of a long-term care facility, as defined in section 660.600, RSMo, or an in-home services provider agency, as defined in section 660.250, RSMo, who:

(1) Has sexual contact, as defined in section 566.010, RSMo, with a resident or client is guilty of a class B misdemeanor. Any person who commits a second or subsequent violation of this subdivision is guilty of a class A misdemeanor; or

(2) Has sexual intercourse or deviant sexual intercourse, as defined in section 566.010, RSMo, with a resident or client is guilty of a class D felony. Any person who commits a second or subsequent violation of this subdivision is guilty of a class C felony.

2. Consent of the victim is no defense to a prosecution pursuant to this section.

3. The provisions of this section shall not apply to an owner or employee of a long-term care facility or in-home services provider agency who engages in sexual conduct, as defined in section 566.010, RSMo, with a resident or client to whom the owner or employee is married."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Johnson (90), **House Amendment No. 35** was adopted.

Representative Foley moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan

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Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Farnen	Foley	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Harlan
Haywood	Hickey	Hilgemann	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Kelly 27	Kelly 36	Kennedy	Koller	Lawson
Liese	Lowe	Luetkenhaus	Mays 50	McKenna
Merideth	Monaco	O'Connor	O'Toole	Overschmidt
Ransdall	Relford	Reynolds	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Thompson	Treadway	Troupe	Van Zandt
Villa	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 071

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Froelker	Gaskill	Griesheimer
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Hunter	Jetton	Kelley 47
Kelly 144	King	Legan	Levin	Linton
Lograsso	Long	Luetkemeyer	Marble	Marsh
May 149	Mayer	Miller	Moore	Naeger
Nordwald	Ostmann	Phillips	Portwood	Purgason
Rector	Reid	Reinhart	Ridgeway	Roark
Robirds	Ross	Schwab	Scott	Secrest
Shields	St. Onge	Surface	Townley	Vogel
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 004

Ford	Murphy	Myers	Richardson
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VACANCIES: 003

On motion of Representative Britt, **HS HCS HBs 835, 90, 707, 373, 641, 510, 516 & 572, as amended**, was adopted.

On motion of Representative Britt, **HS HCS HBs 835, 90, 707, 373, 641, 510, 516 & 572, as amended**, was ordered perfected and printed.

HCS HBs 280, 69, 497 & 689, relating to ambulance and stretcher van services, was taken up by Representative Hoppe.

Representative Hoppe offered **HS HCS HBs 280, 69, 497 & 689**.

Representative Scheve assumed the Chair.

Representative Bearden offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill Nos. 280, 69, 497 & 689, Section 67.2100, Pages 2 to 3, by deleting all of said section; and

Further amend said substitute, Page 3, Section 144.526, Lines 18 to 23, by deleting all of said section; and

Further amend said substitute, Section 320.094, Page 60, Lines 21 to 23, and Page 61, Line 1, by deleting all of said lines and inserting in lieu thereof the following: "**fund pursuant to section 148.330, RSMo, in a fund hereby created in the state**"; and

Further amend said substitute, Section 320.094, Page 62, Lines 10 to 16, by deleting all of said lines; and

Further amend said substitute, Section 320.094, Page 62, Lines 10 to 17, by deleting all of said lines and inserting in lieu thereof the following:

"**3. There is hereby established a special trust fund, to be**"; and renumber the remaining subsections accordingly"; and

Further amend said substitute, Section 321.247, Pages 70 to 73, by deleting all of said section; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Lograsso requested that **House Amendment No. 1** be divided into two parts.

Representative Wright made a substitute motion that **House Amendment No. 1** be divided into three parts.

House Amendment No. 1

PART I

AMEND House Substitute for House Committee Substitute for House Bill Nos. 280, 69, 497 & 689, Section 67.2100, Pages 2 to 3, by deleting all of said section.

Representative Bearden moved that **Part I of House Amendment No. 1** be adopted.

Which motion was defeated.

House Amendment No. 1

PART II

AMEND House Substitute for House Committee Substitute for House Bill Nos. 280, 69, 497 & 689, Page 3, Section 144.526, Lines 18 to 23, by deleting all of said section; and

Further amend said substitute, Section 320.094, Page 60, Lines 21 to 23, and Page 61, Line 1, by deleting all of said lines and inserting in lieu thereof the following: "**fund pursuant to section 148.330, RSMo, in a fund hereby created in the state**"; and

Further amend said substitute, Section 320.094, Page 62, Lines 10 to 16, by deleting all of said lines; and

Further amend said substitute, Section 320.094, Page 62, Lines 10 to 17, by deleting all of said lines and inserting in lieu thereof the following:

"3. **There is hereby established a special trust fund, to be**"; and renumber the remaining subsections accordingly".

Representative Bearden moved that **Part II of House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 071

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Enz
Fares	Froelker	Gaskill	Hampton	Hanaway
Harding	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Hunter	Jetton	Kelley 47	Kelly 144
King	Koller	Legan	Levin	Linton
Lograsso	Long	Luetkemeyer	Marble	Marsh
May 149	Mayer	Miller	Moore	Myers
Ostmann	Phillips	Portwood	Purgason	Rector
Reinhart	Richardson	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Secrest	Shields
St. Onge	Surface	Townley	Vogel	Wiggins
Wright				

NOES: 079

Abel	Barnitz	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Britt
Campbell	Carnahan	Clayton	Coleman	Copenhaver
Curls	Davis	Dolan	Farnen	Foley
Franklin	Fraser	Gambaro	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hartzler	Haywood	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Kelly 27	Kennedy	Lawson	Liese
Lowe	Luetkenhaus	Mays 50	McKenna	Merideth
Murphy	Nordwald	O'Connor	O'Toole	Overschmidt
Ransdall	Reid	Relford	Reynolds	Rizzo
Scheve	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	Thompson	Treadway	Troupe
Villa	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 010

Baker	Bray 84	Brooks	Crump	Ford
Harlan	Kelly 36	Monaco	Naeger	Van Zandt

VACANCIES: 003

House Amendment No. 1

PART III

AMEND House Substitute for House Committee Substitute for House Bill Nos. 280, 69, 497 & 689, Section 321.247, Pages 70 to 73, by deleting all of said section; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Bearden moved that **Part III of House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 030

Bartelsmeyer	Bearden	Burcham	Burton	Crawford
Crowell	Cunningham	Dempsey	Hegeman	Henderson
Hohulin	Holand	Hunter	Jetton	Kelley 47
Kelly 144	Levin	Long	Luetkemeyer	May 149
Moore	Murphy	Myers	Ostmann	Rector
Schwab	Scott	St. Onge	Surface	Townley

NOES: 120

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Berkowitz	Berkstresser	Black	Bland
Boatright	Bonner	Boucher	Bowman	Boykins
Britt	Brooks	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crump	Curls	Davis	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hendrickson	Hickey	Hilgemann	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Liese	Linton	Lograsso	Lowe
Luetkenhaus	Marble	Marsh	Mayer	Mays 50
McKenna	Merideth	Miller	Naeger	Nordwald
O'Connor	O'Toole	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
Thompson	Treadway	Troupe	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 010

Baker	Behnen	Bray 84	Byrd	Ford
Harlan	Legan	Monaco	Richardson	Van Zandt

VACANCIES: 003

Representative Gratz offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill Nos. 280, 69, 497 & 689, Page 73, Section 321.247, by inserting after all of said section the following:

“321.300. 1. The boundaries of any district organized pursuant to the provisions of this chapter may be changed in the manner prescribed in this section; but any change of boundaries of the district shall not impair or affect its organization or its rights in or to property, or any of its rights or privileges whatsoever; nor shall it affect or impair or discharge any contract, obligation, lien or charge for or upon which it might be liable or chargeable had any change of boundaries not been made.

2. The boundaries may be changed as follows:

(1) Twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed may file with the board a petition in writing praying that such real property be included within the district; provided that in the case of a municipality having less than twenty percent of its total population in one fire protection district, the entire remaining portion may be included in another district so that none of the city is outside of a fire protection district at the time. The petition shall describe the property to be included in the district and shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in the district of the property described in the petition; and such petition shall be in substantially the form set forth in section 321.495 dealing with referendums and verified in like manner; provided, however, that in the event that there are more than twenty-five property owners or taxpaying electors signing the petition, it shall be deemed sufficient description of their property in the petition as required in this section to list the addresses of such property; or

(2) All of the owners of any territory or tract of land near or adjacent to a fire protection district who own all of the real estate in such territory or tract of land may file a petition with the board praying that such real property be included in the district. The petition shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in the district of the property described in the petition;

(3) Notwithstanding any provision of law to the contrary, in any fire protection district which is partly or wholly located in a noncharter county of the first classification with a population of less than one hundred thousand which adjoins any county of the first classification with a charter form of government with a population of nine hundred thousand or more inhabitants, if such fire protection district serves any portion of a city which is located in both such counties, the boundaries of the district may be expanded so as to include the entire city within the fire protection district, but the boundaries of the district shall not be expanded beyond the city limits of such city, as the boundaries of such city existed on January 1, 1993. Such change in the boundaries of the district shall be accomplished only if twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed file with the board a petition in writing praying that such real property be included within the district. The petition shall describe the property to be included in the district and shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in the district of the property described in the petition; and such petition shall be in substantially the form set forth in section 321.495 dealing with referendums and verified in like manner.

3. The secretary of the board shall cause notice of the filing of any petition filed pursuant to this section to be given and published in the county in which the property is located, which notice shall recite the filing of such petition, the number of petitioners, a general description of the boundaries of the area proposed to be included and the prayer of the petitioners; giving notice to all persons interested to appear at the office of the board at the time named in the notice and show cause in writing, if any they have, why the petition should not be granted. The board shall at the time and place mentioned, or at such time or times to which the hearing may be adjourned, proceed to hear the petition and all objections thereto presented in writing by any person showing cause why the petition should not be granted. The failure of any person interested to show cause in writing why such petition shall not be granted shall be deemed as an assent on his part to the inclusion of such lands in the district as prayed for in the petition.

4. If the board deems it for the best interest of the district, it shall grant the petition, but if the board determines that some portion of the property mentioned in the petition cannot as a practical matter be served by the district, or if it deems it for the best interest of the district that some portion of the property in the petition not be included in the district, then the board shall grant the petition in part only. If the petition is granted, the board shall make an order to that effect and file the same with the circuit clerk; and upon the order of the court having jurisdiction over the district, the property shall be included in the district. If the petition contains the signatures of all the owners of the property

pursuant to the provisions of subdivision (2) of subsection 2 of this section, the property shall be included in the district upon the order of the court. If the petition contains the signatures of twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed pursuant to subdivision (1) or subdivision (3) of subsection 2 of this section, the property shall be included in the district subject to the election provided in section 321.301. The circuit court having jurisdiction over the district shall proceed to make any such order including such additional property within the district as is provided in the order of the board, unless the court shall find that such order of the board was not authorized by law or that such order of the board was not supported by competent and substantial evidence.

5. Any city annexing an area protected by an existing fire district shall reimburse such district for any outstanding obligations and equipment which was attributable to or was used for providing fire protection service in such area annexed.

[5.] 6. Any person aggrieved by any decision of the board made pursuant to the provisions of this section may appeal that decision to the circuit court of the county in which the property is located within thirty days of the decision by the board.

[6.] 7. No fire protection district, or employee thereof, in which territory is annexed pursuant to this section shall be required to comply with any prescribed firefighter training program or regimen which would not otherwise apply to the district or its employees, but for the requirements applicable to the annexed territory."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Gratz, **House Amendment No. 2** was adopted.

Representative Froelker offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill Nos. 280, 69, 497 & 689, Page 3, Section 144.526, Line 23, by inserting after all of said line the following:

"190.050. 1. After the ambulance district has been declared organized, the declaring county commission, except in counties of the second class having more than one hundred five thousand inhabitants located adjacent to a county of the first class having a charter form of government which has a population of over nine hundred thousand inhabitants, shall divide the district into six election districts as equal in population as possible, and shall by lot number the districts from one to six inclusive. The county commission shall cause an election to be held in the ambulance district within ninety days after the order establishing the ambulance district to elect ambulance district directors. Each voter shall vote for one director from the ambulance election district in which the voter resides. The directors elected from districts one and four shall serve for a term of one year, the directors elected from districts two and five shall serve for a term of two years, and the directors from districts three and six shall serve for a term of three years; thereafter, the terms of all directors shall be three years. All directors shall serve the term to which they were elected or appointed, and until their successors are elected and qualified, except in cases of resignation or disqualification. The county commission shall reapportion the ambulance districts within sixty days after the population of the county is reported to the governor for each decennial census of the United States. Notwithstanding any other provision of law, if the number of candidates for the office of director is no greater than the number of directors to be elected, no election shall be held, and the candidates shall assume the responsibilities of their offices at the same time and in the same manner as if they have been elected.

2. In all counties of the second class having more than one hundred five thousand inhabitants located adjacent to a county of the first class having a charter form of government which has a population of over nine hundred thousand inhabitants, the voters shall vote for six directors elected at large from within the district for a term of three years. Those directors holding office in any district in such a county on August 13, 1976, shall continue to hold office until the expiration of their terms, and their successors shall be elected from the district at large for a term of three years. In any district formed in such counties after August 13, 1976, the governing body of the county shall cause an election to be held in that district within ninety days after the order establishing the ambulance district to elect ambulance district directors. Each voter shall vote for six directors. The two candidates receiving the highest number of votes at such

election shall be elected for a term of three years, the two candidates receiving the third and fourth highest number of votes shall be elected for a term of two years, the two candidates receiving the fifth and sixth highest number of votes shall be elected for a term of one year; thereafter, the term of all directors shall be three years.

3. A candidate for director of the ambulance district shall, at the time of filing, be a citizen of the United States, a qualified voter of the election district as provided in subsection 1 of this section, a resident of the [state for one year] **district for two years** next preceding the election, and shall be at least [twenty-one] **twenty-four** years of age. In an established district which is located within the jurisdiction of more than one election authority, the candidate shall file his **or her** declaration of candidacy with the secretary of the board. In all other districts, a candidate shall file [his] **a** declaration of candidacy with the county clerk of the county in which he **or she** resides. A candidate shall file a statement under oath that he **or she** possesses the required qualifications. No candidate's name shall be printed on any official ballot unless the candidate has filed a written declaration of candidacy pursuant to subsection 5 of section 115.127, RSMo. If the time between the county commission's call for a special election and the date of the election is not sufficient to allow compliance with subsection 5 of section 115.127, RSMo, the county commission shall, at the time it calls the special election, set the closing date for filing declarations of candidacy."; and

Further amend said bill, Page 10, Section 190.054, Line 3, by inserting after all of said line the following:

"190.072. 1. Any two or more contiguous ambulance districts may, by a majority vote of the governing body of each district or by a petition signed by at least seventy-five percent of the owners of real property in the affected area, provide for territory located in one district to be annexed and served by a contiguous district. Notice of the proposed annexation shall be filed with the circuit court in the county in which the affected area is located, or in the circuit court of the county in which the greater physical portion of the affected area is located in the event that such area is located in more than one county. The court shall set a date for a hearing on the proposed annexation and shall cause notice to be published in the same manner as section 190.020.

2. If the court, after the hearing, finds that the proposed annexation would not be in the public interest, it shall order that the annexation not be allowed. If the court finds the proposed annexation to be in the public interest, it shall approve the annexation and the territory shall be detached from one or more districts and annexed to the other district or districts. The court shall not approve any boundary changes pursuant to this section until all districts involved in such change have provided for, and agreed upon, a plan of compensation for, or assumption of, the outstanding debt attributable to the affected area to be annexed.

3. After the annexation is approved, each district shall amend its decree of incorporation to reflect the change in its boundaries as a result of the annexation, and the governing body of the county shall, prior to any subsequent election for ambulance district board members, redivide any election districts established pursuant to section 190.050. A certified copy of the amended decree showing the boundary change and the new subdistricts shall be filed in the office of the recorder of deeds, in the office of the county clerk in each county having territory in the district and in the office of the secretary of state.

4. The costs incurred in the enlargement or extension of the district shall be taxed to the district being enlarged or extended, unless otherwise provided by the districts in an agreement approved by the circuit court; provided that, no costs shall be taxed to the directors of the district."; and

Further amend said bill, Page 68, Section 320.098, Line 20, by inserting after all of said line the following:

"321.130. 1. A person, to be qualified to serve as a director, shall be a voter of the district at least two years prior to his **or her election or appointment and be over the age of [twenty-five] **twenty-four** years; except as provided in subsections 2 and 3 of this section. Nominations and declarations of candidacy shall be filed at the headquarters of the fire protection district by paying a ten dollar filing fee and filing a statement under oath that such person possesses the required qualifications.**

2. In any fire protection district located in more than one county one of which is a first class county without a charter form of government having a population of more than one hundred ninety-eight thousand and not adjoining any other first class county or located wholly within a first class county as described herein, a resident shall have been a resident of the district for more than one year to be qualified to serve as a director.

3. In any fire protection district located in a county of the third or fourth classification, a person to be qualified to serve as a director shall be over the age of [twenty-five] **twenty-four years and shall be a voter of the county in which the district is located for more than two years prior to his **or her** election or appointment, except that for the first board**

of directors in such district, a person need only be a voter of the county in which the district is located for one year prior to his **or her** election or appointment.

4. A person desiring to become a candidate for the first board of directors of the proposed district shall pay the sum of five dollars as a filing fee to the treasurer of the county and shall file with the election authority a statement under oath that he possesses all of the qualifications set out in this chapter for a director of a fire protection district. Thereafter, such candidate shall have his **or her** name placed on the ballot as a candidate for director."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Froelker, **House Amendment No. 3** was adopted.

Representative Byrd offered **House Amendment No. 4**.

House Amendment No. 4

Amend House Substitute for House Committee Substitute for House Bill Nos. 280, 69, 497 & 689, Page 32, Section 190.109, Line 6, by adding the following new subsection therein:

“8. Any non profit, public benefit corporation that owned and operated a licensed ambulance service on December 31, 1997, and converts to a for profit corporation, limited liability company, partnership or related entity (the “New Entity”) subsequent to December 31, 2000, by selling substantially all of its assets to such New Entity shall receive an ambulance service license from the department for the same service area, unless the license of the non profit, public benefit corporation was suspended, revoked or terminated prior to such sale, conversion or similar transaction, upon application of the New Entity to the department and adherence to the rules and regulations of the department promulgated pursuant to sections 190.001 to 190.245 as if the New Entity had operated on December 31, 1997.”.

On motion of Representative Byrd, **House Amendment No. 4** was adopted.

On motion of Representative Hoppe, **HS HCS HBs 280, 69, 497 & 689, as amended**, was adopted.

On motion of Representative Hoppe, **HS HCS HBs 280, 69, 497 & 689, as amended**, was ordered perfected and printed.

Speaker Pro Tem Abel resumed the Chair.

HB 527, relating to compensatory time for the highway patrol, was taken up by Representative Luetkenhaus.

Representative Scheve resumed the Chair.

On motion of Representative Luetkenhaus, **HB 527** was ordered perfected and printed.

HB 736, relating to banking, was taken up by Representative Liese.

Representative Liese offered **HS HB 736**.

Representative Liese offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Bill No. 736, Page 13, Section 301.600, Line 1 of said page, by inserting after "**revenue.**" the following:

"To perfect a subordinate lien, the notice of lien must be accompanied by the documents required to be delivered to the director pursuant to subdivision (3) of section 301.620."; and

Further amend said bill, Page 60, Section 427.220, Line 3 of said page, by deleting the word "**or**"; and

Further amend said bill, Page 60, Section 427.220, Line 15 of said page, by deleting the following: "**382.180**" and inserting in lieu thereof the following: "**382.190**"; and

Further amend said bill, Page 60, Section 427.220, Line 16 of said page, by deleting the word "**insurance**".

On motion of Representative Liese, **House Amendment No. 1** was adopted.

Representative Ward offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Substitute for House Bill No. 736, Page 12, Section 148.064, Line 14, by inserting immediately after all of said line the following:

“148.400. All insurance companies or associations organized in or admitted to this state may deduct from premium taxes payable to this state, in addition to all other credits allowed by law, income taxes, franchise taxes, personal property taxes, valuation fees, registration fees and examination fees paid, including taxes and fees paid by the attorney in fact of a reciprocal or interinsurance exchange to the extent attributable to the principal business as such attorney in fact, under any law of this state. **Unless rejected by the general assembly by April 1, 2003, for all tax years beginning on or after January 1, 2003, a deduction for examination fees which exceeds an insurance company's or association's premium tax liability for the same tax year shall not be refundable, but may be carried forward to any subsequent tax year, not to exceed five years, until the full deduction is claimed.**”; and

Further amend said bill by amending the title and enacting clause accordingly.

On motion of Representative Ward, **House Amendment No. 2** was adopted.

Representative Byrd offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Substitute for House Bill No. 736, Page 61, Section 427.220, Line 13 of said page, by inserting after all of said section the following:

"513.430. 1. The following property shall be exempt from attachment and execution to the extent of any person's interest therein:

(1) Household furnishings, household goods, wearing apparel, appliances, books, animals, crops or musical instruments that are held primarily for personal, family or household use of such person or a dependent of such person, not to exceed one thousand dollars in value in the aggregate;

(2) Jewelry held primarily for the personal, family or household use of such person or a dependent of such person, not to exceed five hundred dollars in value in the aggregate;

(3) Any other property of any kind, not to exceed in value four hundred dollars in the aggregate;

(4) Any implements, professional books or tools of the trade of such person or the trade of a dependent of such person not to exceed two thousand dollars in value in the aggregate;

(5) Any motor vehicle, not to exceed one thousand dollars in value;

(6) Any mobile home used as the principal residence, not to exceed one thousand dollars in value;

(7) Any one or more unmatured life insurance contracts owned by such person, other than a credit life insurance contract;

(8) The amount of any accrued dividend or interest under, or loan value of, any one or more unmatured life insurance contracts owned by such person under which the insured is such person or an individual of whom such person is a dependent; provided, however, that if proceedings under Title 11 of the United States Code are commenced by or against such person, the amount exempt in such proceedings shall not exceed in value [five] **two hundred fifty** thousand dollars in the aggregate less any amount of property of such person transferred by the life insurance company or fraternal benefit society to itself in good faith if such transfer is to pay a premium or to carry out a nonforfeiture insurance option and is required to be so transferred automatically under a life insurance contract with such company or society that was entered into before commencement of such proceedings. No amount of any accrued dividend or interest under, or loan value of, any such life insurance contracts shall be exempt from any claim for child support. Notwithstanding anything to the contrary, no such amount shall be exempt in such proceedings under any such insurance contract which was purchased by such person within six months prior to the commencement of such proceedings;

(9) Professionally prescribed health aids for such person or a dependent of such person;

(10) Such person's right to receive:

(a) A Social Security benefit, unemployment compensation or a local public assistance benefit;

(b) A veteran's benefit;

(c) A disability, illness or unemployment benefit;

(d) Alimony, support or separate maintenance, not to exceed five hundred dollars a month;

(e) Any payment under a stock bonus plan, pension plan, disability or death benefit plan, profit-sharing plan, nonpublic retirement plan or any similar plan described, defined, or established pursuant to section 456.072, RSMo, the person's right to a participant account in any deferred compensation program offered by the state of Missouri or any of its political subdivisions, or annuity or similar plan or contract on account of illness, disability, death, age or length of service, to the extent reasonably necessary for the support of such person and any dependent of such person unless:

a. Such plan or contract was established by or under the auspices of an insider that employed such person at the time such person's rights under such plan or contract arose;

b. Such payment is on account of age or length of service; and

c. Such plan or contract does not qualify under Section 401(a), 403(a), 403(b), 408, 408A or 409 of the Internal Revenue Code of 1986, as amended, (26 U.S.C. 401(a), 403(a), 403(b), 408, 408A or 409);

except that any such payment to any person shall be subject to attachment or execution pursuant to a qualified domestic relations order, as defined by Section 414(p) of the Internal Revenue Code of 1986, as amended, issued by a court in any proceeding for dissolution of marriage or legal separation or a proceeding for disposition of property following dissolution of marriage by a court which lacked personal jurisdiction over the absent spouse or lacked jurisdiction to dispose of marital property at the time of the original judgment of dissolution;

(f) Any money or assets, payable to a participant or beneficiary from, or any interest of any participant or beneficiary in, a retirement plan which is qualified under Section 401(k), 403(a)(3), 403(b), 408, 408A or 409 of the Internal Revenue Code of 1986, as amended, except as provided in this paragraph. Any plan or arrangement described in this paragraph shall not be exempt from the claim of an alternate payee under a qualified domestic relations order; however, the interest of any and all alternate payees under a qualified domestic relations order shall be exempt from any and all claims of any creditor, other than the state of Missouri through its division of family services. As used in this paragraph, the terms "alternate payee" and "qualified domestic relations order" have the meaning given to them in Section 414(p) of the Internal Revenue Code of 1986, as amended.

If proceedings under Title 11 of the United States Code are commenced by or against such person, no amount of funds shall be exempt in such proceedings under any such plan, contract, or trust which is fraudulent as defined in section 456.630, RSMo, and for the period such person participated within three years prior to the commencement of such proceedings. For the purposes of this section, when the fraudulently conveyed funds are recovered and after, such funds shall be deducted and then treated as though the funds had never been contributed to the plan, contract, or trust;

(11) The debtor's right to receive, or property that is traceable to, a payment on account of the wrongful death of an individual of whom the debtor was a dependent, to the extent reasonably necessary for the support of the debtor and any dependent of the debtor.

2. Nothing in this section shall be interpreted to exempt from attachment or execution for a valid judicial or administrative order for the payment of child support or maintenance any money or assets, payable to a participant or beneficiary from, or any interest of any participant or beneficiary in, a retirement plan which is qualified pursuant to Section 408A of the Internal Revenue Code of 1986, as amended."; and

Further amend said bill, by amending the title, enacting clause and intersectional references accordingly.

On motion of Representative Byrd, **House Amendment No. 3** was adopted.

Representative Williams offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Bill No. 736, Page 1, Section A, Line 17, by inserting after all of said line the following:

"95.280. 1. Subject to the provisions of section 110.030, RSMo, the city council, at its regular meetings in July of each year, may receive sealed proposals for the deposit of the city funds from banking institutions doing business within the city that desire to be selected as the depository of the funds of the city. Notice that bids will be received shall be published by the city clerk not less than one nor more than four weeks before the meeting, in some newspaper published in the city. Any banking institution doing business in the city, desiring to bid, shall deliver to the city clerk, on or before the day of the meeting, a sealed proposal stating the rate percent upon daily balances that the banking institution offers to pay to the city for the privilege of being the depository of the funds of the city for the year next ensuing the date of the meeting; or, in the event that the selection is made for a less term than one year, as herein provided, then for the time between the date of the bid and the next regular time for the selection of a depository. It is a misdemeanor for the city clerk or other person to disclose directly or indirectly the amount of any bid to any person before the selection of the depository.

2. Notwithstanding the provisions of subsection 1 of this section to the contrary, the city council of any third class city with a population of more than fifteen thousand and less than nineteen thousand that is located in any county of the fourth classification with a population of more than forty thousand and less than forty-eight thousand three hundred may receive sealed proposals for the deposit of city funds from banking institutions doing business within the city at any of the regular meetings of such city. The city shall send notice of bids to each banking institution in the city by regular mail at the time the notice is published in the newspaper in subsection 1 of this section. The banking institution selected as the depository shall be offered a depository contract for a maximum of three years. Any such city shall follow the bid procedure established in subsection 1 of this section, except as otherwise provided in this subsection."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Williams, **House Amendment No. 4** was adopted.

On motion of Representative Liese, **HS HB 736, as amended**, was adopted.

On motion of Representative Liese, **HS HB 736, as amended**, was ordered perfected and printed.

HB 366, relating to income tax: pension deduction, was taken up by Representative Champion.

Speaker Kreider resumed the Chair.

Representative Luetkenhaus offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 366, Page 1, In the Title, Lines 2 to 3, by deleting all of said lines and inserting in lieu thereof the following:

"To repeal sections 143.124, 620.1400, 620.1420, 620.1430, 620.1440 and 620.1450, RSMo 2000, and to enact in lieu thereof four new sections relating to certain tax credits and tax deductions."; and

Further amend said bill, Page 1, Section A, Lines 1 to 2, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Sections 143.124, 620.1400, 620.1420, 620.1430, 620.1440 and 620.1450, RSMo 2000, are repealed and four new sections enacted in lieu thereof, to be known as sections 135.552, 135.630, 135.631 and 143.124, to read as follows:"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said line the following:

"135.552. 1. As used in this section, the following terms shall mean:

(1) **"Contribution"**, a donation of cash, stock, bonds or other marketable securities, or real property;
(2) **"Director"**, the director of the department of public safety;
(3) **"Sexual violence crisis service center"**, a nonprofit organization having a primary function of serving sexual violence victims, or running a discrete, separate program that serves sexual violence victims, or two or more nonprofit organizations operating under a formal arrangement to provide sexual violence services to victims of rape, sexual assault and sexual abuse, their significant others, secondary victims and the community. For purposes of this section, eligible services of a sexual violence crisis service center, include, but shall not be limited to, the operation of a twenty-four-hour crisis hotline promoted as a service for sexual violence victims and the provision of information, referrals, medical and justice system advocacy, crisis intervention and support groups at no charge and community education and prevention education;

(4) **"State tax liability"**, in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapters 143, 147, 148 and 153, RSMo, exclusive of the provisions relating to withholding tax contained in sections 143.191 to 143.265, RSMo, and in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, RSMo, exclusive of the provisions relating to withholding tax contained in sections 143.191 to 143.265, RSMo;

(5) **"Taxpayer"**, a person, firm, a partner in a firm, corporation or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, RSMo, a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, RSMo, an insurance company paying an annual tax on its gross premium receipts in this state or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, RSMo, an express company which pays an annual tax on its gross receipts in this state pursuant to chapter 153, RSMo, or an individual subject to the state income tax imposed by the provisions of chapter 143, RSMo.

2. A taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability, in an amount equal to fifty percent of the amount such taxpayer contributed to a sexual violence crisis service center.

3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year that the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty thousand dollars per taxable year. However, any tax credit that cannot be claimed in the taxable year the contribution was made may be carried over to the next three succeeding taxable years until the full credit has been claimed.

4. Except for any excess credit which is carried over pursuant to subsection 3 of this section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such taxpayer's contribution or contributions to a sexual violence crisis service center or centers in such taxpayer's taxable year has a value of at least one hundred dollars.

5. The director shall determine, at least annually, which organizations and programs in this state may be classified as sexual violence crisis service centers. The director may require an organization or program

seeking to be classified as a sexual violence crisis service center to submit any information which is reasonably necessary to make such a determination. The director shall classify an organization or program as a sexual violence crisis service center if such organization or program meets the definition set forth in subsection 1 of this section.

6. The director shall establish a procedure by which a taxpayer can determine if an organization or program has been classified as a sexual violence crisis service center, and by which such taxpayer can then contribute to such centers and claim a tax credit. Sexual violence crisis service centers shall be permitted to decline a contribution from a taxpayer. The cumulative amount of tax credits which may be claimed by all the taxpayers contributing to sexual violence crisis service centers in any one fiscal year shall not exceed two million dollars. Tax credits shall be issued based on the order in which accepted contributions are received.

7. The director shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director, the cumulative amount of tax credits are equally apportioned among all organizations and programs classified as sexual violence crisis service centers. If a sexual violence crisis service center fails to use all, or some percentage to be determined by the director, of its apportioned tax credits during this predetermined period of time, the director may reapportion these unused tax credits to those sexual violence crisis service centers that have used all, or some percentage to be determined by the director, of their apportioned tax credits during this predetermined period of time. The director may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

8. Each sexual violence crisis service center shall provide information to the director concerning the identity of each taxpayer making a contribution to the sexual violence crisis service center who is claiming a tax credit pursuant to this section and the amount of the contribution. The director shall provide the information to the director of revenue. The director shall be subject to the confidentiality and penalty provisions of section 32.057, RSMo, relating to the disclosure of tax information.

9. This section shall become effective January 1, 2002, and shall apply to tax years after December 31, 2001.

135.630. 1. As used in this section, the following terms shall mean:

(1) "Contribution", a donation of cash, stock, bonds or other marketable securities, or real property;

(2) "Director", the director of the department of social services;

(3) "State tax liability", in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapters 143, 147, 148 and 153, RSMo, exclusive of the provisions relating to withholding tax contained in sections 143.191 to 143.265, RSMo, and in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, RSMo, exclusive of the provisions relating to withholding tax contained in sections 143.191 to 143.265, RSMo;

(4) "Taxpayer", a person, firm, a partner in a firm, corporation or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, RSMo, a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, RSMo, an insurance company paying an annual tax on its gross premium receipts in this state or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, RSMo, an express company which pays an annual tax on its gross receipts in this state pursuant to chapter 153, RSMo, or an individual subject to the state income tax imposed by the provisions of chapter 143, RSMo;

(5) "Unplanned pregnancy resource center", a nonresidential facility located in this state:

(a) Established and operating primarily to provide assistance to women with crisis pregnancies or unplanned pregnancies by offering pregnancy testing, counseling, emotional and material support, and other similar services to encourage and assist such women in carrying their pregnancies to term; and

(b) Where childbirths are not performed; and

(c) Which does not perform or refer for abortions and which does not hold itself out as performing or referring for abortions; and

(d) Which provides direct client services, as opposed to merely providing counseling or referral services by telephone; and

(e) Which provides its services at no cost; and

(f) Which is exempt from income taxation pursuant to the United States Internal Revenue Code.

2. A taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability, in an amount equal to fifty percent of the amount such taxpayer contributed to an unplanned pregnancy resource center.

3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year that the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty thousand dollars per taxable year. However, any tax credit that cannot be claimed in the taxable year the contribution was made may be carried over to the next three succeeding taxable years until the full credit has been claimed.

4. Except for any excess credit which is carried over pursuant to subsection 3 of this section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such taxpayer's contribution or contributions to an unplanned pregnancy resource center or centers in such taxpayer's taxable year has a value of at least one hundred dollars.

5. The director shall determine, at least annually, which facilities in this state may be classified as unplanned pregnancy resource centers. The director may require a facility seeking to be classified as an unplanned pregnancy resource center to submit any information which is reasonably necessary to make such a determination. The director shall classify a facility as an unplanned pregnancy resource center if such facility meets the definition set forth in subsection 1 of this section.

6. The director shall establish a procedure by which a taxpayer can determine if a facility has been classified as an unplanned pregnancy resource center, and by which such taxpayer can then contribute to such centers and claim a tax credit. Unplanned pregnancy resource centers shall be permitted to decline a contribution from a taxpayer. The cumulative amount of tax credits which may be claimed by all the taxpayers contributing to unplanned pregnancy resource centers in any one fiscal year shall not exceed two million dollars. Tax credits shall be issued based on the order in which accepted contributions are received.

7. The director shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director, the cumulative amount of tax credits are equally apportioned among all facilities classified as unplanned pregnancy resource centers. If an unplanned pregnancy resource center fails to use all, or some percentage to be determined by the director, of its apportioned tax credits during this predetermined period of time, the director may reapportion these unused tax credits to those unplanned pregnancy resource centers that have used all, or some percentage to be determined by the director, of their apportioned tax credits during this predetermined period of time. The director may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

8. Each unplanned pregnancy resource center shall provide information to the director concerning the identity of each taxpayer making a contribution to the unplanned pregnancy resource center who is claiming a tax credit pursuant to this section and the amount of the contribution. The director shall provide the information to the director of revenue. The director shall be subject to the confidentiality and penalty provisions of section 32.057, RSMo, relating to the disclosure of tax information.

9. This section shall become effective January 1, 2002, and shall apply to tax years after December 31, 2001.

135.631. The tax credits available pursuant to sections 135.552 and 135.630 shall not be available in any tax year beginning after December 31, 2006, but any tax credit claimed pursuant to section 135.552 or 135.630 prior to that date may be carried forward as otherwise provided by those sections."; and

Further amend said bill, Page 3, Section 143.124, Line 83, by inserting after all of said line the following:

"[620.1400. Sections 620.1400 to 620.1460 shall be known and may be cited as the "Missouri Individual Training Account Program Act" and its provisions shall be effective only within distressed communities as defined by section 135.530, RSMo.]

[620.1420. As used in sections 620.1400 to 620.1460, the following terms mean:

(1) "Costs of classroom training", the normal costs incurred in the provision

of classroom training which may also include specifically identified costs incurred for instructors, classroom space and facilities, administrative support services, and directly related expenses, that together do not exceed the amount normally allowed for support of vocational and technical classes;

(2) "Department", the department of economic development;

(3) "Employee", a full-time or part-time employed worker whose salary is equal to or less than two hundred percent of the federal poverty level;

(4) "Employee upgrade training", the progressive development of skills associated with the defined set of work processes. Such training shall be consistent with a career pattern of advancement, as measured by skill proficiency and the progressive earnings and related benefits, that are recognized within an occupation, trade or industry;

(5) "Individual training account", an account funded by the tax credits provided for in section 620.1440 for the provision of employee upgrade training to employees through their participation in classroom training provided by educational institutions;

(6) "Local educational institution", a publicly funded or privately funded local educational institution which is certified by a recognized accrediting association as capable of providing adequate classroom training to accomplish the purpose of sections 620.1400 to 620.1460.]

[620.1430. 1. A Missouri employer who desires to participate in the individual training account program shall provide the department of economic development with notification of intent to participate. The notification shall include, but need not be limited to, the names and occupations of employees whom the employer has selected to be trained, whether or not the employees are currently working for the employer, the name of the local educational institution that will provide the training, and a brief description of the training to be given by the institution.

2. The employer shall have complete discretion in the selection of the local educational institution or institutions to provide training and shall be responsible for the payment of the costs of classroom training.]

[620.1440. 1. Employers may be reimbursed for the costs of training provided pursuant to the provisions of the individual training account program. Such reimbursement shall be in the form of tax credits as authorized in subsection 2 of this section. The tax credits may be claimed for courses provided in no more than two calendar years for each employee. For each year, the maximum amount of credit per employee which can be certified by the department of economic development shall be the lesser of fifty percent of the costs of classroom training or one thousand five hundred dollars.

2. Tax credits may be claimed against any liability incurred by the employer pursuant to the provisions of chapter 143, RSMo, and chapter 148, RSMo, exclusive of the provisions relating to the withholding of tax as provided for in sections 143.191 to 143.265, RSMo. Earned tax credits may be carried forward for a period not to exceed five years and may be sold or transferred.

3. No claim for tax credits submitted to the department by an employer shall be certified until the employer provides documentation that an employee has successfully completed the employee's course training and has been employed by the employer in a new, full-time position for a period of at least three months. It must be demonstrated satisfactorily to the department that the new position in which the employee located is an upgrade in employment, in terms of salary and responsibilities, from the previously held position. All such increases in salary shall be in addition to normal cost-of-living increases provided for in authorized labor-management contracts. If the employee was previously employed in a part-time position, the base salary for the position shall be calculated as if it were

a full-time position.]

[620.1450. The maximum amount of tax credits allowable pursuant to the provisions of the individual training account program shall not annually exceed six million dollars.]; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Fraser offered **House Amendment No. 1 to House Amendment No. 1.**

House Amendment No. 1

to

House Amendment No. 1

AMEND House Amendment No. 1 to House Bill No. 366, Page 9, Section 135.630, Line 11, by deleting the word “**may**” and inserting in lieu thereof the word “**shall**”; and

Further amend said bill, Page 9, Section 135.630, Line 11, by inserting after the word “**determination**” the following:

“Which shall include evidence that any information, written, oral or audiovisual provided to clients is medically and factually accurate as recognized by the American College of Obstetricians and Gynecologists or the Center for Disease Control.”.

Representative Fraser moved that **House Amendment No. 1 to House Amendment No. 1** be adopted.

Which motion was defeated.

On motion of Representative Luetkenhaus, **House Amendment No. 1** was adopted.

Representative Wiggins offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Bill No. 366, Page 3, Section 143.124, Line 83, by inserting after all of said line the following:

“348.432. 1. The tax credit created in this section shall be known as the "New Generation Cooperative Incentive Tax Credit".

2. As used in this section, the following terms mean:

(1) "Authority", the agriculture and small business development authority as provided in this chapter;

(2) "Development facility", a facility producing either a good derived from an agricultural commodity or using a process to produce a good derived from an agricultural product;

(3) "Eligible new generation cooperative", a nonprofit cooperative association formed pursuant to chapter 274, RSMo, or incorporated pursuant to chapter 357, RSMo, for the purpose of operating a development facility or a renewable fuel production facility and approved by the authority;

(4) **“Employee qualified capital project”, an eligible new generation cooperative with capital costs greater than fifteen million dollars which will employ at least one hundred employees;**

(5) **“Large capital project”, an eligible new generation cooperative with capital costs greater than one million dollars;**

(6) "Member", a person, partnership, corporation, trust or limited liability company that invests cash funds to an eligible new generation cooperative;

[(5)] (7) "Renewable fuel production facility", a facility producing an energy source which is derived from a

renewable, domestically grown, organic compound capable of powering machinery, including an engine or power plant, and any by-product derived from such energy source;

(8) "Small capital project", an eligible new generation cooperative with capital costs of no more than one million dollars.

3. Beginning tax year [1999] **2001**, and subsequent tax years, any member who invests cash funds in an eligible new generation cooperative **and who owns land in Missouri which produces a commodity in an amount to cover his or her obligation to deliver such commodity to the eligible new generation cooperative in which the member is investing, or who, beginning July 1, 2001, is domiciled in the state of Missouri** may receive a credit against the tax otherwise due pursuant to chapter 143, RSMo, other than taxes withheld pursuant to sections 143.191 to 143.265, RSMo, or chapter 148, RSMo, chapter 147, RSMo, in an amount equal to the lesser of fifty percent of such member's investment or fifteen thousand dollars.

4. A member shall submit to the authority an application for the tax credit authorized by this section on a form provided by the authority. If the member meets all criteria prescribed by this section and is approved by the authority, the authority shall issue a tax credit certificate in the appropriate amount. Tax credits issued pursuant to this section shall initially be claimed for the taxable year in which the member contributes capital to an eligible new generation cooperative. Any amount of credit that exceeds the tax due for a member's taxable year may be carried back to any of the member's three prior taxable years and carried forward to any of the member's five subsequent taxable years. Tax credits issued pursuant to this section may be assigned, transferred or sold. Whenever a certificate of tax credit is assigned, transferred, sold or otherwise conveyed, a notarized endorsement shall be filed with the authority specifying the name and address of the new owner of the tax credit or the value of the credit.

5. [At least] Ten percent of the tax credits authorized pursuant to this section **initially** shall be offered in any fiscal year to **small capital** projects [with capital costs of no more than one million dollars]. If [the amount of tax credits allowed pursuant to this section exceeds the amount needed for such smaller projects, the remaining] **any portion of the ten percent of tax credits offered to small capital costs projects is unused in any calendar year, then the unused portion of tax credits may be offered [for projects with capital costs in excess of one million dollars] to employee qualified capital projects and large capital projects. If the authority receives more applications for tax credits for small capital projects than tax credits are authorized therefor, then the authority, by rule, shall determine the method of distribution of tax credits authorized for small capital projects.**

6. [If members of a project would be eligible for tax credits in excess of one million five hundred thousand dollars, tax credits authorized pursuant to this section shall be prorated between the members on a percent of investment basis, not to exceed the maximum allowed per member.] **Ninety percent of the tax credits authorized pursuant to this section initially shall be offered in any fiscal year to employee qualified capital projects and large capital projects. If any portion of the ninety percent of tax credits offered to employee qualified capital projects and large capital costs projects is unused in any fiscal year, then the unused portion of tax credits may be offered to small capital projects. The maximum tax credit allowed per employee qualified capital project is three million dollars and the maximum tax credit allowed per large capital project is one million five hundred thousand dollars. If authority approves the maximum tax credit allowed for any employee qualified capital project or any large capital project, then the authority, by rule, shall determine the method of distribution of such maximum tax credit. In addition, if the authority receives more tax credit applications for employee qualified capital projects and large capital projects than the amount of tax credits authorized therefor, then the authority, by rule, shall determine the method of distribution of tax credits authorized for employee qualified capital projects and large capital projects.**

Section B. Because immediate action is necessary to promote investment in agricultural cooperatives, section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Wright raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Wiggins, **House Amendment No. 2** was adopted.

Representative Boucher offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Bill No. 366, Page 1, Section 143.124, Line 1, by inserting after the word "**notwithstanding**," the following:

"for all tax years beginning on or after January 1, 2002, the total amount of all annuities, pensions or retirement allowances, as defined by this section, above the amount of six thousand dollars, received by any taxpayer who is sixty-five years of age or older in any tax year, shall be subject to tax pursuant to the provisions of this chapter, in the same manner, to the same extent and under the same conditions as any other taxable income received by the person receiving it. For all persons under the age of sixty-five years,".

Representative Ridgeway offered **House Substitute Amendment No. 1 for House Amendment No. 3**.

*House Substitute Amendment No. 1
for
House Amendment No. 3*

AMEND House Bill No. 366, Page 1, Section 143.124, Line 1, by inserting after the word "**notwithstanding**," the following:

"for all tax years beginning on or after January 1, 2002, the total amount of all U.S. military annuities, retirement pensions or U.S. military retirement allowances, as defined by this section, above the amount of six thousand dollars, received by any taxpayer who is sixty-five years of age or older in any tax year, shall be subject to tax pursuant to the provisions of this chapter, in the same manner, to the same extent and under the same conditions as any other taxable income received by the person receiving it. For all persons under the age of sixty-five years,".

HB 366, as amended, with House Substitute Amendment No. 1 for House Amendment No. 3 and House Amendment No. 3, pending, was laid over.

COMMITTEE REPORTS

Committee on Children, Families and Health, Chairman Barry reporting:

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **HB 279**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Tourism, Recreation and Cultural Affairs, Chairman Overschmidt reporting:

Mr. Speaker: Your Committee on Tourism, Recreation and Cultural Affairs, to which was referred **SB 365**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 30, introduced by Representatives Hanaway and Gratz, urging the federal elected officials to support a tax cut.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 2**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and of the Department of Elementary and Secondary Education and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds and for the investment in registered bonds of the State Public School Fund by the State Board of Education for the period beginning July 1, 2001 and ending June 30, 2002.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 3**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education and the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2001 and ending June 30, 2002.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 4**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue and the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2001 and ending June 30, 2002.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 5**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, and the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2001 and ending June 30, 2002.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 15** and has taken up and passed **CCS SCS HCS HB 15**.

LETTER OF OBJECTION

April 18, 2001

Mr. Ted Wedel, Chief Clerk
House of Representatives
State Capitol Building

Dear Mr. Wedel:

Pursuant to House Rule 48, come the undersigned members of the House of Representatives to object to **SB 130** as a Consent Bill.

/s/ Jim Seigfreid	District 26
/s/ Francis Overschmidt	District 110
/s/ Tom Dempsey	District 18
/s/ John Griesheimer	District 109
/s/ Don Koller	District 153

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated pursuant to Rule 48:

SB 130 - Rules, Joint Rules and Bills Perfected and Printed

ADJOURNMENT

On motion of Representative Foley, the House adjourned until 10:00 a.m., Thursday, April 19, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-seventh Day, Tuesday, April 17, 2001, Page 1163, line 36, by deleting the words "[class A]", and inserting in lieu thereof the following: "class [A]".

Pages 1139 and 1140, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

Page 1143, roll call, by showing Representative Levin voting "no" rather than "absent with leave".

Pages 1162 and 1163, roll call, by showing Representative Wright voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

BANKS AND FINANCIAL INSTITUTIONS

Tuesday, April 24, 2001. Hearing Room 3 upon morning adjournment.

Executive Session may follow.

To be considered - SB 220

CHILDREN, FAMILIES, AND HEALTH

Thursday, April 19, 2001, 8:00 am. Hearing Room 3.

Possible Executive Session.

To be considered - HB 722, HB 964, SB 44, SB 46

CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING

Monday, April 23, 2001, 8:00 pm. Hearing Room 3.

Executive Session may follow.

To be considered - SB 542

EDUCATION - ELEMENTARY AND SECONDARY

Thursday, April 19, 2001, 9:00 am. Side gallery.

To be considered - SB 32, SB 319, SCR 3, SCR 26,

Executive Session - HB 860, Executive Session - HB 948

ENVIRONMENT AND ENERGY

Thursday, April 19, 2001, 8:00 am. Hearing Room 7.

To be considered - HB 701, HB 923, SCR 28

JOINT COMMITTEE ON CAPITAL IMPROVEMENTS AND LEASING

Thursday, April 19, 2001, 8:30 am. Hearing Room 1.

Re-appropriations, pending FY01 capital budget, prison construction, proposed revenue bonding projects, etc.

JUDICIARY

Thursday, April 19, 2001. Hearing Room 5 upon adjournment.

Executive Session on the following Senate Bills.

To be considered - SB 39, SB 267, SB 288

SUBCOMMITTEE ON REDISTRICTING FOR CONGRESSIONAL DISTRICTS 1, 2 AND 3

Friday, April 20, 2001, 9:00 am.

Mini Auditorium, Room 311, Harris Stowe College, 3028 Laclede Ave., St. Louis, MO.

Public Hearing.

TOURISM, RECREATION AND CULTURAL AFFAIRS

Monday, April 23, 2001. Hearing Room 7 upon afternoon adjournment.

Executive Session may follow.

To be considered - SB 323

URBAN AFFAIRS

Thursday, April 19, 2001. Side gallery upon adjournment.

To be considered - Executive Session - HB 963

UTILITIES REGULATION

Thursday, April 19, 2001, 8:15 am. Hearing Room 6.

Study Session. Panel on Electric Transmission.

Executive Session may follow.

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Monday, April 23, 2001. Hearing Room 6 upon evening adjournment.

Executive Session may follow.

To be considered - HB 579, SB 366, SB 380

HOUSE CALENDAR

FIFTY-NINTH DAY, THURSDAY, APRIL 19, 2001

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 30

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 15 & 13 - Crawford

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 457, HA 2, as amended, tabled - Kreider
- 2 HB 286, HCA 1 & HCA 2 - Smith
- 3 HB 366, as amended, with HSA 1 for HA 3 and HA 3, pending - Champion
- 4 HB 678 - Seigfreid
- 5 HB 436 - Merideth
- 6 HCS HB 472 - Burton
- 7 HCS HB 488 - Koller

- 8 HB 592, HCA 1 - Williams
- 9 HCS HB 660 - Hagan-Harrell
- 10 HB 555 - Foley
- 11 HCS HB 426 - O'Toole
- 12 HCS HB 831 - Carnahan
- 13 HCS HB 428 - Kelly (36)
- 14 HCS HB 593 - Riback Wilson (25)
- 15 HCS HB 170 - Froelker
- 16 HCS HB 239 - Smith
- 17 HB 715 - Foley
- 18 HCS HB 981 & 665 - Willoughby
- 19 HB 802 - Ransdall
- 20 HCS HB 374 - Fraser
- 21 HCS HB 780 - Scheve
- 22 HCS HB 853 & 258 - Crump
- 23 HCS HB 186 & 172 - Troupe
- 24 HCS HB 635 - Barry
- 25 HCS HB 868 - Merideth
- 26 HCS HB 253 - Ross
- 27 HCS HB 888, 942 & 943 - Scheve
- 28 HCS HB 293 - Kennedy
- 29 HB 809, HCA 1 - Carnahan
- 30 HCS HB 340, 303 & 316 - Graham
- 31 HB 640 - Johnson (90)
- 32 HCS HB 723 - Mays (50)
- 33 HCS HB 117 - Riback Wilson (25)
- 34 HCS HB 307 - Wiggins
- 35 HCS HB 663 & 375 - Kennedy
- 36 HCS HB 921 - Curls
- 37 HCS HB 279 - Shoemyer

HOUSE BILL FOR PERFECTION - INFORMAL

HCS HB 113 - Hickey

HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 HCR 12, (3-29-01, page 894) - Haywood
- 2 HCR 25, (4-5-01, pages 1006 & 1007) - Graham

HOUSE JOINT RESOLUTION FOR THIRD READING

HCS HJR 7, (Fiscal Review 4-17-01) - Koller

HOUSE BILL FOR THIRD READING

HS HB 349, (Fiscal Review 4-12-01) - Hosmer

HOUSE BILL FOR THIRD READING - CONSENT - INFORMAL

HB 402 - Boucher

SENATE BILLS FOR THIRD READING - CONSENT

(April 17, 2001)

- 1 SB 25 - Farnen
- 2 HCS SB 321 - Crump
- 3 HCS SB 441 - Williams
- 4 HCS SB 521 - Luetkenhaus
- 5 SCS SB 301 - Hegeman
- 6 SB 295 - McKenna
- 7 SB 394 - Hosmer
- 8 SB 442 - O'Connor
- 9 SB 203 - O'Toole
- 10 HCS SCS SB 151 - Gaskill
- 11 HCS SB 191 - George
- 12 SCS SB 234 - Kennedy
- 13 SB 553 - Barnett
- 14 SCS SB 270 - Monaco
- 15 SCS SB 341 - Britt
- 16 SB 87 - Smith
- 17 SCS SB 431, E.C. - Shoemyer
- 18 SB 142 - Robirds
- 19 SCS SB 383 - Harding
- 20 SB 436 - Koller
- 21 SB 606 - Clayton
- 22 SB 605 - Luetkenhaus
- 23 SB 111 - Ostmann
- 24 HCS SB 544 - Relford
- 25 SB 200 - Thompson
- 26 SB 316 - Hagan-Harrell
- 27 SCS SB 357, E.C. - Johnson (90)
- 28 SB 207 - Kennedy
- 29 SB 252 - Surface
- 30 SB 443, E.C. - Hosmer
- 31 SCS SB 384 - Johnson (90)
- 32 SCS SB 241 - Ward
- 33 HCS SCS SB 382, E.C. - Liese

- 34 SB 224, E.C. - Luetkemeyer
- 35 SB 179 - Wagner
- 36 HCS SCS SB 617 - Rizzo
- 37 SB 435 - Koller
- 38 SB 223 - Hosmer
- 39 HCS SCS SB 520 - Myers
- 40 HCS SB 227 - Burton
- 41 SB 110 - Ladd Baker
- 42 SCS SB 514 - Hosmer
- 43 SB 353, HCA 1 - Shields
- 44 HCS SB 274 - Harlan
- 45 HCS SCS SB 568 - Davis
- 46 SB 451 - Mays (50)
- 47 SCS SB 352 - Lawson
- 48 HCS SCS SB 178 - Hoppe
- 49 HCS SB 345 - Holt
- 50 HCS SCS SB 515 - Kennedy
- 51 SCS SB 407 - Hilgemann
- 52 SB 540 - Levin
- 53 HCS SCS SB 619, E.C. - Hoppe
- 54 SB 201 - Farnen
- 55 SB 58 - Wagner
- 56 SB 303 - Relford
- 57 HCS SB 610 - Hoppe
- 58 SCS SB 13 - Ross
- 59 HCS SB 543 - Britt
- 60 SB 556 - Hoppe
- 61 SB 575 - Davis
- 62 HCS SB 304 - Monaco
- 63 SB 406 - Scott
- 64 SCS SB 197 - Luetkenhaus
- 65 SB 148 - Seigfreid
- 66 HCS SB 307 - Froelker
- 67 HCS SB 348 - Barry
- 68 HCS SB 538 - Luetkemeyer

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HCS HB 2 - Green (73)
- 2 SCS HCS HB 3 - Green (73)
- 3 SCS HCS HB 4 - Green (73)
- 4 SCS HCS HB 5 - Green (73)

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

FIFTY-NINTH DAY, THURSDAY, APRIL 19, 2001

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

O Lord, You know how busy these men and women of the House are this day. Should they forget You, please do not forget them. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Chas Wildberger, Cody Miller, Mitchell Meyers, Jake Christianson, Ethan Kanke, Ashley Huntington, Shamari Jackson, Janay Landon, Brittany Wilson, Tierra Perkins, Jessica Henderson, Darrel Keys, Rachel Willeford and William Princivalli.

The Journal of the fifty-eighth day was approved as corrected by the following vote:

AYES: 085

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Haywood	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Johnson 61
Johnson 90	Jolly	Kelly 36	Kennedy	Koller
Lawson	Liese	Lowe	Luetkenhaus	Marsh
Mays 50	McKenna	Merideth	Monaco	O'Connor
O'Toole	Ransdall	Relford	Reynolds	Rizzo
Scheve	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	Surface	Thompson	Treadway
Van Zandt	Villa	Wagner	Walton	Ward
Wiggins	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 070

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Enz
Fares	Froelker	Gaskill	Griesheimer	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin

Hunter	Jetton	Kelley 47	Kelly 144	King
Legan	Levin	Linton	Lograsso	Long
Luetkemeyer	Marble	May 149	Mayer	Miller
Moore	Murphy	Myers	Naeger	Nordwald
Ostmann	Phillips	Portwood	Purgason	Rector
Reid	Reinhart	Richardson	Ridgeway	Roark
Robirds	Ross	Schwab	Scott	Secrest
Shields	St. Onge	Townley	Vogel	Wright

PRESENT: 000

ABSENT WITH LEAVE: 005

Dolan	Kelly 27	Overschmidt	Troupe	Williams
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VACANCIES: 003

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1398
and

House Resolution No. 1399 - Representative Relford
House Resolution No. 1400 - Representative Scheve
House Resolution No. 1401 - Representative Kelly (36)
House Resolution No. 1402 - Representative Hartzler
House Resolution No. 1403

through

House Resolution No. 1422 - Representative Black
House Resolution No. 1423 - Representative Skaggs
House Resolution No. 1424 - Representatives Henderson and Luetkemeyer
House Resolution No. 1425 - Representative King
House Resolution No. 1426

and

House Resolution No. 1427 - Representative Barnitz
House Resolution No. 1428 - Representative Black
House Resolution No. 1429

and

House Resolution No. 1430 - Representatives Kreider, Hanaway and Foley
House Resolution No. 1431 - Representative Cooper
House Resolution No. 1432 - Representatives Ridgeway, Reinhart and Phillips

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 30 was read the second time.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1** and **CCS SCS HCS HB 15**, begs leave to report it has examined the foregoing bills and finds the same to be truly and correctly printed as agreed to and finally passed.

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HBs 280, 69, 497 & 689, HB 527, HS HB 736** and **HS HCS HBs 835, 90, 707, 373, 641, 510, 516 & 572**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

SIGNING OF HOUSE BILL

All other business of the House was suspended while **CCS SCS HCS HB 15** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **CCS SCS HCS HB 15** was delivered to the Governor by the Chief Clerk of the House.

PERFECTION OF HOUSE BILL

HB 366, as amended, with House Substitute Amendment No. 1 for House Amendment No. 3 and House Amendment No. 3, pending, relating to income tax: pension deduction, was taken up by Representative Champion.

House Substitute Amendment No. 1 for House Amendment No. 3 was withdrawn.

Representative O'Toole offered **House Substitute Amendment No. 1 for House Amendment No. 3**.

*House Substitute Amendment No. 1
for
House Amendment No. 3*

AMEND House Bill No. 366, Page 1, Section 143.124, Line 4, by inserting after the word "**shall**" the following: "**for tax years beginning before January 1, 2003,**"; and

Further amend said bill, Page 2, Section 143.124, Line 16, by inserting after the period "." on said line the following: "**For tax years beginning January 1, 2002,**"; and

Further amend said bill, Page 2, Section 143.124, Line 17, by inserting after the word "**returns**" the following: "**for tax years beginning before January 1, 2003,**"; and

Further amend said bill, page and section, Line 18, by inserting after the word "**return.**" the following: "**For tax years beginning on or after January 1, 2003, the maximum deduction allowed for an individual taxpayer, and per taxpayer for taxpayers filing combined returns, shall be seven thousand two hundred dollars.**"; and

Further amend said bill, Page 2, Section 143.124, Line 34, by inserting after the numeral "**1990,**" the following: "**but before January 1, 2003,**"; and

Further amend said bill, Page 2, Section 143.124, Line 47, by inserting an opening bracket "[" after the numeral "**2002**"; and

Further amend said bill, page and section, Line 49, by inserting a closing bracket "]" after the numeral "**2002**"; and

Further amend said bill, Page 3, Section 143.124, Line 57, by inserting after the numeral "**4.**" the following:

"For the tax years beginning on or after January 1, 2003, there shall be subtracted from Missouri adjusted gross income, determined pursuant to section 143.121, a maximum of the first seven thousand two hundred dollars of retirement benefits received by each taxpayer from all sources. A taxpayer shall be entitled to the maximum exemption provided by this subsection:

(1) If the taxpayer's filing status is single, head of household or qualifying widow(er) and the taxpayer's Missouri adjusted gross income is less than thirty thousand dollars; or

(2) If the taxpayer's filing status is married filing combined and their combined Missouri adjusted gross income is less than thirty-eight thousand five hundred dollars; or

(3) If the taxpayer's filing status is married filing separately and the taxpayer's Missouri adjusted gross income is less than nineteen thousand two hundred fifty dollars.

5."; and

Further amend said bill, Page 3, Section 143.124, Line 58, by inserting after the numeral "**3**" the words "**or 4**"; and

Further amend said bill, Page 3, Section 143.124, Line 62, by inserting brackets around the numeral "**5.**" and inserting after the closing bracket the numeral "**6.**"; and

Further amend said bill, Page 3, Section 143.124, Line 66, by inserting an opening bracket "[" before the numeral "**6.**"; and

Further amend said bill, Page 3, Section 143.124, Line 72, by inserting a closing bracket "]" after the word "**levels.**".

On motion of Representative O'Toole, **House Substitute Amendment No. 1 for House Amendment No. 3** was adopted.

Representative Kennedy offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Bill No. 366, Page 3, Section 143.124, Line 83, by inserting after said line the following:

"161.709. For tax years beginning on or after January 1, 2001, a taxpayer who is a teacher, as defined in subdivision (15) of section 163.011, RSMo, shall be allowed to claim a credit against the tax otherwise due pursuant to chapter 143, RSMo, excluding sections 143.191 to 143.265, RSMo, and related provisions, in an amount equal to the lesser of fifty dollars or the amount such taxpayer's expenditures not reimbursed during the same tax year for instructional materials used in the course of such taxpayer's employment as a teacher. A

taxpayer shall claim the credit allowed by this section at the time such taxpayer files a return; provided that, a taxpayer who fails to timely file such taxpayer's return shall not be eligible for a credit pursuant to this section. The tax credit allowed pursuant to this section shall be nonrefundable, but may be carried over to the next five succeeding taxable years until the full credit has been claimed. The department of revenue is authorized to adopt any rules or regulations deemed necessary for the effective administration of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo."; and

Further amend the title, enacting clause and intersectional references according.

Representative Shields offered **House Substitute Amendment No. 1 for House Amendment No. 4.**

*House Substitute Amendment No. 1
for
House Amendment No. 4*

AMEND House Bill No. 366, Page 3, Section 143.124, Line 83, by adding the following new section:

"Section A. Chapter 135, RSMo, is amended by adding thereto one new section, to be known as section 135.342, to read as follows:

135.342. For tax years beginning on or after January 1, 2001, a taxpayer who is a teacher, as defined in subdivision (15) of section 163.011, RSMo, shall, to the extent such taxpayer claims no other credit or deduction for the same expenditures, be allowed to claim a credit against the tax otherwise due pursuant to chapter 143, RSMo, excluding sections 143.191 to 143.265, RSMo, and related provisions, in an amount equal to the lesser of two hundred fifty dollars or the amount such taxpayer's out-of-pocket expenditures during the same tax year for instructional materials used in the course of such taxpayer's employment as a teacher. A taxpayer shall claim the credit allowed by this section at the time such taxpayer files a return; provided that, a taxpayer who fails to timely file such taxpayer's return shall not be eligible for a credit pursuant to this section. The tax credit allowed pursuant to this section shall be nonrefundable, but may be carried over to the next five succeeding taxable years until the full credit has been claimed. The department of revenue is authorized to adopt any rules or regulations deemed necessary for the effective administration of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo."; and

Further amend said bill by amending title, enacting clauses and intersectional references accordingly.

On motion of Representative Shields, **House Substitute Amendment No. 1 for House Amendment No. 4** was adopted.

Representative Riback Wilson (25) offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Bill No. 366, Page 1, Section A, Line 2, by inserting after said line the following:

"135.760. 1. For all taxable years beginning on or after January 1, 2002, a resident individual who is allowed a federal earned income tax credit pursuant to Section 32 of the Internal Revenue Code shall be allowed a credit against the tax otherwise due pursuant to chapter 143, RSMo, not including sections 143.191 to 143.265, RSMo, in an amount equal to one-half of one percent of the allowable federal earned income tax credit. For all taxable years beginning on or after January 1, 2004, a resident individual who is allowed a federal earned

income tax credit pursuant to Section 32 of the Internal Revenue Code shall be allowed a credit against the tax otherwise due pursuant to chapter 143, RSMo, not including sections 143.191 to 143.265, RSMo, in an amount equal to two and one-half percent of the allowable federal earned income tax credit. For all taxable years beginning on or after January 1, 2006, a resident individual who is allowed a federal earned income tax credit pursuant to Section 32 of the Internal Revenue Code shall be allowed a credit against the tax otherwise due pursuant to chapter 143, RSMo, not including sections 143.191 to 143.265, RSMo, in an amount equal to five percent of the allowable federal earned income tax credit. For all taxable years beginning on or after January 1, 2008, a resident individual who is allowed a federal earned income tax credit pursuant to Section 32 of the Internal Revenue Code shall be allowed a credit against the tax otherwise due pursuant to chapter 143, RSMo, not including sections 143.191 to 143.265, RSMo, in an amount equal to seven and one-half percent of the allowable federal earned income tax credit. For all taxable years beginning on or after January 1, 2010, a resident individual who is allowed a federal earned income tax credit pursuant to Section 32 of the Internal Revenue Code shall be allowed a credit against the tax otherwise due pursuant to chapter 143, RSMo, not including sections 143.191 to 143.265, RSMo, in an amount equal to ten percent of the allowable federal earned income tax credit. The tax credit allowed by this section shall be claimed by such individual at the time such individual files a return and shall be applied against the income tax liability imposed by chapter 143, RSMo. Where the amount of the credit exceeds the tax liability, the difference shall be refunded to the taxpayer or carried forward into each subsequent taxable year until such credit is fully used.

2. The director of the department of revenue shall promulgate rules and regulations to administer the provisions of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

3. Notwithstanding the provision of subsection 4 of section 32.057, RSMo, the department of revenue or any duly authorized employee or agent shall determine whether any taxpayer filing a report or return with the department of revenue who has not applied for the credit allowed pursuant to subsection 1 of this section may qualify for the credit, and shall notify any qualified claimant of his or her potential eligibility, where the department determines such potential eligibility exists.”; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Riback Wilson (25), **House Amendment No. 5** was adopted.

Representative Jetton offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Bill No. 366, Page 1, Section A, Line 2, by inserting after said line the following:

"135.305. A Missouri wood energy producer shall be eligible for a tax credit on taxes otherwise due under chapter 143, RSMo, except sections 143.191 to 143.261, RSMo, as a production incentive to produce processed wood products in a qualified wood producing facility using Missouri forest product residue. The tax credit to the wood energy producer shall be five dollars per ton of processed material. The credit may be claimed for a period of [five] **ten** years and is to be a tax credit against the tax otherwise due.”; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Jetton, **House Amendment No. 6** was adopted.

Representative Fraser offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Bill No. 366, Page 1, Section A, Line 2, by inserting after said line the following:

“135.340. 1. For all tax years beginning on or after January 1, 2002, and in addition to deductions allowed an employer by law for wages paid an employee, an employer which grants an employee paid leave to volunteer at a public elementary or secondary, or to attend a school sponsored function with an educational purpose of the employee’s biological, adopted, step or foster child, or any other child for which the employee is a legal guardian shall be allowed a refundable credit against the tax otherwise due pursuant to chapter 143, RSMo, not including sections 143.191 to 143.265, RSMo, in an amount equal to fifty percent of the amount of the federal minimum wage for each such hour of paid leave per employee.

2. To obtain the credit allowed by this section, an employer shall first obtain a certificate of tax credit from the department of labor and industrial relations. The department shall require an employer to submit documentation regarding the amount of paid leave granted each employee for the purposes described in subsection 1 of this section, and shall issue the employer a certificate of tax credit in an appropriate amount. The department of labor and industrial relations is authorized to promulgate any rules necessary for the implementation of the tax credit allowed by this section. No rule or portion of a rule shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

3. An employer shall claim any tax credit allowed by this section by filing the certificate of tax credit issued by the department of labor and industrial relations with such employer’s tax return.

4. No more than five million dollars in tax credits shall be allowed annually pursuant to this section. The department of labor and industrial relations shall issue credits pursuant to this section in the order applications therefor are received.”; and

Further amend the title, enacting clause and intersectional references accordingly.

Representative Gambaro offered **House Amendment No. 1 to House Amendment No. 7.**

House Amendment No. 1
to
House Amendment No. 7

AMEND House Amendment No. 7 to House Bill No. 366, Page 1, Section 135.340, Line 6, by inserting at the end of said line the following: “**private or**”; and

Further amend said amendment, page and section, Line 7, by inserting after the word “**secondary**” the word “**school**”.

Representative Scott offered **House Substitute Amendment No. 1 for House Amendment No. 1 to House Amendment No. 7.**

House Substitute Amendment No. 1
for
House Amendment No. 1
to
House Amendment No. 7

AMEND House Amendment No. 7 to House Bill No. 366, Page 1, Section 135.340, Line 7, by inserting after the word “**public**” the following: “**private, or parochial**”; and

Further amend said bill, Line 7, by inserting after the word “**secondary**” the word “**school**”.

On motion of Representative Scott, **House Substitute Amendment No. 1 for House Amendment No. 1 to House Amendment No. 7** was adopted.

On motion of Representative Fraser, **House Amendment No. 7, as amended**, was adopted.

Representative Hohulin offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Bill No. 366, Page 2, Line 84, by adding the following:

“In third class counties with a population of less than 30,000 people and bordered by a state line and at least 2 other 3rd class counties, a tax credit of 80% shall be granted to the owner of a recreation facility with at least 6 baseball diamonds for improvements made to such facility with an annual cap on the tax credit of \$10,000”.

On motion of Representative Hohulin, **House Amendment No. 8** was adopted.

Representative Crump moved the previous question on the motion to perfect **HB 366, as amended.**

Which motion was adopted by the following vote:

AYES: 086

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Haywood	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Kelly 27	Kelly 36	Kennedy	Koller
Lawson	Liese	Lowe	Luetkenhaus	Mays 50
McKenna	Merideth	Monaco	O'Connor	O'Toole
Overschmidt	Ransdall	Relford	Reynolds	Rizzo
Scheve	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Villa	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 066

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Byrd	Champion	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Dolan	Enz
Fares	Froelker	Gaskill	Griesheimer	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Hunter	Jetton	Kelley 47	King
Legan	Levin	Linton	Lograsso	Luetkemeyer
Marble	Marsh	May 149	Mayer	Miller
Moore	Myers	Naeger	Nordwald	Phillips
Portwood	Purgason	Rector	Reinhart	Richardson
Ridgeway	Roark	Robirds	Ross	Schwab
Secrest	Shields	St. Onge	Townley	Vogel
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 008

Burton	Kelly 144	Long	Murphy	Ostmann
Reid	Scott	Surface		

VACANCIES: 003

Speaker Pro Tem Abel assumed the Chair.

Representative Champion made a privileged motion that **HB 366, as amended**, be referred to the Committee on Fiscal Review and Government Reform.

Which motion was granted.

On motion of Representative Champion, **HB 366, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE BILL

HB 366 was referred to the Committee on Fiscal Review and Government Reform.

PERFECTION OF HOUSE BILL

HB 286, with House Committee Amendment No. 1 and House Committee Amendment No. 2, relating to sales and use tax refunds, was taken up by Representative Smith.

Representative Smith offered **HS HB 286**.

Speaker Kreider resumed the Chair.

Representative Froelker raised a point of order that the **house substitute** goes beyond the scope of the original bill.

The Chair ruled the point of order not well taken.

Representative Champion offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Bill No. 286, Page 1, Line 4 of the Title, by inserting after the word "**tax**" the words "**and income tax**"; and

Further amend said bill, Page 6, Section 144.1068, Line 10 of said page, by inserting after all of said line the following:

"Section 1. No deduction shall be allowed pursuant to section 143.124, RSMo, for any amount of an annuity, pension or retirement allowance to the extent that such amount is excluded from the taxpayer's federal or Missouri adjusted gross income, or is otherwise deducted from either the taxpayer's federal or Missouri adjusted gross income in calculating Missouri taxable."; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Champion, **House Amendment No. 1** was adopted.

Representative Wright offered **House Amendment No. 2**.

Representative Smith raised a point of order that **House Amendment No. 2** goes beyond the scope of the house substitute.

The Chair ruled the point of order well taken.

Representative Gratz offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Bill No. 286, Page 2, Section 144.195, Line 11, by inserting after the word "collected." the following:

"4. The director of revenue shall determine the additional revenue accruing to the state as a result of this act in each calendar year and authorize an increase in the amount that the person required to remit may retain in excess of the two percent authorized in 144.140 RSMo in order to offset any additional revenue."

Representative Smith offered **House Substitute Amendment No. 1 for House Amendment No. 2**.

*House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Substitute for House Bill No. 286, Page 2, Section 144.195, Line 11, by inserting after the word "collected." the following:

"4. The director of revenue may determine the additional revenue accruing to the state as a result of this act in each calendar year and authorize an increase in the amount that the person required to remit may retain in excess of the two percent authorized in 144.140 RSMo [in order to offset any additional revenue.]"

On motion of Representative Smith, **House Substitute Amendment No. 1 for House Amendment No. 2** was adopted.

Representative Lograsso offered **House Amendment No. 3**.

Representative Smith raised a point of order that **House Amendment No. 3** amends previously amended material.

The Chair ruled the point of order well taken.

Representative Shields offered **House Amendment No. 3.**

Representative Smith raised a point of order that **House Amendment No. 3** goes beyond the scope of the house substitute.

The Chair ruled the point of order well taken.

Representative Lograsso offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Substitute for House Bill No. 286, Page 2, Section 144.1050, Line 12, by inserting immediately before said line the following:

“Section B. The provisions of section 144.195 shall not apply unless the director of revenue determines that the person legally obligated to remit the tax failed to make a reasonable effort to identify and refund to the purchaser that originally paid the tax any excess collection. The burden of proof shall be on the department of revenue to establish a reasonable effort.”.

Representative Lograsso moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Hegeman offered **House Amendment No. 4.**

Representative Smith raised a point of order that **House Amendment No. 4** goes beyond the scope of the house substitute.

The Chair ruled the point of order well taken.

Representative Jetton offered **House Amendment No. 4.**

Representative Clayton raised a point of order that **House Amendment No. 4** goes beyond the scope of the house substitute.

The Chair ruled the point of order well taken.

Representative Cooper offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Substitute for House Bill No. 286, Page 2, Section 144.195, Lines 10 and 11, by striking said lines and inserting in lieu thereof the following:

“deposited in the Mental Health Trust Fund, pursuant to section 630.330, RSMo, for the purpose of funding programs for the mentally retarded or developmentally disabled.”.

Speaker Pro Tem Abel resumed the Chair.

On motion of Representative Cooper, **House Amendment No. 4** was adopted by the following vote:

AYES: 105

Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Boatright	Bonner	Boucher	Boykins	Brooks
Burcham	Burton	Byrd	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Cunningham	Davis	Dempsey	Dolan
Enz	Fares	Froelker	Gaskill	George
Graham	Green 15	Griesheimer	Hampton	Hanaway
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Holt
Hoppe	Hunter	Jetton	Johnson 61	Jolly
Kelly 144	Kelly 36	Kennedy	King	Legan
Levin	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Ostmann	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Roark	Robirds	Ross	Schwab	Scott
Secrest	Seigfreid	Shields	Shoemyer	St. Onge
Townley	Vogel	Wagner	Ward	Wright

NOES: 047

Abel	Barnitz	Bland	Bowman	Bray 84
Britt	Campbell	Carnahan	Crump	Curls
Farnen	Foley	Franklin	Fraser	Gambaro
Gratz	Green 73	Hagan-Harrell	Harding	Harlan
Hollingsworth	Hosmer	Johnson 90	Kelly 27	Koller
Liese	Mays 50	McKenna	O'Connor	O'Toole
Overschmidt	Rizzo	Selby	Shelton	Skaggs
Smith	Thompson	Treadway	Troupe	Villa
Walton	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 008

Baker	Ford	Kelley 47	Lawson	Nordwald
Scheve	Surface	Van Zandt		

VACANCIES: 003

Representative Scott offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Bill No. 286, Page 2, Section 144.1950, Line 11, by deleting the remainder of the substitute.

Representative Scott moved that **House Amendment No. 5** be adopted.

Which motion was defeated by the following vote:

AYES: 068

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Froelker	Griesheimer	Hanaway
Hartzler	Henderson	Hendrickson	Hohulin	Hunter
Jetton	Kelly 144	King	Legan	Levin
Linton	Lograsso	Long	Luetkemeyer	Luetkenhaus
Marsh	May 149	Mayer	Miller	Moore
Myers	Naeger	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Ridgeway
Roark	Robirds	Schwab	Scott	Secrest
Seigfreid	Shields	St. Onge	Townley	Treadway
Vogel	Wagner	Wright		

NOES: 072

Abel	Barnitz	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Coleman	Copenhaver	Crump	Curls	Davis
Farnen	Franklin	Fraser	Gambaro	George
Graham	Gratz	Green 15	Hagan-Harrell	Hampton
Harding	Haywood	Hegeman	Hickey	Hilgemann
Hollingsworth	Holt	Hosmer	Johnson 61	Johnson 90
Jolly	Kelly 27	Kelly 36	Kennedy	Koller
Liese	Lowe	Mays 50	McKenna	Merideth
Murphy	O'Connor	Ostmann	Overschmidt	Relford
Reynolds	Rizzo	Selby	Shoemyer	Skaggs
Smith	Thompson	Troupe	Villa	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 020

Baker	Foley	Ford	Gaskill	Green 73
Harlan	Holand	Hoppe	Kelley 47	Lawson
Marble	Monaco	Nordwald	O'Toole	Richardson
Ross	Scheve	Shelton	Surface	Van Zandt

VACANCIES: 003

HB 286, with HS, as amended, House Committee Amendment No. 1 and House Committee Amendment No. 2, pending, was laid over.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HS HCS HBs 280, 69, 497 & 689 - Fiscal Review and Government Reform (Fiscal Note)

HB 527 - Fiscal Review and Government Reform (Fiscal Note)

HS HB 736 - Fiscal Review and Government Reform (Fiscal Note)

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 31, introduced by Representative Ballard, relating to the application of any insecticide or herbicide in public buildings.

INTRODUCTION OF HOUSE BILLS - APPROPRIATIONS

The following House Bills were read the first time and copies ordered printed:

HB 16, introduced by Representative Green (73), to appropriate money for capital improvement and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the period beginning July 1, 2001 and ending June 30, 2003.

HB 17, introduced by Representative Green (73), to appropriate money for expenses, grants, refunds, distributions and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds designated herein.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 6**, entitled:

An act to appropriate money for the expenses, grants, refunds and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2001 and ending June 30, 2002.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 6, Page 22, Section 6.372, by deleting Section 6.372 from the Bill, and further adjusting the totals on Page 26 accordingly.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 6, Pages 18-19, Section 6.305, Lines 3-10, by deleting said lines.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 7**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, and Department of Labor and Industrial Relations, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2001 and ending June 30, 2002.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 8**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2001 and ending June 30, 2002.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 9**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections, the Board of Public Buildings, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2001 and ending June 30, 2002.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 10**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Board of Public Buildings, the Department of Health, and the several divisions and programs thereof and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2001 and ending June 30, 2002.

With Senate Amendment No. 1, Senate Amendment No. 2 and Senate Amendment No. 4.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 10, Page 34, Section 10.715, Lines 1 to 27, by striking all of said section and inserting in lieu thereof the following:

“Section 10.715. To the Department of Health
For the Division of Maternal, Child and Family Health

For the purpose of funding alternatives to abortion services, consisting of services or counseling offered to a pregnant woman and continuing for one year thereafter, to assist her in carrying her unborn child to term instead of having an abortion, and to assist her in caring for her dependent child or placing her child for adoption, including, but not limited to, the following: prenatal care; medical and mental health care; parenting skills; drug and alcohol testing and treatment; child care; newborn or infant care; housing; utilities; educational services; food, clothing and supplies relating to pregnancy, newborn care and parenting; adoption assistance; job training and placement; establishing and promoting responsible paternity; ultrasound services; case management; domestic abuse protection; transportation; and administrative costs of service providers in an amount generally allowed for service providers in state contracts. Actual provision and delivery of such services shall be dependent on client needs and not otherwise prioritized by the department. Such services shall be available only during pregnancy and continuing for one year thereafter, and shall exclude any service of the type described in Section 10.710. An independent audit shall be conducted annually to ensure compliance with this section. None of these funds shall be expended to perform or induce, assist in the performing or inducing of, or refer for, abortions; and none of these funds shall be granted to organizations or affiliates of organizations that perform or induce, assist in the performing or inducing of, or refer for, abortions.

From General Revenue

Fund (0 F.T.E.) \$1,000,000”.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 10, Page 13, Section 10.370, Line 11, by deleting the number “**1,826,518**” and inserting in lieu thereof the number “**1,978,669**”; and

Further amend said section, Line 13, by deleting the number “**\$1,944,068**” and inserting in lieu thereof the number “**\$2,096,219**”; and

Further amend said section, Line 14, by deleting the figure “**(255.25 FTE)**” and inserting in lieu thereof the figure “**(258.75)**”, and deleting the number “**\$9,696,594**” and inserting in lieu thereof the number “**\$9,848,745**”.

Senate Amendment No. 4

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 10, Page 31, Section 10.710, Lines 63-69, by striking all of said lines and inserting in lieu thereof the word “**funds.**”; and

Further amend said bill and section, Page 32, Lines 115-121, by striking all of said lines and inserting in lieu thereof the words “**these funds.**”; and

Further amend said bill and section, Pages 33-34, Lines 161-169, by striking all of said lines and inserting in lieu thereof the words “**government entity receiving these funds.**”.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 11**, entitled:

An act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2001 and ending June 30, 2002.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3 and Senate Amendment No. 4.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 11, Page 20, Section 11.400, Line 6, by deleting the number "3,790,339" and inserting in lieu thereof the number "3,947,347"; and

Further amend said section, Line 7, by deleting the number "489,467" and inserting in lieu thereof the number "544,822"; and

Further amend said section, Line 8, by deleting the number "4,279,806" and inserting in lieu thereof the number "4,492,169"; and

Further amend said section, Line 9, by deleting the number "4,777,753" and inserting in lieu thereof the number "4,934,761"; and

Further amend said section, Line 10, by deleting the number "6,214,508" and inserting in lieu thereof the number "6,269,863"; and

Further amend said section, Line 11, by deleting the number "10,992,261" and inserting in lieu thereof the number "11,204,624"; and

Further amend said section, Page 21, Line 33, by deleting the number "18,587,268" and inserting in lieu thereof the number "19,011,944".

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 11, Page 20, Section 11.400, Line 2, by inserting immediately after Line 2, the following: **"For the purpose of funding administrative services including"**.

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 11, Page 11, Section 11.130, Line 3, by adding after the word **"staff"** the following:

";provided that the division may use up to \$350,000 for the purpose of contracting with community-based not-for-profit agencies which are certified by a recognized national body and which demonstrate a record of providing successful job placement, training and retention services to implement a retention program to address turnover in offices in the Metropolitan St. Louis Region."

Senate Amendment No. 4

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 11, Page 22, Section 11.420, Line 6, by deleting the number "236,446,984" and inserting in lieu thereof the number "236,538,457"; and

Further amend said section, Line 7, by deleting the number "445,178,996" and inserting in lieu thereof the number "445,423,082"; and

Further amend said section, Line 10, by deleting the number "729,114,031" and inserting in lieu thereof the number "729,449,590"; and

Further amend said bill, Section 11.425, Line 8, by deleting the number "87,089,486" and inserting in lieu thereof the number "87,186,699"; and

Further amend said section, Line 9, by deleting the number "147,235,261" and inserting in lieu thereof the number "147,494,661"; and

Further amend said section, Line 11, by deleting the number "235,572,291" and inserting in lieu thereof the number "235,928,904"; and

Further amend said bill, Section 11.450, Line 12, by deleting the number "30,771,949" and inserting in lieu thereof the number "30,775,005"; and

Further amend said section, Line 13, by deleting the number "50,520,306" and inserting in lieu thereof the number "50,528,459"; and

Further amend said section, Line 15, by deleting the number "81,487,136" and inserting in lieu thereof the number "81,498,345"; and

Further amend said bill, Section 11.460, Line 5, by deleting the number "24,519,569" and inserting in lieu thereof the number "24,658,958"; and

Further amend said section, Line 6, by deleting the number "276,239,615" and inserting in lieu thereof the number "276,611,559"; and

Further amend said section, Line 11, by deleting the number "450,987,337" and inserting in lieu thereof the number "451,498,670"; and

Further amend said bill, Section 11.510, Line 5, by inserting immediately after said line the following new line:

"From General Revenue Fund \$7,057";
and

Further amend said section, Line 6, by deleting the number "185,175,927E" and inserting in lieu thereof the number "185,194,756E"; and

Further amend said section, Line 6, by inserting immediately after said line, the following new line:

"Total (0 F.T.E.) \$185,201,813".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 12**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirements Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and Contingent expenses of the General Assembly, including salaries and expenses of elective and appointive offices and necessary capital improvements expenditures; for salaries and

expenses of members and employees and other necessary operating expenses of the Committee of Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2001 and ending June 30, 2002.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 4:00 p.m., Monday, April 23, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-eighth Day, Wednesday, April 18, 2001, Page 1203, Line 19, by inserting after the word “military” the word “retirement”.

Page 1203, Line 20, by inserting at the beginning of said line the following: “U.S. military”.

Page 1176, roll call, by showing Representative Harding voting "aye" rather than "absent with leave".

Page 1176, roll call, by showing Representatives Griesheimer, Kelley (47), King and May (149) voting "no" rather than "absent with leave".

Page 1177, roll call, by showing Representative Sanders Brooks voting "present" rather than "absent with leave".

Page 1188, roll call, by showing Representative Sanders Brooks voting "present" rather than "absent with leave".

Page 1188, roll call, by showing Representative Naeger voting "aye" rather than "absent with leave".

Page 1189, roll call, by showing Representative Behnen voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

BANKS AND FINANCIAL INSTITUTIONS

Tuesday, April 24, 2001. Hearing Room 3 upon morning adjournment.

Executive Session may follow.

To be considered - SB 220

BUDGET

Monday, April 23, 2001, 1:00 p.m. Hearing Room 3.

Executive Session.

To be considered - HB 14

BUDGET

Tuesday, April 24, 2001, 8:00 am. Hearing Room 3.

Possible Executive Session.

To be considered - HB 16, HB 17

BUDGET

Tuesday, April 24, 2001. Hearing Room 3 upon morning adjournment.

Executive Session.

To be considered - HB 16, HB 17

BUDGET

Tuesday, April 24, 2001, 7:30 pm. Hearing Room 3.

Executive Session.

To be considered - HB 16, HB 17

CHILDREN, FAMILIES, AND HEALTH

Tuesday, April 24, 2001. Hearing Room 4 upon morning adjournment.

Possible Executive Session.

To be considered - HB 620, SB 266, SCR 5, SCR 19, SCR 25

CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING

Monday, April 23, 2001, 8:00 pm. Hearing Room 3.

Executive Session may follow.

To be considered - SB 542

FISCAL REVIEW AND GOVERNMENT REFORM

Monday, April 23, 2001. Hearing Room 2 upon evening adjournment.

To be considered - SB 50, Executive Session - HB 349,

Executive Session -HJR 7, Executive Session - SCR 22

JOINT COMMITTEE ON GAMING AND WAGERING

Monday, April 30, 2001, 12:00 pm. Hearing Room 7.

State of the State: Gaming in MO, Missouri Gaming Commission,
Missouri Lottery and Horse Racing.

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, April 24, 2001. Hearing Room 7 upon morning adjournment.

Executive Session may follow.

To be considered - SB 433

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, April 25, 2001, 9:30 am. Hearing Room 6.

Executive Session may follow.

To be considered - SB 5

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Tuesday, April 24, 2001, 8:00 am. Hearing Room 6.

Executive Session will follow.

To be considered - HB 93, SB 351

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, April 24, 2001, 8:00 pm. Hearing Room 6.

Executive Session may follow.

To be considered - SB 60

TOURISM, RECREATION AND CULTURAL AFFAIRS

Monday, April 23, 2001. Hearing Room 7 upon afternoon adjournment.

Executive Session may follow.

To be considered - SB 323

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Monday, April 23, 2001. Hearing Room 6 upon evening adjournment.

Executive Session may follow.

To be considered - HB 579, SB 366, SB 380

HOUSE CALENDAR

SIXTIETH DAY, MONDAY, APRIL 23, 2001

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 31

HOUSE BILLS FOR SECOND READING - APPROPRIATIONS

1 HB 16

2 HB 17

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 15 & 13 - Crawford

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 457, HA 2, as amended, tabled - Kreider
- 2 HB 286, HS,as amended, HCA 1 and HCA 2, pending, - Smith
- 3 HB 678 - Seigfreid
- 4 HB 436 - Merideth
- 5 HCS HB 472 - Burton
- 6 HCS HB 488 - Koller
- 7 HB 592, HCA 1 - Williams
- 8 HCS HB 660 - Hagan-Harrell
- 9 HB 555 - Foley
- 10 HCS HB 426 - O'Toole
- 11 HCS HB 831 - Carnahan
- 12 HCS HB 428 - Kelly (36)
- 13 HCS HB 593 - Riback Wilson (25)
- 14 HCS HB 170 - Froelker
- 15 HCS HB 239 - Smith
- 16 HB 715 - Foley
- 17 HCS HB 981 & 665 - Willoughby
- 18 HB 802 - Ransdall
- 19 HCS HB 374 - Fraser
- 20 HCS HB 780 - Scheve
- 21 HCS HB 853 & 258 - Crump
- 22 HCS HB 186 & 172 - Troupe
- 23 HCS HB 635 - Barry
- 24 HCS HB 868 - Merideth
- 25 HCS HB 253 - Ross
- 26 HCS HB 888, 942 & 943 - Scheve
- 27 HCS HB 293 - Kennedy
- 28 HB 809, HCA 1 - Carnahan
- 29 HCS HB 340, 303 & 316 - Graham
- 30 HB 640 - Johnson (90)
- 31 HCS HB 723 - Mays (50)
- 32 HCS HB 117 - Riback Wilson (25)
- 33 HCS HB 307 - Wiggins
- 34 HCS HB 663 & 375 - Kennedy
- 35 HCS HB 921 - Curls
- 36 HCS HB 279 - Shoemyer

HOUSE BILL FOR PERFECTION - INFORMAL

HCS HB 113 - Hickey

HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 HCR 12, (3-29-01, page 894) - Haywood
- 2 HCR 25, (4-5-01, pages 1006 & 1007) - Graham

HOUSE JOINT RESOLUTION FOR THIRD READING

HCS HJR 7, (Fiscal Review 4-17-01) - Koller

HOUSE BILLS FOR THIRD READING

- 1 HS HB 349, (Fiscal Review 4-12-01) - Hosmer
- 2 HS HCS HB 835, 90, 707, 373, 641, 510, 516 & 572 - Britt
- 3 HCS HB 280, 69, 497 & 689, (Fiscal Review 4-19-01) - Hoppe
- 4 HB 527, (Fiscal Review 4-19-01) - Luetkenhaus
- 5 HS HB 736, (Fiscal Review 4-19-01) - Liese

HOUSE BILL FOR THIRD READING - CONSENT - INFORMAL

HB 402 - Boucher

SENATE BILLS FOR THIRD READING - CONSENT

(April 17, 2001)

- 1 SB 25 - Farnen
- 2 HCS SB 321 - Crump
- 3 HCS SB 441 - Williams
- 4 HCS SB 521 - Luetkenhaus
- 5 SCS SB 301 - Hegeman
- 6 SB 295 - McKenna
- 7 SB 394 - Hosmer
- 8 SB 442 - O'Connor
- 9 SB 203 - O'Toole
- 10 HCS SCS SB 151 - Gaskill
- 11 HCS SB 191 - George
- 12 SCS SB 234 - Kennedy
- 13 SB 553 - Barnett
- 14 SCS SB 270 - Monaco
- 15 SCS SB 341 - Britt
- 16 SB 87 - Smith
- 17 SCS SB 431, E.C. - Shoemyer
- 18 SB 142 - Robirds
- 19 SCS SB 383 - Harding
- 20 SB 436 - Koller

- 21 SB 606 - Clayton
- 22 SB 605 - Luetkenhaus
- 23 SB 111 - Ostmann
- 24 HCS SB 544 - Relford
- 25 SB 200 - Thompson
- 26 SB 316 - Hagan-Harrell
- 27 SCS SB 357, E.C. - Johnson (90)
- 28 SB 207 - Kennedy
- 29 SB 252 - Surface
- 30 SB 443, E.C. - Hosmer
- 31 SCS SB 384 - Johnson (90)
- 32 SCS SB 241 - Ward
- 33 HCS SCS SB 382, E.C. - Liese
- 34 SB 224, E.C. - Luetkemeyer
- 35 SB 179 - Wagner
- 36 HCS SCS SB 617 - Rizzo
- 37 SB 435 - Koller
- 38 SB 223 - Hosmer
- 39 HCS SCS SB 520 - Myers
- 40 HCS SB 227 - Burton
- 41 SB 110 - Ladd Baker
- 42 SCS SB 514 - Hosmer
- 43 SB 353, HCA 1 - Shields
- 44 HCS SB 274 - Harlan
- 45 HCS SCS SB 568 - Davis
- 46 SB 451 - Mays (50)
- 47 SCS SB 352 - Lawson
- 48 HCS SCS SB 178 - Hoppe
- 49 HCS SB 345 - Holt
- 50 HCS SCS SB 515 - Kennedy
- 51 SCS SB 407 - Hilgemann
- 52 SB 540 - Levin
- 53 HCS SCS SB 619, E.C. - Hoppe
- 54 SB 201 - Farnen
- 55 SB 58 - Wagner
- 56 SB 303 - Relford
- 57 HCS SB 610 - Hoppe
- 58 SCS SB 13 - Ross
- 59 HCS SB 543 - Britt
- 60 SB 556 - Hoppe
- 61 SB 575 - Davis
- 62 HCS SB 304 - Monaco
- 63 SB 406 - Scott
- 64 SCS SB 197 - Luetkenhaus
- 65 SB 148 - Seigfreid

- 66 HCS SB 307 - Froelker
- 67 HCS SB 348 - Barry
- 68 HCS SB 538 - Luetkemeyer

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HCS HB 2 - Green (73)
- 2 SCS HCS HB 3 - Green (73)
- 3 SCS HCS HB 4 - Green (73)
- 4 SCS HCS HB 5 - Green (73)
- 5 SCS HCS HB 6, as amended, - Green (73)
- 6 SCS HCS HB 7 - Green (73)
- 7 SCS HCS HB 8 - Green (73)
- 8 SCS HCS HB 9 - Green (73)
- 9 SCS HCS HB 10, as amended, - Green (73)
- 10 SCS HCS HB 11, as amended, - Green (73)
- 11 SCS HCS HB 12 - Green (73)

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

SIXTIETH DAY, MONDAY, APRIL 23, 2001

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

God, another week is here, and as this session of our House of Representatives speeds too quickly towards its closing days, a moment for us all to prioritize again may well be in our best interest. Help to dispose our minds again to those notions and views which will make a difference in people's lives.

Arrange our hearts once more toward those perspectives which will bond us for the better in the ways we relate with each other. Order our souls again into that sacred space which can only lead to the good, the true, the beautiful. In the best traditions of this Chamber, spur our House on to reach for justice and decency. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Bailey Gruben and Alisha Mehrhoff.

The Journal of the fifty-ninth day was approved as corrected by the following vote:

AYES: 083

Abel	Baker	Barnitz	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Cierpiot
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Farnen	Foley	Ford	Franklin
Fraser	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Haywood
Hickey	Hilgemann	Hollingsworth	Holt	Hosmer
Johnson 61	Jolly	Kelly 27	Kennedy	Koller
Lawson	Legan	Liese	Lowe	Luetkenhaus
Marsh	McKenna	Merideth	Monaco	O'Connor
O'Toole	Overschmidt	Ransdall	Relford	Reynolds
Rizzo	Robirds	Scheve	Seigfreid	Selby
Shelton	Shoemyer	Skaggs	Smith	Surface
Thompson	Treadway	Troupe	Van Zandt	Villa
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 064

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cooper	Crawford

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Crowell	Cunningham	Dempsey	Dolan	Enz
Fares	Froelker	Gaskill	Griesheimer	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Hunter	Jetton	Kelley 47	Kelly 144	King
Levin	Linton	Long	Luetkemeyer	Marble
May 149	Miller	Moore	Murphy	Myers
Naeger	Nordwald	Ostmann	Phillips	Portwood
Purgason	Rector	Reinhart	Richardson	Roark
Ross	Schwab	Scott	Secrest	Shields
St. Onge	Townley	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 013

Barry 100	Gambaro	Harlan	Holand	Hoppe
Johnson 90	Kelly 36	Lograsso	Mayer	Mays 50
Reid	Ridgeway	Wiggins		

VACANCIES: 003

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1433 - Representative Surface
House Resolution No. 1434
and
House Resolution No. 1435 - Representative Ransdall
House Resolution No. 1436 - Representative Curls
House Resolution No. 1437
and
House Resolution No. 1438 - Representative Moore
House Resolution No. 1439
through
House Resolution No. 1452 - Representative Levin
House Resolution No. 1453
and
House Resolution No. 1454 - Representative Gratz
House Resolution No. 1455 - Representative Townley
House Resolution No. 1456 - Representative Bartle
House Resolution No. 1457
and
House Resolution No. 1458 - Representative Luetkenhaus
House Resolution No. 1459 - Representative Williams
House Resolution No. 1460 - Representative Harding
House Resolution No. 1461
and
House Resolution No. 1462 - Representative Miller
House Resolution No. 1463 - Representative Townley
House Resolution No. 1464 - Representative Britt
House Resolution No. 1465 - Representative Ward

House Resolution No. 1466 - Representative Lawson
House Resolution No. 1467 - Representative Hollingsworth
House Resolution No. 1468
through
House Resolution No. 1484 - Representative Williams

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 31 was read the second time.

SECOND READING OF HOUSE BILLS - APPROPRIATIONS

HB 16 and **HB 17** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 366**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 2, relating to appropriations, was taken up by Representative Green (73).

Representative Green (73) moved that the House refuse to adopt **SCS HCS HB 2** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 3, relating to appropriations, was taken up by Representative Green (73).

Representative Green (73) moved that the House refuse to adopt **SCS HCS HB 3** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 4, relating to appropriations, was taken up by Representative Green (73).

Representative Green (73) moved that the House refuse to adopt **SCS HCS HB 4** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 5, relating to appropriations, was taken up by Representative Green (73).

Representative Green (73) moved that the House refuse to adopt **SCS HCS HB 5** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 6, as amended, relating to appropriations, was taken up by Representative Green (73).

Representative Green (73) moved that the House refuse to adopt **SCS HCS HB 6, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 7, relating to appropriations, was taken up by Representative Green (73).

Representative Green (73) moved that the House refuse to adopt **SCS HCS HB 7** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 8, relating to appropriations, was taken up by Representative Green (73).

Representative Green (73) moved that the House refuse to adopt **SCS HCS HB 8** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 9, relating to appropriations, was taken up by Representative Green (73).

Representative Green (73) moved that the House refuse to adopt **SCS HCS HB 9** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 10, as amended, relating to appropriations, was taken up by Representative Green (73).

Representative Green (73) moved that the House refuse to adopt **SCS HCS HB 10, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 11, as amended, relating to appropriations, was taken up by Representative Green (73).

Representative Green (73) moved that the House refuse to adopt **SCS HCS HB 11, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 12, relating to appropriations, was taken up by Representative Green (73).

Representative Green (73) moved that the House refuse to adopt **SCS HCS HB 12** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

PERFECTION OF HOUSE BILL

HB 678, relating to ethics, was taken up by Representative Seigfreid.

Representative Seigfreid offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 678, Page 4, Section 105.475, Lines 1 to 9, by deleting all of said section and inserting in lieu thereof the following:

"105.475. [1. The provisions of sections 105.470 to 105.473 shall not apply to any public official or a staff member, employee, spouse or dependent child of a public official when employed by a lobbyist principal and who is acting on behalf of the lobbyist principal in their employment, except if such person's employment is as a lobbyist for the lobbyist principal.

2.] The provisions of sections 105.470 to 105.473 shall not apply to any member of a union who is acting in either an employment capacity or contractual capacity in association with the union, except if such person's employment or contractual capacity is as a lobbyist for the union."; and

Further amend said bill, by amending the title, enacting clause and intersectional references accordingly.

On motion of Representative Seigfreid, **House Amendment No. 1** was adopted.

Representative Seigfreid offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 678, Section 130.011, Page 16, Line 205, by deleting the closing bracket "]" after "**subsection 2**" and inserting it after the word "**of**"; and

Further amend said bill, Section 130.016, Page 19, Line 36, by inserting the following after the word "**donor**":

"**if the donor's identity can be ascertained**"; and

Further amend said bill, Section 130.031, Page 27, Line 129, by inserting an opening bracket “[“ and closing bracket “]” around the word “**purposely**” and inserting in lieu thereof the word “**knowingly**”.

On motion of Representative Seigfreid, **House Amendment No. 2** was adopted.

Representative Seigfreid offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Bill No. 678, Section 105.477, Page 4, Line 1, by inserting an opening bracket “[“ and a closing bracket “]” around the words “**a computer program**” and inserting in lieu thereof the words “**an electronic reporting system**”; and

Further amend said section, Line 2, by inserting an opening bracket “[“ and a closing bracket “]” around the words “**modem or by a common magnetic media chosen**” and inserting in lieu thereof the words “**electronic format prescribed**”; and

Further amend said section, Line 2, by inserting an opening bracket “[“ and a closing bracket “]” around the word “**computer**”; and

Further amend said section, Line 3, by inserting an opening bracket “[“ and a closing bracket “]” around the word “**program**” and inserting in lieu thereof the words “**electronic reporting system**”; and

Further amend said section, Line 3, by inserting an opening bracket “[“ and a closing bracket “]” around the words “**on DOS,**” and inserting in lieu thereof the words “**under the**”; and

Further amend said section, Line 3, by inserting the following after the word “**Macintosh**”:

“**Operating environment with minimum standards set by the commission**”; and

Further amend said section, Line 3, by inserting an opening bracket “[“ before the word “**based**” and deleting the opening bracket “[“ after the word “**computers.**”.

On motion of Representative Seigfreid, **House Amendment No. 3** was adopted.

Representative Abel offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Bill No. 678, Page 27, Section 130.031, Lines 123 to 134, by deleting all of said lines and inserting in lieu thereof the following:

"10. Any individual, on his or her own or who represents any business or committee, who purchases advertising in any publication or who purchases from a broadcast station radio or television advertisements relative to any candidate for public office that are to be printed or broadcast within thirty days of a primary or general election shall sign a form to be prepared by the Missouri ethics commission. The form shall request the following information:

- (1) The publication or broadcast station and its location;**
- (2) The date the purchase was made;**
- (3) The times the contract for the advertising or broadcast will start and end;**
- (4) The name and address of the person purchasing the advertisement or broadcast time;**
- (5) On whose behalf it is being purchased. If the purchase is on another's behalf the form will ask if that**

entity is a corporation, committee, association, sole proprietorship or other incorporated group. The name and office location of the chief executive officer of the entity shall be listed and the date established or formed shall also be listed; and

(6) The amount of the purchase for the advertisement or broadcast.

The publication or broadcaster shall deliver, mail or send by facsimile a copy of the signed form to the Missouri ethics commission within twenty-four hours of the initial publication of the advertisement or broadcast. The Missouri ethics commission shall make such form available to the person or entity who will publish the advertisement or broadcast. Such form shall also be subject to chapter 610, RSMo. This provision does not apply to candidates or party committees.

11. Any individual publishing any printed matter relative to any candidate for public office or any ballot measure shall file with the Missouri ethics commission a copy of such printed matter. This copy shall include a list of all places of publication. This printed matter shall be subject to chapter 610, RSMo.

12. Any individual who purchases from a broadcast station radio or television advertisements relative to any candidate for public office, in addition to the requirement described in subsection 11 of this section, shall give written notice to the candidate of such publication. A copy of this notice shall be filed with the Missouri ethics commission.

13. Any individual who purchases time from a broadcast station for radio or television advertisements relative to any candidate for public office shall send to the Missouri ethics commission a written transcript of such matter. This transcript shall be a complete copy of the matter and shall contain a list of all places the matter was broadcast. This transcript shall be subject to chapter 610, RSMo.

14. In addition to subsections 10 to 13 of this section, any individual not associated with a candidate committee who purchases time from a broadcast station for radio or television advertisements relative to any candidate for public office shall give written notice to the candidate of such broadcast and shall give a written transcript of such matter to the candidate. A copy of this notice shall be sent to the Missouri ethics commission.

15. Any individual who fails to notify the Missouri ethics commission as described in subsections 10 to 14 of this section may be liable to the state for civil penalties equal to the amount paid for the published or broadcast matter. This provision does not apply to broadcast stations or publishers.

[10.] 16. The provisions of [subsection] subsections 8 [or 9] to 15 of this section shall not apply to candidates for elective federal office, provided that persons causing matter to be printed or broadcast concerning such candidacies shall comply with the requirements of federal law for identification of the sponsor or sponsors.

[11.] 17. It shall be a violation of this chapter for any person required to be identified as paying for printed matter pursuant to subsection 8 of this section [or], **identified as** paying for broadcast matter pursuant to subsection 9 of this section **or identified as being required to file any of the disclosures required pursuant to subsections 10 to 14 of this section** to refuse to provide the information required or to purposely provide false, misleading, or incomplete information.

[12.] 18. It shall be a violation of this chapter for any committee to offer chances to win prizes or money to persons to encourage such persons to endorse, send election material by mail, deliver election material in person or contact persons at their homes; except that, the provisions of this subsection shall not be construed to prohibit hiring and paying a campaign staff.

19. **No rule or portion of a rule promulgated pursuant to this section shall take effect unless such rule has been promulgated pursuant to chapter 536, RSMo.**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Seigfreid raised a point of order that **House Amendment No. 4** amends previously amended material.

The Chair ruled the point of order not well taken.

Representative Villa assumed the Chair.

Speaker Kreider resumed the Chair.

Representative Abel moved that **House Amendment No. 4** be adopted.

Which motion was defeated.

Representative Scott offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Bill No. 678, Section 130.021, Page 24, Line 128, by inserting the following after all of said line:

"130.026. 1. For the purpose of this section, the term "election authority" or "local election authority" means the county clerk, except that in a city or county having a board of election commissioners the board of election commissioners shall be the election authority. For any political subdivision or other district which is situated within the jurisdiction of more than one election authority, as defined herein, the election authority is the one in whose jurisdiction the candidate resides or, in the case of ballot measures, the one in whose jurisdiction the most populous portion of the political subdivision or district for which an election is held is situated, except that a county clerk or a county board of election commissioners shall be the election authority for all candidates for elective county offices other than county clerk and for any countywide ballot measures.

2. The appropriate officer or officers for candidates and ballot measures shall be as follows:

(1) In the case of candidates for the offices of governor, lieutenant governor, secretary of state, state treasurer, state auditor, attorney general, judges of the supreme court and appellate court judges, the appropriate officer shall be the Missouri ethics commission;

(2) Notwithstanding the provisions of subsection 1 of this section, in the case of candidates for the offices of state senator, state representative, county clerk, and associate circuit court judges and circuit court judges, the appropriate officers shall be the Missouri ethics commission and the election authority for the place of residence of the candidate.

In the case of candidates for the offices of officers of the general assembly, the appropriate officers shall be the Missouri ethics commission.

(3) In the case of candidates for elective municipal offices in municipalities of more than one hundred thousand inhabitants and elective county offices in counties of more than one hundred thousand inhabitants, the appropriate officers shall be the Missouri ethics commission and the election authority of the municipality or county in which the candidate seeks office;

(4) In the case of all other offices, the appropriate officer shall be the election authority of the district or political subdivision for which the candidate seeks office;

(5) In the case of ballot measures, the appropriate officer or officers shall be:

(a) The Missouri ethics commission for a statewide measure;

(b) The local election authority for any political subdivision or district as determined by the provisions of subsection 1 of this section for any measure, other than a statewide measure, to be voted on in that political subdivision or district.

3. The appropriate officer or officers for candidate committees and campaign committees shall be the same as designated in subsection 2 of this section for the candidates or ballot measures supported or opposed as indicated in the statement of organization required to be filed by any such committee.

4. The appropriate officer for political party committees shall be as follows:

(1) In the case of state party committees, the appropriate officer shall be the Missouri ethics commission;

(2) In the case of any district, county or city political party committee, the appropriate officer shall be the Missouri ethics commission and the election authority for that district, county or city.

5. The appropriate officers for a continuing committee and for any other committee not named in subsections 3, 4 and 5 of this section shall be as follows:

(1) The Missouri ethics commission and the election authority for the county in which the committee is domiciled; and

(2) If the committee makes or anticipates making expenditures other than direct contributions which aggregate more than five hundred dollars to support or oppose one or more candidates or ballot measures in the same political

subdivision or district for which the appropriate officer is an election authority other than the one for the county in which the committee is domiciled, the appropriate officers for that committee shall include such other election authority or authorities, except that committees covered by this subsection need not file statements required by section 130.021 and reports required by subsections 6, 7 and 8 of section 130.046 with any appropriate officer other than those set forth in subdivision (1) of this subsection.

6. The term "domicile" or "domiciled" means the address of the committee listed on the statement of organization required to be filed by that committee in accordance with the provisions of section 130.021.”; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Scott, **House Amendment No. 5** was adopted.

Representative Bray offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Bill No. 678, Page 27, Section 130.031, Line 134, by inserting after all of said line the following:

“130.032. 1. In addition to the limitations imposed pursuant to section 130.031, the amount of contributions made by or accepted from any person other than the candidate in any one election shall not exceed the following:

(1) To elect an individual to the office of the governor, lieutenant governor, secretary of state, state treasurer, state auditor or attorney general, one thousand dollars;

(2) To elect an individual to the office of state senator, five hundred dollars;

(3) To elect an individual to the office of state representative, two hundred fifty dollars;

(4) To elect an individual to any other office, including judicial office, if the population of the electoral district, ward, or other unit according to the latest decennial census is under one hundred thousand, two hundred fifty dollars;

(5) To elect an individual to any other office, including judicial office, if the population of the electoral district, ward, or other unit according to the latest decennial census is at least one hundred thousand but less than two hundred fifty thousand, five hundred dollars; and

(6) To elect an individual to any other office, including judicial office, if the population of the electoral district, ward, or other unit according to the latest decennial census is at least two hundred fifty thousand, one thousand dollars.

2. For purposes of this subsection “base year amount” shall be the contribution limits prescribed in this section on January 1, 1995. Such limits shall be increased on the first day of January in each even-numbered year by multiplying the base year amount by the cumulative consumer price index, as defined in section 104.010, RSMo, and rounded to the nearest twenty-five-dollar amount, for all years since January 1, 1995.

3. Candidate committees, expolatory committees, campaign committees and continuing committees, other than those continuing committees which are political party committees, shall be subject to the limits prescribed in subsection 1 of this section. The provisions of this subsection shall not limit the amount of contributions which may be accumulated by a candidate committee and used for expenditures to further the nomination or election of the candidate who controls such candidate who controls such candidate committee, except as **otherwise** provided in [section 130.052] **this chapter.**

4. No person, committee or other entity of any kind shall contribute to political party committees an aggregate amount in excess of five thousand dollars in any single calendar year.

5. Except as limited by this subsection, the amount of cash contributions, and a separate amount for the amount of in-kind contributions, made by or accepted from a political party committee in any one election shall not exceed the following:

(1) To elect an individual to the office of governor, lieutenant governor, secretary of state, state treasurer, state auditor or attorney general, ten thousand dollars;

(2) To elect an individual to the office of state senator, five thousand dollars;

(3) To elect an individual to the office of state representative, two thousand five hundred dollars; and

(4) To elect an individual to any other office of an electoral district, ward or unit, ten times the allowable contribution limit for the office sought.

The amount of contributions which may be made by or accepted from a political party committee in the primary election to elect any candidate who is unopposed in such primary shall be fifty percent of the amount of the allowable contributions as determined in this subsection.

[5.] 6. Contributions from persons under fourteen years of age shall be considered made by the parents or guardians of such person and shall be attributed toward any contribution limits prescribed in this chapter. Where the contributor under fourteen years of age has two custodial parents or guardians, fifty percent of the contribution shall be attributed to each parent or guardian, and where such contributor has one custodial parent or guardian, all such contributions shall be attributed to the custodial parent or guardian.

[6.] 7. Contributions received and expenditures made prior to January 1, 1995, shall be reported as a separate account and pursuant to the laws in effect at the time such contributions are received or expenditures made. Contributions received and expenditures made after January 1, 1995, shall be reported as a separate account from the aforementioned account and pursuant to the provisions of this chapter. The account reported pursuant to the prior law shall be retained as a separate account and any remaining funds in such account may be used pursuant to this chapter and section 130.034.

[7.] 8. Any committee which accepts or gives contributions other than those allowed shall be subject to a surcharge of one thousand dollars plus an amount equal to the contribution per nonallowable contribution, to be paid to the ethics commission and which shall be transferred to the director of revenue, upon notification of such nonallowable contribution by the ethic commission, and after the candidate has had ten business days after receipt of notice to return the contribution to the contributor. The candidate and the candidate committee treasurer or deputy treasurer owing a surcharge shall be personally liable for the payment of the surcharge or may pay such surcharge only from campaign funds existing on the date of the receipt of notice. Such surcharge shall constitute a debt to the state enforceable under, but not limited to, the provisions of chapter 143, RSMo.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Long offered **House Amendment No. 1 to House Amendment No. 6.**

House Amendment No. 1 to House Amendment No. 6 was withdrawn.

Representative Bray moved that **House Amendment No. 6** be adopted.

Which motion was defeated by the following vote:

AYES: 049

Abel	Barnitz	Barry 100	Bland	Bowman
Boykins	Bray 84	Britt	Brooks	Carnahan
Clayton	Coleman	Copenhaver	Crump	Farnen
Foley	Ford	Fraser	George	Green 15
Hagan-Harrell	Hampton	Harding	Harlan	Haywood
Hendrickson	Hickey	Hilgemann	Hollingsworth	Hosmer
Johnson 61	Jolly	Kelly 36	Lowe	McKenna
Merideth	Monaco	O'Connor	Selby	Shelton
Shoemyer	Thompson	Villa	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	

NOES: 093

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkowitz	Berkstresser	Black	Boatright
Bonner	Boucher	Burcham	Burton	Byrd
Champion	Cooper	Crawford	Crowell	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Froelker	Gaskill	Graham	Gratz

Griesheimer	Hanaway	Hartzler	Hegeman	Henderson
Hohulin	Holand	Holt	Hunter	Jetton
Kelley 47	Kelly 144	Kelly 27	King	Koller
Legan	Levin	Liese	Linton	Lograsso
Long	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Miller	Moore	Murphy	Myers
Naeger	Nordwald	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Secrest	Seigfreid	Shields	Skaggs
Smith	St. Onge	Surface	Townley	Troupe
Vogel	Wright	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 018

Baker	Campbell	Cierpiot	Franklin	Gambaro
Green 73	Hoppe	Johnson 90	Kennedy	Lawson
Mayer	Mays 50	Rizzo	Scheve	Treadway
Van Zandt	Wagner	Wiggins		

VACANCIES: 003

Representative Walton offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Bill No. 678, Section 130.081, Page 40, Line 11, by inserting the following after all of said line:

“Section 1. 1. It shall be a class four election offense, and is deemed a misdemeanor not connected with the exercise of the right of suffrage, on the part of any official or employee in the uniformed services of any federal, state or local governmental entity to engage in exit polling, surveying, sampling, electioneering, distributing election literature, posting signs or placing vehicles bearing signs with respect to any candidate or question to be voted on at an election while clothed or wearing such official or employee uniform, badge, clothing, garments or any other item of any kind or nature which identifies such official or employee as an official or employee within the uniformed services of a federal, state or local governmental entity.

2. Conviction for this offense shall be punished by imprisonment of not more than one year or by a fine of not more than two thousand five hundred dollars or by both such imprisonment and fine.”; and,

Further amend the title, enacting clause and intersectional references accordingly.

Representative Seigfreid raised a point of order that **House Amendment No. 7** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative O'Connor offered **House Substitute Amendment No. 1 for House Amendment No. 7.**

*House Substitute Amendment No. 1
for
House Amendment No. 7*

AMEND House Bill No. 678, Page 40, Section 130.081, Line 11, by inserting after said line the following:

Section 1. It shall be a class four election offense for any person to wear a uniform paid for by any government entity to engage in exit polling, surveying, sampling, electioneering, distributing election literature, posting signs or placing vehicles bearing signs with respect to any question to be voted on at any election while wearing such uniform.”; and

Further amend the title, enacting clause and intersectional references accordingly.

HB 678, as amended, with House Substitute Amendment No. 1 for House Amendment No. 7 and House Amendment No. 7, pending, was laid over.

REFERRAL OF HOUSE BILLS - APPROPRIATIONS

The following House Bills were referred to the Committee indicated:

HB 16 - Budget

HB 17 - Budget

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HS HCS HBs 835, 90, 707, 373, 641, 510, 516 & 572 - Fiscal Review and Government Reform
(Fiscal Note)

COMMITTEE REPORTS

Committee on Budget, Chairman Green (73) reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 14**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Critical Issues, Consumer Protection and Housing, Chairman Harlan reporting:

Mr. Speaker: Your Committee on Critical Issues, Consumer Protection and Housing, to which was referred **HB 911**, begs leave to report it has examined the same and recommends that it **Do Pass.**

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 32, introduced by Representative Boucher, relating to a "Day of Remembrance of the Armenian Genocide".

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Tuesday, April 24, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-ninth Day, Thursday, April 19, 2001, pages 1211 and 1212, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Pages 1218 and 1219, roll call, by showing Representatives Kelly (144) and Murphy voting "no" rather than "absent with leave".

Page 1222, roll call, by showing Representative Surface voting "aye" rather than "absent with leave".

Page 1223, roll call, by showing Representative Surface voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, April 25, 2001. Hearing Room 7 upon morning adjournment.
Executive Session may follow on House Bills.
To be considered - SB 462

BANKS AND FINANCIAL INSTITUTIONS

Tuesday, April 24, 2001. Hearing Room 1 upon morning adjournment.
Executive Session may follow. AMENDED.
To be considered - SB 220

BUDGET

Tuesday, April 24, 2001, 8:00 am. Hearing Room 3.
Possible Executive Session.
To be considered - HB 16, HB 17

BUDGET

Tuesday, April 24, 2001. Hearing Room 3 upon morning adjournment.

Executive Session.

To be considered - HB 16, HB 17

BUDGET

Tuesday, April 24, 2001, 7:30 p.m. Hearing Room 3.

Executive Session.

To be considered - HB 16, HB 17

CHILDREN, FAMILIES, AND HEALTH

Tuesday, April 24, 2001. Hearing Room 4 upon morning adjournment.

Possible Executive Session.

To be considered - HB 620, SB 266, SCR 5, SCR 19, SCR 25

COMMERCE AND ECONOMIC DEVELOPMENT

Wednesday, April 25, 2001. Side gallery upon morning adjournment.

Executive Session.

JOINT COMMITTEE ON GAMING AND WAGERING

Monday, April 30, 2001, 12:00 pm. Hearing Room 7.

State of the State: Gaming in MO, Missouri Gaming Commission, Missouri Lottery, and Horse Racing.

LABOR

Tuesday, April 24, 2001. Side gallery upon morning adjournment.

To be considered - Executive Session - SB 500

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, April 24, 2001. Hearing Room 7 upon morning adjournment.

Executive Session may follow.

To be considered - SB 433

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, April 25, 2001, 9:30 am. Hearing Room 6.

Executive Session may follow.

To be considered - SB 5

MUNICIPAL CORPORATIONS

Wednesday, April 25, 2001. Hearing Room 4 upon morning adjournment.

To be considered - Executive Session - SB 430

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Tuesday, April 24, 2001, 8:00 am. Hearing Room 6.

Executive Session will follow.

To be considered - HB 93, SB 351

RULES, JOINT RULES, BILLS PERFECTED AND PRINTED

Wednesday, April 25, 2001. Hearing Room 6 upon morning adjournment.

Committee will hear any Senate consent bill removed by 5 pm, April 24th.

To be considered - SB 130, SB 591

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, April 24, 2001, 8:00 p.m. Hearing Room 6.

Executive Session may follow.

To be considered - SB 60

HOUSE CALENDAR

SIXTY-FIRST DAY, TUESDAY, APRIL 24, 2001

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 32

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 15 & 13 - Crawford

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HCS HB 14 - Green (73)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 457, HA 2, as amended, tabled - Kreider
- 2 HB 286, HS, as amended, HCA 1 and HCA 2, pending - Smith
- 3 HB 678, as amended, HSA 1 for HA 7 and HA 7, pending - Seigfreid
- 4 HB 436 - Merideth
- 5 HCS HB 472 - Burton
- 6 HCS HB 488 - Koller
- 7 HB 592, HCA 1 - Williams
- 8 HCS HB 660 - Hagan-Harrell
- 9 HB 555 - Foley
- 10 HCS HB 426 - O'Toole
- 11 HCS HB 831 - Carnahan
- 12 HCS HB 428 - Kelly (36)

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- 13 HCS HB 593 - Riback Wilson (25)
- 14 HCS HB 170 - Froelker
- 15 HCS HB 239 - Smith
- 16 HB 715 - Foley
- 17 HCS HB 981 & 665 - Willoughby
- 18 HB 802 - Ransdall
- 19 HCS HB 374 - Fraser
- 20 HCS HB 780 - Scheve
- 21 HCS HB 853 & 258 - Crump
- 22 HCS HB 186 & 172 - Troupe
- 23 HCS HB 635 - Barry
- 24 HCS HB 868 - Merideth
- 25 HCS HB 253 - Ross
- 26 HCS HB 888, 942 & 943 - Scheve
- 27 HCS HB 293 - Kennedy
- 28 HB 809, HCA 1 - Carnahan
- 29 HCS HB 340, 303 & 316 - Graham
- 30 HB 640 - Johnson (90)
- 31 HCS HB 723 - Mays (50)
- 32 HCS HB 117 - Riback Wilson (25)
- 33 HCS HB 307 - Wiggins
- 34 HCS HB 663 & 375 - Kennedy
- 35 HCS HB 921 - Curls
- 36 HCS HB 279 - Shoemyer
- 37 HB 911 - Carnahan

HOUSE BILL FOR PERFECTION - INFORMAL

HCS HB 113 - Hickey

HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 HCR 12, (3-29-01, page 894) - Haywood
- 2 HCR 25, (4-5-01, pages 1006 & 1007) - Graham

HOUSE JOINT RESOLUTION FOR THIRD READING

HCS HJR 7, (Fiscal Review 4-17-01) - Koller

HOUSE BILLS FOR THIRD READING

- 1 HS HB 349, (Fiscal Review 4-12-01) - Hosmer
- 2 HS HCS HB 835, 90, 707, 373, 641, 510, 516 & 572, (Fiscal Review 4-23-01) - Britt
- 3 HS HCS HB 280, 69, 497 & 689, (Fiscal Review 4-19-01) - Hoppe
- 4 HB 527, (Fiscal Review 4-19-01) - Luetkenhaus
- 5 HS HB 736, (Fiscal Review 4-19-01) - Liese
- 6 HB 366, E.C. (Fiscal Review 4-19-01) - Champion

HOUSE BILL FOR THIRD READING - CONSENT - INFORMAL

HB 402 - Boucher

SENATE BILLS FOR THIRD READING - CONSENT

(April 17, 2001)

- 1 SB 25 - Farnen
- 2 HCS SB 321 - Crump
- 3 HCS SB 441 - Williams
- 4 HCS SB 521 - Luetkenhaus
- 5 SCS SB 301 - Hegeman
- 6 SB 295 - McKenna
- 7 SB 394 - Hosmer
- 8 SB 442 - O'Connor
- 9 SB 203 - O'Toole
- 10 HCS SCS SB 151 - Gaskill
- 11 HCS SB 191 - George
- 12 SCS SB 234 - Kennedy
- 13 SB 553 - Barnett
- 14 SCS SB 270 - Monaco
- 15 SCS SB 341 - Britt
- 16 SB 87 - Smith
- 17 SCS SB 431, E.C. - Shoemyer
- 18 SB 142 - Robirds
- 19 SCS SB 383 - Harding
- 20 SB 436 - Koller
- 21 SB 606 - Clayton
- 22 SB 605 - Luetkenhaus
- 23 SB 111 - Ostmann
- 24 HCS SB 544 - Relford
- 25 SB 200 - Thompson
- 26 SB 316 - Hagan-Harrell
- 27 SCS SB 357, E.C. - Johnson (90)
- 28 SB 207 - Kennedy

- 29 SB 252 - Surface
- 30 SB 443, E.C. - Hosmer
- 31 SCS SB 384 - Johnson (90)
- 32 SCS SB 241 - Ward
- 33 HCS SCS SB 382, E.C. - Liese
- 34 SB 224, E.C. - Luetkemeyer
- 35 SB 179 - Wagner
- 36 HCS SCS SB 617 - Rizzo
- 37 SB 435 - Koller
- 38 SB 223 - Hosmer
- 39 HCS SCS SB 520 - Myers
- 40 HCS SB 227 - Burton
- 41 SB 110 - Ladd Baker
- 42 SCS SB 514 - Hosmer
- 43 SB 353, HCA 1 - Shields
- 44 HCS SB 274 - Harlan
- 45 HCS SCS SB 568 - Davis
- 46 SB 451 - Mays (50)
- 47 SCS SB 352 - Lawson
- 48 HCS SCS SB 178 - Hoppe
- 49 HCS SB 345 - Holt
- 50 HCS SCS SB 515 - Kennedy
- 51 SCS SB 407 - Hilgemann
- 52 SB 540 - Levin
- 53 HCS SCS SB 619, E.C. - Hoppe
- 54 SB 201 - Farnen
- 55 SB 58 - Wagner
- 56 SB 303 - Relford
- 57 HCS SB 610 - Hoppe
- 58 SCS SB 13 - Ross
- 59 HCS SB 543 - Britt
- 60 SB 556 - Hoppe
- 61 SB 575 - Davis
- 62 HCS SB 304 - Monaco
- 63 SB 406 - Scott
- 64 SCS SB 197 - Luetkenhaus
- 65 SB 148 - Seigfreid
- 66 HCS SB 307 - Froelker
- 67 HCS SB 348 - Barry
- 68 HCS SB 538 - Luetkemeyer

BILLS CARRYING REQUEST MESSAGES

- 1 SCS HCS HB 2, (req. Senate recede/grant conf.) - Green (73)
- 2 SCS HCS HB 3, (req. Senate recede/grant conf.) - Green (73)
- 3 SCS HCS HB 4, (req. Senate recede/grant conf.) - Green (73)
- 4 SCS HCS HB 5, (req. Senate recede/grant conf.) - Green (73)
- 5 SCS HCS HB 6, as amended, (req. Senate recede/grant conf.) - Green (73)
- 6 SCS HCS HB 7, (req. Senate recede/grant conf.) - Green (73)
- 7 SCS HCS HB 8, (req. Senate recede/grant conf.) - Green (73)
- 8 SCS HCS HB 9, (req. Senate recede/grant conf.) - Green (73)
- 9 SCS HCS HB 10, as amended, (req. Senate recede/grant conference) - Green (73)
- 10 SCS HCS HB 11, as amended, (req. Senate recede/grant conf.) - Green (73)
- 11 SCS HCS HB 12, (req. Senate recede/grant conf.) - Green (73)

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

SIXTY-FIRST DAY, TUESDAY, APRIL 24, 2001

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

God of freedom and love, You have touched each one of us with a spark of Your essence. Fan that spark into a flame of justice and mercy. Aid this House of Representatives again today as it continues on its journey towards even better laws and programs. As You hold us in the palm of Your gentle hands, also challenge us with grace and mercy to build an even better world. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Ellen Kammer, Grace Burghoff, Emily Byrne, Annie Hagerty, John Duchardt, Callie Jetton, Elaine Jetton, David Bruner, Brooke Van Lear, Mollie Moore, Alex Myers, Carolyn Edwards, Alexander Bozich, Angela Barron, Matthew Brennell, Ben McDermott, Jon Dusenberry, Joy Watkins, Samantha Goens, Justin Donovan, Amber Hemphill, Brianna Culberson, Racheal Culberson, Cherish Perry, Virginia Elizabeth James, Florice Johnson, Stacey Murray, Logan Willoughby, Halie Weber, Megan Sharbel, Charles Austin, Colin Gambaro, Kevin Connor, Jonathan Sholy, James Williams, Mark Wagoner, Nick Wagoner, Kathleen Fitterling, Katie Castro, Jennifer Degenhardt and Dawn Degenhardt.

The Journal of the sixtieth day was approved as corrected by the following vote:

AYES: 083

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Farnen	Ford	Franklin	Fraser
Froelker	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Haywood	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Jolly
Kelly 27	Kennedy	Koller	Lawson	Legan
Liese	Lowe	Luetkenhaus	Marsh	McKenna
Moore	O'Connor	Overschmidt	Ransdall	Relford
Reynolds	Rizzo	Ross	Scheve	Seigfreid
Selby	Shelton	Shoemyer	Skaggs	Smith
Surface	Thompson	Treadway	Troupe	Van Zandt
Villa	Wagner	Walton	Ward	Williams
Wilson 25	Wilson 42	Mr. Speaker		

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NOES: 059

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Cunningham	Dempsey	Enz	Fares
Griesheimer	Hanaway	Hartzler	Hegeman	Henderson
Hendrickson	Hohulin	Hunter	Jetton	Kelley 47
Kelly 144	King	Levin	Linton	Long
Luetkemeyer	Marble	May 149	Mayer	Miller
Murphy	Naeger	Nordwald	Ostmann	Phillips
Portwood	Purgason	Rector	Reinhart	Ridgeway
Roark	Robirds	Schwab	Secrest	Shields
St. Onge	Townley	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 018

Crowell	Dolan	Foley	Gaskill	Holand
Johnson 90	Kelly 36	Lograsso	Mays 50	Merideth
Monaco	Myers	O'Toole	Reid	Richardson
Scott	Wiggins	Willoughby		

VACANCIES: 003

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1485 - Representative Troupe
House Resolution No. 1486 - Representative Fraser
House Resolution No. 1487
and
House Resolution No. 1488 - Representatives Ross and Lograsso
House Resolution No. 1489 - Representative Moore
House Resolution No. 1490 - Representative Johnson (61)
House Resolution No. 1491 - Representative Hosmer
House Resolution No. 1492 - Representative Green (73)
House Resolution No. 1493 - Representative Ford
House Resolution No. 1494 - Representative Hosmer, et al
House Resolution No. 1495 - Representative Britt
House Resolution No. 1496 - Representative Smith
House Resolution No. 1497
and
House Resolution No. 1498 - Representative Harlan
House Resolution No. 1499 - Representative Levin
House Resolution No. 1500 - Representative Ross
House Resolution No. 1501 - Representative Berkowitz
House Resolution No. 1502 - Representative Relford
House Resolution No. 1503 - Representative Bartelsmeyer
House Resolution No. 1504 - Representative Richardson
House Resolution No. 1505 - Representative Portwood

House Resolution No. 1506 - Representative McKenna
House Resolution No. 1507 - Representative Ford
House Resolution No. 1508
and
House Resolution No. 1509 - Representative Miller
House Resolution No. 1510 - Representative Ransdall
House Resolution No. 1511 - Representative Johnson (61)
House Resolution No. 1512 - Representative Fraser
House Resolution No. 1513 - Representative Gratz
House Resolution No. 1514
through
House Resolution No. 1528 - Representative Jetton
House Resolution No. 1529 - Representative Luetkenhaus
House Resolution No. 1530 - Representative Boucher
House Resolution No. 1531 - Representative Hegeman
House Resolution No. 1532 - Representative Froelker
House Resolution No. 1533 - Representative Holand
House Resolution No. 1534 - Representative Coleman

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 32 was read the second time.

COMMITTEE REPORTS

Committee on Fiscal Review and Government Reform, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS HJR 7 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HS HB 349 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Speaker Pro Tem Abel assumed the Chair.

PERFECTION OF HOUSE BILL - INFORMAL

HCS HB 113, relating to state building contracts, was taken up and placed back on the Informal Calendar.

PERFECTION OF HOUSE BILLS

HB 555, relating to life sciences research program, was placed on the Informal Calendar.

HCS HBs 981 & 665, relating to tort immunity for teachers, was placed on the Informal Calendar.

HCS HBs 853 & 258, relating to concealable weapons, was placed on the Informal Calendar.

HCS HBs 186 & 172, relating to sales and use tax holiday, was placed on the Informal Calendar.

HCS HBs 888, 942 & 943, relating to tobacco settlement, was placed on the Informal Calendar.

HCS HB 279, relating to screening of newborns, was placed on the Informal Calendar.

HB 678, as amended, with House Substitute Amendment No. 1 for House Amendment No. 7 and House Amendment No. 7, pending, relating to ethics, was placed on the Informal Calendar.

HB 436, relating to Missouri Airport Protection Act, was taken up by Representative Merideth.

Representative Merideth offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 436, Page 1, Section 305.700, Line 10, by deleting the word “**highway**” and replacing with “**highways**”; and

Further amend said bill, Page 5, Section 305.714, Line 14, by inserting the following sentence prior to the word “**such**”: “**Such hearing shall be conducted pursuant to section 305.712.**”.

On motion of Representative Merideth, **House Amendment No. 1** was adopted.

Representative Dolan offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 436, Page 5, Section 305.714, Line 40, by inserting after all of said line the following:

"305.715. Any provision of this act that is not consistent with or stricter than Federal Aviation Administration or Federal Communications Commission tower siting requirements shall be unenforceable."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Smith assumed the Chair.

Representative Dolan moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Koller offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Bill No. 436, Page 3, Section 305.706, Lines 14-15, by deleting the following:

“or material pilot opposition to new structures within the areas defined in subsection 1 of section 305.704.”.

Speaker Pro Tem Abel resumed the Chair.

On motion of Representative Koller, **House Amendment No. 3** was adopted.

Representative Marble offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Bill No. 436, Page 4, Section A, Line 9, by inserting after Section 305.712 the following language:

“Section A. The Commission is prohibited from expending funds, which are presumed for or dedicated to highway use as described in Chapter 142, in the enforcement of Sections 305.700 to 305.714.”.

On motion of Representative Marble, **House Amendment No. 4** was adopted.

Representative Dempsey offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Bill No. 436, Page 1, In the Title, Line 2, by deleting from said line the word "**eight**" and inserting in lieu thereof the word "**nine**"; and

Further amend said bill, Section A, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following: "**known as sections 305.588, 305.700, 305.702, 305.704, 305.706, 305.708, 305.710, 305.712 and 305.714,**"; and

Further amend said bill, Section A, Line 3, by inserting after all of said line the following:

"305.588. No state funds shall be used for the new runway construction at any major airport, as defined in section 305.505, which serves as a hub for national and international airlines, located in a county of the first classification with a charter form of government and with a population of more than nine hundred thousand inhabitants, unless a real-time study of the proposed new construction has first been conducted."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Shelton raised a point of order that **House Amendment No. 5** is not germane to the bill.

The Chair ruled the point of order not well taken.

Representative Dempsey moved that **House Amendment No. 5** be adopted.

Which motion was defeated.

On motion of Representative Merideth, **HB 436, as amended**, was ordered perfected and printed.

HB 286, with HS, as amended, House Committee Amendment No. 1 and House Committee Amendment No. 2, pending, relating to sales and use tax refunds, was taken up by Representative Smith.

Representative Troupe offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for House Bill No. 286, Page 1, Line 4 of the Title, by inserting after the words **procedures** the words: “, **with an emergency clause for certain sections**”; and

Further amend said bill, Page 1, Section A, Line 9, by inserting after said line the following:

“144.049. 1. There is hereby specifically exempted from the provisions of the state and local sales tax law as defined in section 32.085, RSMo, section 67.1545, RSMo, section 65.1712, RSMo, sections 70.500 to 70.510, RSMo, section 94.413, RSMo, sections 94.577 to 94.1010, RSMo, sections 144.010 to 144.525, sections 144.600 to 144.745, sections 190.335 to 190.337, RSMo, section 238.235, RSMo, section 238.410, RSMo, section 321.242, RSMo, section 321.246, RSMo, and sections 644.032 to 644.033, RSMo, and from the computation of the tax levied, assessed or payable pursuant to the state and local sales tax law as defined in section 32.085, RSMo, section 67.1545, RSMo, section 65.1712, RSMo, sections 70.500 to 70.510, RSMo, section 94.413, RSMo, sections 94.577 to 94.1010, RSMo, sections 144.010 to 144.525, sections 144.600 to 144.745, sections 190.335 to 190.337, RSMo, section 238.235, RSMo, section 238.410, RSMo, section 321.242, RSMo, section 321.246, RSMo, and sections 644.032 to 644.033, RSMo, all retail sales of any article of clothing having a taxable value of one hundred dollars or less during the period beginning at 12:01 a.m., August 9, 2001, to midnight, August 12, 2001. For purposes of this section, the term clothing means any article of wearing apparel, including footwear, intended to be worn on or about the human body. The term shall not include watches, watchbands, jewelry, handbags, handkerchiefs, umbrellas, scarves, ties, headbands or belt buckles.

2. Any local sales tax revenue lost due to implementation of the sales tax holiday defined in this section shall be reimbursed by the state and every local political subdivision shall be held harmless.”; and

Further amend said bill, Page 6, Section 144.1068, Line 10, by inserting after said line the following:

“Section B. Because immediate action is necessary to prevent the imposition of sales tax on retail sales of clothing, the enactment of section 144.049 is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 144.049 shall be in full force and effect July 1, 2001, or upon its passage and approval, whichever later occurs.”; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Troupe, **House Amendment No. 6** was adopted.

Representative Crump moved the previous question on the adoption of **HS HB 286, as amended**.

Which motion was adopted by the following vote:

AYES: 083

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Haywood	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Jolly
Kelly 27	Kelly 36	Kennedy	Koller	Lawson
Liese	Lowe	Luetkenhaus	McKenna	Merideth
Monaco	O'Connor	O'Toole	Overschmidt	Ransdall
Relford	Reynolds	Rizzo	Scheve	Seigfreid
Selby	Shelton	Shoemyer	Skaggs	Smith
Thompson	Treadway	Troupe	Van Zandt	Villa
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 073

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Froelker	Gaskill	Griesheimer
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Hunter	Jetton	Kelley 47
Kelly 144	King	Legan	Levin	Lograsso
Long	Luetkemeyer	Marble	Marsh	May 149
Mayer	Miller	Moore	Murphy	Myers
Naeger	Nordwald	Ostmann	Phillips	Portwood
Purgason	Rector	Reid	Reinhart	Richardson
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Secrest	Shields	St. Onge	Surface
Townley	Vogel	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 004

Johnson 90	Linton	Mays 50	Wiggins
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VACANCIES: 003

On motion of Representative Smith, **HS HB 286, as amended**, was adopted.

On motion of Representative Smith, **HS HB 286, as amended**, was ordered perfected and printed.

Speaker Kreider resumed the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 2** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Rohrbach, Westfall, Goode and Wiggins.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 3** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Rohrbach, Westfall, Goode and Wiggins.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 4** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Rohrbach, Westfall, Goode and Wiggins.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 5** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Rohrbach, Westfall, Goode and Wiggins.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 6, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Rohrbach, Westfall, Goode and Wiggins.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 7** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Rohrbach, Westfall, Goode and Wiggins.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 8** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Rohrbach, Westfall, Goode and Wiggins.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 9** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Rohrbach, Westfall, Goode and Wiggins.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 10, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Rohrbach, Westfall, Goode and Wiggins.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 11, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Rohrbach, Westfall, Goode and Wiggins.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 12** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Rohrbach, Westfall, Goode and Wiggins.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

SCS HCS HB 2:	Representatives Green (73), Graham, Wilson (42), Shields and Holand
SCS HCS HB 3:	Representatives Green (73), Graham, Wilson (42), Shields and Bearden
SCS HCS HB 4:	Representatives Green (73), Bray, Bonner, Legan and Myers
SCS HCS HB 5:	Representatives Green (73), Bonner, Wilson (42), Legan and Crawford
SCS HCS HB 6:	Representatives Green (73), Wilson (42), Ransdall, Legan and Hegeman

SCS HCS HB 7:	Representatives Green (73), Wilson (42), Ransdall, Shields and Myers
SCS HCS HB 8:	Representatives Green (73), Wilson (42), Kelly (27), Legan and Bearden
SCS HCS HB 9:	Representatives Green (73), Wilson (42), Kelly (27), Legan and Crawford
SCS HCS HB 10:	Representatives Green (73), Wilson (42), Riback Wilson (25), Shields and Naeger
SCS HCS HB 11:	Representatives Green (73), Troupe, Campbell, Kelley (47) and Naeger
SCS HCS HB 12:	Representatives Green (73), Bonner, Wilson (42), Legan and Reinhart

On motion of Representative Lograsso, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Green (73).

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Celeste Adams, Barbara Bocan, Bobby Brown, Raquel Campos, Obie Kung, Dawn Moon, Tomonao Shimizu, Flavio Silva, Cannis Yu and Ping Liu.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1535	-	Representative Boykins
House Resolution No. 1536		
and		
House Resolution No. 1537	-	Representative Burcham
House Resolution No. 1538		
and		
House Resolution No. 1539	-	Representative Crawford
House Resolution No. 1540	-	Representative Franklin
House Resolution No. 1541		
through		
House Resolution No. 1605	-	Representative Crowell
House Resolution No. 1606		
and		
House Resolution No. 1607	-	Representative Gaskill
House Resolution No. 1608	-	Representative Haywood
House Resolution No. 1609		
and		
House Resolution No. 1610	-	Representative Walton
House Resolution No. 1611		
and		
House Resolution No. 1612	-	Representative Seigfreid

House Resolution No. 1613
and
House Resolution No. 1614 - Representative Purgason
House Resolution No. 1615
through
House Resolution No. 1618 - Representative Naeger
House Resolution No. 1619
and
House Resolution No. 1620 - Representative Reinhart
House Resolution No. 1621 - Representative Clayton
House Resolution No. 1622 - Representative Kennedy
House Resolution No. 1623
and
House Resolution No. 1624 - Representative Rector
House Resolution No. 1625 - Representative Kelley (47)
House Resolution No. 1626
and
House Resolution No. 1627 - Representative Murphy
House Resolution No. 1628
and
House Resolution No. 1629 - Representative Kreider
House Resolution No. 1630 - Representative Hollingsworth
House Resolution No. 1631 - Representative Marble
House Resolution No. 1632 - Representative Harding
House Resolution No. 1633 - Representative Ballard

PERFECTION OF HOUSE BILLS

HCS HB 472, relating to utility access to public rights-of-way, was placed on the Informal Calendar.

HCS HB 488, relating to tourism taxes, was taken up by Representative Koller.

Representative Koller offered **HS HCS HB 488**.

Speaker Kreider resumed the Chair.

Representative Harding offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 488, Page 5, Section 67.1005, Line 20, by inserting after all of said section the following:

"67.1360. The governing body of:

- (1) A city with a population of more than seven thousand and less than seven thousand five hundred [and];
- (2) A county with a population of over nine thousand six hundred and less than twelve thousand which has a

total assessed valuation of at least sixty-three million dollars, if the county submits the issue to the voters of such county prior to January 1, 2003[, or];

(3) A third class city which is the county seat of a county of the third classification without a township form of government with a population of at least twenty-five thousand but not more than thirty thousand inhabitants[, or];

(4) Any fourth class city having, according to the last federal decennial census, a population of more than one thousand eight hundred fifty inhabitants but less than one thousand nine hundred fifty inhabitants in a county of the first classification with a charter form of government and having a population of greater than six hundred thousand but less than nine hundred thousand inhabitants[, or];

(5) Any city having a population of more than three thousand but less than eight thousand inhabitants in a county of the fourth classification having a population of greater than forty-eight thousand inhabitants[, or];

(6) Any city having a population of less than two hundred fifty inhabitants in a county of the fourth classification having a population of greater than forty-eight thousand inhabitants[, or];

(7) Any fourth class city having a population of more than two thousand five hundred but less than three thousand inhabitants in a county of the third classification having a population of more than twenty-five thousand but less than twenty-seven thousand inhabitants[, or];

(8) Any third class city with a population of more than three thousand two hundred but less than three thousand three hundred located in a county of the third classification having a population of more than thirty-five thousand but less than thirty-six thousand[, or];

(9) Any county of the second classification without a township form of government and a population of less than thirty thousand [or];

(10) Any city of the fourth class in a county of the second classification without a township form of government and a population of less than thirty thousand[, or];

(11) Any county of the third classification with a township form of government and a population of at least twenty-eight thousand but not more than thirty thousand [and];

(12) Any city of the fourth class with a population of more than one thousand eight hundred but less than two thousand in a county of the third classification with a township form of government and a population of at least twenty-eight thousand but not more than thirty thousand[, or];

(13) Any city of the third class with a population of more than seven thousand two hundred but less than seven thousand five hundred within a county of the third classification with a population of more than twenty-one thousand but less than twenty-three thousand[, or];

(14) Any fourth class city having a population of more than two thousand eight hundred but less than three thousand one hundred inhabitants in a county of the third classification with a township form of government having a population of more than eight thousand four hundred but less than nine thousand inhabitants; **or**

(15) Any fourth class city with a population of more than two thousand four hundred but less than two thousand six hundred inhabitants located in a county of the first classification without a charter form of government with a population of more than fifty-five thousand but less than sixty thousand inhabitants;

may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels, motels, bed and breakfast inns and campgrounds and any docking facility which rents slips to recreational boats which are used by transients for sleeping, which shall be at least two percent, but not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general, primary or special election, a proposal to authorize the governing body of the city or county to impose a tax pursuant to the provisions of this section and section 67.1362. The tax authorized by this section and section 67.1362 shall be in addition to any charge paid to the owner or operator and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city or county solely for funding the promotion of tourism. Such tax shall be stated separately from all other charges and taxes."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Harding, **House Amendment No. 1** was adopted.

Representative Phillips offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 488, Page 3, Section 67.1004, Line 23, by inserting after said line the following:

"67.1004. 1. The governing body of any noncharter county of the first classification with a population of less than [seventy-five] **one hundred** thousand and containing part of a city with a population of more than four hundred and thirty thousand may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the county or a portion thereof, which shall be not more than [one quarter] **one-half** of one percent per occupied room per night, except that such tax shall not become effective unless the governing body of the county submits to the voters of the county at a state general or primary election, a proposal to authorize the governing body of the county to impose a tax pursuant to this section. The tax authorized by this section shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the county solely for the promotion of tourism. Such tax shall be stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:
Shall (insert the name of the county) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in (name of county) at a rate of (insert rate of percent) percent for the sole purpose of promoting tourism?

☐ YES ☐ NO

3. As used in this section, "transient guests" means a person or persons who occupy room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter."; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Phillips, **House Amendment No. 2** was adopted.

Representative Lawson offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill No. 488, Page 22, Section 210.861, Line 59, by inserting after said line the following:

"Section 1. 1. Any county of the first classification without a charter form of government with a population of more than fifty seven thousand inhabitants but less than sixty thousand inhabitants may, by ordinance or order of the governing body of the county and approved by the majority of the qualified voters of the county, levy a one dollar fee upon each rental of a motor vehicle which is rented within such county on a short-term basis. For purposes of this section "short-term" shall mean a rental contract of less than one month. The fee shall be collected by any business located in such county which rents motor vehicles on a short-term basis upon payment of the contract by the customer.

2. The county collector of such county may provide for collection of such fee on forms provided by the county collector. Failure to collect and remit such fees by any business located in such county which rents motor vehicles on short-term basis shall be subject to a penalty of five percent per month together with interest as determined by section 32.065, RSMo.

3. All revenues collected from the imposition of the fee as authorized by this section shall be used solely for tourism purposes within such county."; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Lawson, **House Amendment No. 3** was adopted.

On motion of Representative Koller, **HS HCS HB 488, as amended**, was adopted.

On motion of Representative Koller, **HS HCS HB 488, as amended**, was ordered perfected and printed.

HB 592, with House Committee Amendment No. 1, relating to multicultural program and committee, was taken up by Representative Williams.

On motion of Representative Williams, **House Committee Amendment No. 1** was adopted.

Representative Scheve assumed the Chair.

On motion of Representative Williams, **HB 592, as amended**, was ordered perfected and printed.

HCS HB 660, relating to public school retirement, was taken up by Representative Hagan-Harrell.

Representative Clayton offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 660, Page 15, Section 169.070, Line 201, by inserting after all of said line the following:

“Section 1. Notwithstanding any other provision of law to the contrary, any person retired prior to August 28, 1995, who is receiving a reduced retirement allowance pursuant to option 1 or option 2 of subsection 3 of section 169.070, RSMo, as such option existed prior to August 28, 1995, and whose beneficiary nominated to receive continued retirement allowance payments pursuant to the elected option dies or has died, shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement or aging and upon request shall give written or oral opinions to the board in response to such requests. Beginning September 1, 2001, as compensation for such service, upon application to the board of trustees, the board shall have the person’s retirement allowance increased to the amount he or she would have been receiving had the option not been elected.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Clayton moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Froelker offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 660, Page 9, Section 169.070, Line 302, by inserting after all of said line the following:

"169.075. 1. Certain survivors specified in this section and meeting the requirements of this section may elect to forfeit any payments payable pursuant to subsection 3 or 5 of section 169.070 and to receive certain other benefits described in this section upon the death of a member prior to retirement, except retirement with disability benefits, whose period of creditable service in districts included in the retirement system is two years or more and who dies (a) while teaching in a district included in the retirement system, or (b) as a result of an injury or sickness incurred while teaching in such a district and within one year of the commencement of such injury or sickness, or (c) while eligible for a disability retirement allowance hereunder.

2. Upon an election pursuant to subsection 1 of this section, a surviving spouse sixty years of age, or upon attainment of age sixty, or a surviving spouse who has been totally and permanently disabled for not less than five years immediately preceding the death of a member if designated as the sole beneficiary, and if married to the member at least three years, and if living with such member at the time of the member's death, shall be entitled to a monthly payment equal to twenty percent of one-twelfth of the annual salary rate on which the member contributed for the member's last full year of creditable service as a teacher in a district included in the retirement system until death or recovery prior to age sixty from the disability which qualified the spouse for the benefit, whichever first occurs; provided that the monthly payment shall not be less than five hundred seventy-five dollars or more than eight hundred sixty dollars. A surviving spouse, who is eligible for benefits pursuant to this subsection and also pursuant to subsection 3 of this section may receive benefits only pursuant to subsection 3 of this section as long as the surviving spouse remains eligible pursuant to both subsections, but shall not be disqualified for the benefit provided in this subsection because the surviving spouse may have received payments pursuant to subsection 3 of this section. **Beginning August 28, 2001, a surviving spouse who otherwise meets the requirements of this subsection but who remarried prior to August 28, 1995, shall be entitled, upon an election pursuant to subsection 1 of this section, to any remaining benefits that would otherwise have been received had the surviving spouse not remarried before the change in law permitting remarried surviving spouses to continue receiving benefits. Such surviving spouses may, upon application, become special consultants whose benefit will be to receive the remaining benefits described in this subsection. In no event shall any retroactive benefits be paid.**

3. Upon an election pursuant to subsection 1 of this section, a surviving spouse, if designated as the sole beneficiary, who has in the surviving spouse's care a dependent unmarried child, including a stepchild or adopted child, of the deceased member, under eighteen years of age, shall be entitled to a monthly payment equal to twenty percent of one-twelfth of the annual salary rate on which the member contributed for the member's last full year of creditable service as a teacher in a district included in the retirement system until the surviving spouse's death, or the first date when no such dependent unmarried child under age eighteen, or age twenty-four if the child is enrolled in school on a full-time basis, remains in the surviving spouse's care, whichever first occurs; provided that the monthly payment shall not be less than five hundred seventy-five dollars or more than eight hundred sixty dollars. In addition the surviving spouse shall be entitled to a monthly payment equal to one-half this amount, provided that the monthly payment shall not be less than three hundred dollars, for each such dependent unmarried child under eighteen years of age, or age twenty-four if the child is enrolled in school on a full-time basis, who remains in the surviving spouse's care. Further, in addition to the monthly payment to the surviving spouse as provided for in this subsection, each dependent unmarried child under the age of eighteen years of the deceased member not in the care of such surviving spouse shall be entitled to a monthly payment equal to one-half of the surviving spouse's monthly payment which shall be paid to the child's primary custodial parent or legal guardian; provided that the payment because of an unmarried dependent child shall be made until the child attains age twenty-four if the child is enrolled in school on a full-time basis; provided, however, that the total of all monthly payments to the surviving spouse, primary custodial parent or legal guardian, including payments for such dependent unmarried children, shall in no event exceed two thousand one hundred sixty dollars, the amount of the children's share to be allocated equally as to each dependent unmarried child eligible to receive payments pursuant to this subsection.

4. Upon an election pursuant to subsection 1 of this section if the designated beneficiary is a dependent unmarried child as defined in this section or automatically upon the death of a surviving spouse receiving benefits pursuant to subsection 3 of this section, each surviving dependent unmarried child, including a stepchild or adopted child, of the deceased member, under eighteen years of age, or such a child under age twenty-four if the child is enrolled in school on a full-time basis, shall be entitled to a monthly payment equal to sixteen and two-thirds percent of one-twelfth of the annual salary rate on which the member contributed for the member's last full year of creditable service as a teacher in a district included in the retirement system until death, marriage, adoption, or attainment of age eighteen or age twenty-four if enrolled in school on a full-time basis, whichever first occurs; provided that the monthly payment shall not be less than five hundred dollars or more than seven hundred twenty dollars, and provided further that

any child of the deceased member who is disabled before attainment of age eighteen because of a physical or mental impairment which renders the child unable to engage in any substantial gainful activity and which disability continues after the child has attained age eighteen shall be entitled to a like monthly payment, until death, marriage, adoption, or recovery from the disability, whichever first occurs; provided, however, that the total of all monthly payments to the surviving dependent unmarried children shall in no event exceed two thousand one hundred sixty dollars.

5. Upon an election pursuant to subsection 1 of this section, a surviving dependent parent of the deceased member, over sixty-five years of age or upon attainment of age sixty-five if designated as the sole beneficiary, provided such dependent parent was receiving at least one-half of the parent's support from such member at the time of the member's death and provided the parent files proof of such support within two years of such death, shall be entitled to a monthly payment equal to sixteen and two-thirds percent of one-twelfth of the annual salary rate on which the member contributed for the member's last full year as a teacher in a district included in the retirement system until death; provided that the monthly payment shall not be less than five hundred dollars or more than seven hundred twenty dollars. If the other parent also is a dependent, as defined in this section, the same amount shall be paid to each until death.

6. All else in this section to the contrary notwithstanding, a survivor may not be eligible to benefit pursuant to this section because of more than one terminated membership, and be it further provided that the board of trustees shall determine and decide all questions of doubt as to what constitutes dependency within the meaning of this section.

7. The provisions added to subsection 3 of this section in 1991 are intended to clarify the scope and meaning of this section as originally enacted and shall be applied in all cases in which such an election has occurred or will occur.

8. After July 1, 2000, all benefits payable pursuant to subsections 1 to 7 of this section shall be payable to eligible current and future survivor beneficiaries in accordance with this section.

9. The system shall pay a monthly retirement allowance for the month in which a retired member, beneficiary or survivor receiving a retirement allowance or survivor benefit dies."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Cunningham offered **House Amendment No. 1 to House Amendment No. 2.**

*House Amendment No. 1
to
House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute for House Bill No. 660, Page 3, Section 169.075, Line 9 from top of page, by inserting after all of said line the following:

"No benefit shall be paid to such surviving spouse unless he or she files a valid application for such benefit with the retirement system postmarked on or before June 30, 2002."

On motion of Representative Cunningham, **House Amendment No. 1 to House Amendment No. 2** was adopted.

On motion of Representative Froelker, **House Amendment No. 2, as amended**, was adopted.

Representative Skaggs offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 660, Page 1, Section A, Line 2, by inserting after all of said line the following:

"160.420. 1. If a charter school offers to retain the services of an employee of a school district, and the employee accepts a position at the charter school, the contract between the charter school and the school district may provide that an employee at the employee's option may remain an employee of the district and the charter school shall pay to the district the district's full costs of salary and benefits provided to the employee. A teacher who accepts a position at a charter school and opts to remain an employee of the district retains such teacher's permanent teacher status and seniority rights in the district. The school district shall not be liable for any such employee's acts while an employee of the charter school.

2. A charter school may employ noncertificated instructional personnel; provided that no more than twenty percent of the full-time equivalent instructional staff positions at the school are filled by noncertificated personnel. All noncertificated instructional personnel shall be supervised by certified instructional personnel. The charter school shall ensure that all instructional employees of the charter school have experience, training and skills appropriate to the instructional duties of the employee, and the charter school shall ensure that a criminal background check and child abuse registry check are conducted for each employee of the charter school prior to the hiring of the employee. Appropriate experience, training and skills of noncertificated instructional personnel shall be determined considering:

- (1) Teaching certificates issued by another state or states;
- (2) Certification by the National Standards Board;
- (3) College degrees in the appropriate field;
- (4) Evidence of technical training and competence when such is appropriate; and
- (5) Level of supervision and coordination with certificated instructional staff.

3. Personnel employed by the charter school shall participate in the retirement system of the school district in which the charter school is located, subject to the same terms, conditions, requirements and other provisions applicable to personnel employed by the school district. **For purposes of participating in the retirement system, the charter school shall be considered to be a public school within the school district, and personnel employed by the charter school shall be public school employees. In the event of a lapse of the school district's corporate organization as described in subsections 1 and 4 of section 162.081, RSMo, personnel employed by the charter school shall continue to participate in the retirement system and shall do so on the same terms, conditions, requirements and other provisions as they participated prior to the lapse.**"; and

Further amend said bill, Page 9, Section 169.070, Line 302, by inserting after all of said line the following:

"169.270. Unless a different meaning is clearly required by the context, the following words and phrases as used in sections 169.270 to 169.400 shall have the following meanings:

(1) "Accumulated contributions", the sum of all amounts deducted from the compensation of a member or paid on behalf of the member by the employer and credited to the member's individual account together with interest thereon in the employees' contribution fund. The board of trustees shall determine the rate of interest allowed thereon as provided for in section 169.295;

(2) "Actuarial equivalent", a benefit of equal value when computed upon the basis of formulas and/or tables which have been approved by the board of trustees;

(3) "Average final compensation", the highest average annual compensation received for any four consecutive years of service. In determining whether years of service are "consecutive", only periods for which creditable service is earned shall be considered, and all other periods shall be disregarded;

(4) "Beneficiary", any person designated by a member for a retirement allowance or other benefit as provided by sections 169.270 to 169.400;

(5) "Board of education", the board of directors or corresponding board, by whatever name, having charge of the public schools of the school district in which the retirement system is established;

(6) "Board of trustees", the board provided for in section 169.291 to administer the retirement system;

(7) "Break in service", an occurrence when a regular employee ceases to be a regular employee for any reason (including termination of employment, resignation, retirement or furlough but not including vacation, sick leave, excused absence or leave of absence granted by an employer) and such person does not again become a regular employee until after fifteen consecutive school or work days have elapsed. A "school or work day" is a day on which the employee's employer requires (or if the position no longer exists, would require, based on past practice) employees having the former employee's last job description to report to their place of employment for any reason;

(8) **"Charter school", any charter school established pursuant to section 160.400 to 160.420, RSMo, and located, at the time it is established, within the school district;**

(9) "Compensation", the regular compensation as shown on the salary and wage schedules of the employer plus any amounts paid by the employer on a member's behalf pursuant to subdivision (5) of subsection 1 of section 169.350, but such term is not to include extra pay, overtime pay, consideration for entering into early retirement, or any other payments not included on salary and wage schedules. For any year beginning after December 31, 1988, the annual compensation of each member taken into account under the retirement system shall not exceed the limitation set forth in Section 401(a)(17) of the Internal Revenue Code of 1986, as amended;

[(9)] (10) "Creditable service", the amount of time that a regular employee is a member of the retirement system and makes contributions thereto in accordance with the provisions of sections 169.270 to 169.400;

(11) **"Employee", any person who is classified by the school district, a charter school, the library district or the retirement system established by section 169.280 as an employee of such employer and is reported contemporaneously for federal and state tax purposes as an employee of such employer. A person is not considered to be an employee for purposes of such retirement system with respect to any service for which the person was not reported contemporaneously for federal and state tax purposes as an employee of such employer, regardless of whether the person is or may later be determined to be or to have been a common law employee of such employer, including but not limited to persons classified by the employer as independent contractors and persons employed by other entities which contract to provide staff and services to the employer. In no event shall a person reported for federal tax purposes as an employee of a private, for-profit entity be deemed to be an employee eligible to participate in the retirement system established by section 169.280 with respect to such employment;**

[(10)] (12) "Employer", the school district, **any charter school**, the library district, or the retirement system established by section 169.280, or any combination thereof, as required by the context to identify the [common law] employer of any member, or, for purposes only of subsection 2 of section 169.324, of any retirant;

[(11)] (13) "Employer's board", the board of education, **the governing board of any charter school**, the board of trustees of the library district, the board of trustees, or any combination thereof, as required by the context to identify the governing body of an employer;

[(12)] (14) "Library district", any urban public library district created from or within a school district under the provisions of section 182.703, RSMo;

[(13)] (15) "Medical board", the board of physicians provided for in section 169.291;

[(14)] (16) "Member", any person who is a regular employee after the retirement system has been established hereunder ("active member"), and any person who (i) was an active member, (ii) has vested retirement benefits hereunder, and (iii) is not receiving a retirement allowance hereunder ("inactive member");

[(15)] (17) "Minimum normal retirement age", the earlier of the member attaining the age of sixty or has a total of at least seventy-five credits, with each year of creditable service, and prorated for fractional years, equal to one credit and each year of age, and prorated for fractional years, equal to one credit;

[(16)] (18) "Prior service", service prior to the date the system becomes operative which is creditable in accordance with the provisions of section 169.311. Prior service in excess of thirty-eight years shall be considered thirty-eight years;

[(17)] (19) "Regular employee", any [person employed by the school district, the library district, or the retirement system] **employee** who is assigned to an established position which requires [a] service of not less than five hours per day, five days per week, and not less than nine calendar months a year. Any regular employee who is subsequently assigned without break in service to a position demanding less service than is required of a regular employee shall continue the employee's status as a regular employee. However, a temporary, part-time or furloughed employee is not a regular employee;

[(18)] (20) "Retirant", a former member receiving a retirement allowance hereunder;

[(19)] (21) "Retirement allowance", annuity payments to a retirant or to such beneficiary as is entitled to same;

[(20)] (22) "School district", any school district in which a retirement system shall be established under section 169.280.

169.280. 1. In each school district of this state (i) that now has or may hereafter have a population of not more than seven hundred thousand and (ii) not less than seventy percent of whose population resides in a city other than a city not within a county which now has or may hereafter have a population of four hundred thousand or more, according to the latest United States decennial census, there is hereby created and established a retirement system for the purpose of providing retirement allowances and related benefits for employees of the employer. Each such system shall be under the management of a board of trustees herein described, and shall be known as "The Public School Retirement System of (name of school district)", and by such name all of its business shall be transacted, all of its funds invested, and all

of its cash and securities and other property held. When a school district first satisfies the foregoing population conditions, the board of education shall adopt a resolution certifying the same and take all actions necessary to cause the retirement system to begin operation on the thirtieth day of September following such certification.

2. In the event that (i) the population of a school district having a retirement system created hereunder should increase to a number greater than seven hundred thousand, or (ii) the population of the city in which not less than seventy percent of the population of the school district resides should decrease to a number less than four hundred thousand, or (iii) less than seventy percent of the population of the school district should reside in a city having a population of at least four hundred thousand, **or (iv) the corporate organization of the school district shall lapse in accordance with subsections 1 and 4 of section 162.081, RSMo**, the retirement system of such school district shall continue to be governed by and subject to sections 169.270 to 169.400 and all other statutes, rules, and regulations applicable to retirement systems in school districts having a population of not more than seven hundred thousand and not less than seventy percent of whose population resides in a city, other than a city not within a county, of four hundred thousand or more, as if the population of such school district and city continued to be within such numerical limits.

169.291. 1. The general administration and the responsibility for the proper operation of the retirement system are hereby vested in a board of trustees of twelve persons who shall be resident taxpayers of the school district, as follows:

(1) Four trustees to be appointed for terms of four years by the board of education; provided, however, that the terms of office of the first four trustees so appointed shall begin immediately upon their appointment and shall expire one, two, three and four years from the date the retirement system becomes operative, respectively;

(2) Four trustees to be elected for terms of four years by and from the members of the retirement system; provided, however, that the terms of office of the first four trustees so elected shall begin immediately upon their election and shall expire one, two, three and four years from the date the retirement system becomes operative, respectively;

(3) The ninth trustee shall be the superintendent of schools of the school district;

(4) The tenth trustee shall be one retirant of the retirement system elected for a term of four years beginning the first day of January immediately following August 13, 1986, by the retirants of the retirement system;

(5) The eleventh trustee shall be appointed for a term of four years beginning the first day of January immediately following August 13, 1990, by the board of trustees described in subdivision (3) of section 182.701, RSMo;

(6) The twelfth trustee shall be a retirant of the retirement system elected for a term of four years beginning the first day of January immediately following August 28, 1992, by the retirants of the retirement system.

2. If a vacancy occurs in the office of a trustee, the vacancy shall be filled for the unexpired term in the same manner as the office was previously filled, except that the board of trustees may appoint a qualified person to fill the vacancy in the office of an elected member until the next regular election at which time a member shall be elected for the unexpired term. **No vacancy or vacancies on the board of trustees shall impair the power of the remaining trustees to administer the retirement system pending the filling of such vacancy or vacancies.**

3. In the event of a lapse of the school district's corporate organization as described in subsections 1 and 4 of section 162.081, RSMo, the general administration and responsibility for the proper operation of the retirement system shall continue to be vested in a twelve-person board of trustees, all of whom shall be resident taxpayers of a city, other than a city not within a county, of four hundred thousand or more. In such event, if vacancies occur in the offices of the four trustees appointed, prior to the lapse, by the board of education, or in the offices of the four trustees elected, prior to the lapse, by the members of the retirement system, or in the office of trustee held, prior to the lapse, by the superintendent of schools in the school district, as provided in subdivisions (1), (2) and (3) of subsection 1 of this section, the board of trustees shall appoint a qualified person to fill each such vacancy and subsequent vacancies in the office of trustee for terms of up to four years, as determined by the board of trustees.

[3.] 4. Each trustee shall, before assuming the duties of a trustee, take the oath of office before the court of the judicial circuit or one of the courts of the judicial circuit in which the school district is located that so far as it devolves upon the trustee, such trustee shall diligently and honestly administer the affairs of the board of trustees and that the trustee will not knowingly violate or willingly permit to be violated any of the provisions of the law applicable to the retirement system. Such oath shall be subscribed to by the trustee making it and filed in the office of the clerk of the circuit court.

[4.] 5. Each trustee shall be entitled to one vote in the board of trustees. Seven trustees shall constitute a quorum at any meeting of the board of trustees. At any meeting of the board of trustees where a quorum is present, the vote of

at least seven of the trustees in support of a motion, resolution or other matter is necessary to be the decision of the board; **provided, however, that in the event of a lapse in the school district's corporate organization as described in subsections 1 and 4 of section 162.081, RSMo, a majority of the trustees then in office shall constitute a quorum at any meeting of the board of trustees, and the vote of a majority of the trustees then in office in support of a motion, resolution or other matter shall be necessary to be the decision of the board.**

[5.] 6. The board of trustees shall have exclusive original jurisdiction in all matters relating to or affecting the funds herein provided for, including, in addition to all other matters, all claims for benefits or refunds, and its action, decision or determination in any matter shall be reviewable in accordance with chapter 536, RSMo, or chapter 621, RSMo. Subject to the limitations of sections 169.270 to 169.400, the board of trustees shall, from time to time, establish rules and regulations for the administration of funds of the retirement system, for the transaction of its business, and for the limitation of the time within which claims may be filed.

[6.] 7. The trustees shall serve without compensation. The board of trustees shall elect from its membership a chairman and a vice chairman. The board of trustees shall appoint an executive director who shall serve as the administrative officer of the retirement system and as secretary to the board of trustees. It shall employ one or more persons, firms or corporations experienced in the investment of moneys to serve as investment counsel to the board of trustees. The compensation of all persons engaged by the board of trustees and all other expenses of the board necessary for the operation of the retirement system shall be paid at such rates and in such amounts as the board of trustees shall approve, and shall be paid from the investment income.

[7.] 8. The board of trustees shall keep in convenient form such data as shall be necessary for actuarial valuations of the various funds of the retirement system and for checking the experience of the system.

[8.] 9. The board of trustees shall keep a record of all its proceedings which shall be open to public inspection. It shall prepare annually and furnish to the board of education and to each member of the retirement system who so requests a report showing the fiscal transactions of the retirement system for the preceding fiscal year, the amount of accumulated cash and securities of the system, and the last balance sheet showing the financial condition of the system by means of an actuarial valuation of the assets and liabilities of the retirement system.

[9.] 10. The board of trustees shall have, in its own name, power to sue and to be sued, to enter into contracts, to own property, real and personal, and to convey the same; but the members of such board of trustees shall not be personally liable for obligations or liabilities of the board of trustees or of the retirement system.

[10.] 11. The board of trustees shall arrange for necessary legal advice for the operation of the retirement system.

[11.] 12. The board of trustees shall designate a medical board to be composed of three physicians who shall not be eligible for membership in the system and who shall pass upon all medical examinations required under the provisions of sections 169.270 to 169.400, shall investigate all essential statements and certificates made by or on behalf of a member in connection with an application for disability retirement and shall report in writing to the board of trustees its conclusions and recommendations upon all matters referred to it.

[12.] 13. The board of trustees shall designate an actuary who shall be the technical advisor of the board of trustees on matters regarding the operation of the retirement system and shall perform such other duties as are required in connection therewith. Such person shall be qualified as an actuary by membership as a Fellow of the Society of Actuaries or by similar objective standards.

[13.] 14. At least once in each five-year period the actuary shall make an investigation into the actuarial experience of the members, retirants and beneficiaries of the retirement system and, taking into account the results of such investigation, the board of trustees shall adopt for the retirement system such actuarial assumptions as the board of trustees deems necessary for the financial soundness of the retirement system.

[14.] 15. On the basis of such actuarial assumptions as the board of trustees adopts, the actuary shall make annual valuations of the assets and liabilities of the funds of the retirement system.

[15.] 16. The rate of contribution payable by the employer shall equal one and ninety-nine one-hundredths percent, effective July 1, 1993; three and ninety-nine one-hundredths percent, effective July 1, 1995; five and ninety-nine one-hundredths percent, effective July 1, 1996; seven and one-half percent effective January 1, 1999, and for all subsequent years.

17. In the event of a lapse of a school district's corporate organization as described in subsections 1 and 4 of section 162.081, RSMo, no retirement system, nor any of the assets of any retirement system, shall be transferred to or merged with another retirement system without prior approval of such transfer or merger by the board of trustees of the retirement system.

169.301. 1. Any active member who has completed five or more years of actual (not purchased) creditable service shall be entitled to a vested retirement benefit equal to the annual service retirement allowance provided in

sections 169.270 to 169.400 payable after attaining the minimum normal retirement age and calculated in accordance with the law in effect on the last date such person was a regular employee; provided, that such member does not withdraw such person's accumulated contributions pursuant to section 169.328 prior to attaining the minimum normal retirement age.

2. Any member who elected on October 13, 1961, or within thirty days thereafter, to continue to contribute and to receive benefits under sections 169.270 to 169.400 may continue to be a member of the retirement system under the terms and conditions of the plan in effect immediately prior to October 13, 1961, or may, upon written request to the board of trustees, transfer to the present plan, provided that the member pays into the system any additional contributions with interest the member would have credited to the member's account if such person had been a member of the current plan since its inception or, if the person's contributions and interest are in excess of what the person would have paid, such person will receive a refund of such excess. The board of trustees shall adopt appropriate rules and regulations governing the operation of the plan in effect immediately prior to October 13, 1961.

3. Should a retirant again become an active member, such person's retirement allowance payments shall cease during such membership and shall be recalculated upon subsequent retirement to include any creditable service earned during the person's latest period of active membership **in accordance with subsection 2 of section 169.324.**

169.315. 1. The board of trustees shall adopt rules and regulations which shall permit members to purchase creditable service under the circumstances provided for in this section. Such rules and regulations shall specify, for each such designated circumstance:

- (1) The manner in which the employee contributions required to purchase such service shall be calculated;
- (2) The manner in which any employer contributions required for such service shall be calculated;
- (3) The maximum amount of service that may be purchased, if any;
- (4) The time by which the election to purchase service shall be made and the period over which such contributions shall be paid; and
- (5) Any other requirements the member must satisfy in order to be eligible to purchase service in such circumstance.

All such rules and regulations shall be applied on a uniform and nondiscriminatory basis so that all members are treated similarly under similar circumstances.

2. Any active member who ceased to be a regular employee and received a refund of contributions and interest attributable to a prior period of service with [the district in which the retirement system is established] **any employer** may, after reemployment as a regular employee and prior to retirement, elect to reinstate any creditable service the member forfeited by purchasing such service in accordance with the rules and regulations adopted by the board of trustees.

3. Any active member who has rendered service in a public school district or public library within the state of Missouri but outside of the district in which the retirement system is established, or in a college, junior college or university within the state of Missouri may elect to purchase and receive credit for such service in accordance with the rules and regulations adopted by the board of trustees.

4. Any active member who has rendered service in a public school district, public library, college, junior college or university outside the state of Missouri may elect to purchase and receive credit for such service in accordance with the rules and regulations adopted by the board of trustees; provided that, such member shall pay to the retirement system, in addition to all required employee contributions, the required amount of employer contributions, plus interest, for each year of creditable service being purchased.

5. Any active member who was, prior to becoming a member, employed by a private school, college or university on a full-time basis and duly certified under the law governing the certification of teachers during all of such employment may elect to purchase and receive credit for such private school service in accordance with the rules and regulations adopted by the board of trustees; provided that, such member shall pay to the retirement system, in addition to all required employee contributions, the required amount of employer contributions, plus interest, for each year of creditable service being purchased. As used in this section, the term "private school" means a school which is not a part of the public school system of the state of Missouri and which charges tuition for the rendering of elementary, secondary educational or post-secondary educational services.

6. Any active member who, voluntarily or involuntarily, enters service in the armed forces of the United States or other national defense service may, after reemployment and prior to retirement, elect to purchase and receive credit for such military service in accordance with the rules and regulations adopted by the board of trustees and with the laws governing the reemployment rights of veterans.

7. Any active member who is granted a period of approved, unpaid leave of absence by the employer's board for academic study at a college, junior college, university or otherwise, illness or such other circumstances as may be authorized by the board of trustees, may elect to purchase and receive creditable service for such period of leave in accordance with the rules and regulations adopted by the board of trustees.

169.324. 1. The annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life shall be the retirant's number of years of creditable service multiplied by one and three-fourths percent of the person's average final compensation, subject to a maximum of sixty percent of the person's average final compensation. For any member [retiring] **who retires as an active member** on or after June 30, 1999, the annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life shall be the retirant's number of years of creditable service multiplied by two percent of the person's average final compensation, subject to a maximum of sixty percent of the person's average final compensation. Any member whose number of years of creditable service is greater than thirty-four and one-quarter on August 28, 1993, [that provides for the foregoing formula for determining the annual service retirement allowance] shall receive an annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life equal to the retirant's number of years of creditable service as of August 28, 1993, multiplied by one and three-fourths percent of the person's average final compensation but shall not receive a greater annual service retirement allowance based on additional years of creditable service after August 28, 1993[, that provides for the foregoing formula for determining the annual service retirement allowance]. Provided, however, that, effective January 1, 1996, any retiree who retired on, before or after January 1, 1996, with at least twenty years of creditable service shall receive at least three hundred dollars each month as a retirement allowance, or the actuarial equivalent thereof if the retiree elected any of the options available under section 169.326. Provided, further, any retiree who retired with at least ten years of creditable service shall receive at least one hundred fifty dollars each month as a retirement allowance, plus fifteen dollars for each additional full year of creditable service greater than ten years but less than twenty years (or the actuarial equivalent thereof if the retiree elected any of the options available under section 169.326). Any beneficiary of a deceased retiree who retired with at least ten years of creditable service and elected one of the options available under section 169.326 shall also be entitled to the actuarial equivalent of the minimum benefit provided by this subsection, determined from the option chosen.

2. Except as otherwise provided in sections 169.580 and 169.585, [a retirant may not receive a retirement allowance payment in] **payment of a retirant's retirement allowance will be suspended for** any month for which such person receives remuneration from the person's employer **or from any other employer in the retirement system established by section 169.280** for the performance of services except such person may serve as a nonregular substitute, part-time or temporary employee for [not to exceed five] **no more than six** hundred [thirty] hours in any school year without becoming a member and without having the person's retirement allowance discontinued. **If a retirant is reemployed by any employer in any capacity, whether pursuant to this section, section 169.580 or section 169.585 or as a regular employee, the amount of such person's retirement allowance attributable to service prior to the person's first retirement date shall not be changed by the reemployment. If the person again becomes an active member and earns additional creditable service, upon the person's second retirement the person's retirement allowance shall be the sum of:**

(1) **The retirement allowance the person was receiving at the time the person's retirement allowance was suspended, pursuant to the payment option elected as of the first retirement date, plus the amount of any increase in such retirement allowance the person would have received pursuant to subsection 3 of section 169.324 had payments not been suspended during the person's reemployment; and**

(2) **An additional retirement allowance computed using the benefit formula in effect on the person's second retirement date, the person's creditable service following reemployment, and the person's average annual compensation as of the second retirement date.**

The sum calculated pursuant to this subsection shall not exceed the greater of sixty percent of the person's average final compensation as of the second retirement date or the amount determined pursuant to subdivision (1) of this subsection. Compensation earned prior to the person's first retirement date shall be considered in determining the person's average final compensation as of the second retirement date if such compensation would otherwise be included in determining the person's average final compensation.

3. The board of trustees shall determine annually whether the investment return on funds of the system can provide for an increase in benefits for retirants eligible for such increase. A retirant shall and will be eligible for an increase awarded pursuant to this section as of the [fourth] **second** January following the date the retirant commenced receiving retirement benefits. Any such increase shall also apply to any monthly joint and survivor retirement allowance

payable to such retirant's beneficiaries, regardless of age. The board shall make such determination as follows:

(1) After determination by the actuary of the investment return for the preceding year as of December thirty-first (the "valuation year"), the actuary shall recommend to the board of trustees what portion of the investment return is available to provide such benefits increase, if any, and shall recommend the amount of such benefits increase, if any, to be implemented as of the first day of the thirteenth month following the end of the valuation year, and the first payable on or about the first day of the fourteenth month following the end of the valuation year. The actuary shall make such recommendations so as not to affect the financial soundness of the retirement system, recognizing the following safeguards:

(a) The retirement system's funded ratio as of January first of the year preceding the year of a proposed increase shall be at least one hundred percent after adjusting for the effect of the proposed increase. The funded ratio is the ratio of assets to the pension benefit obligation;

(b) The actuarially required contribution rate, after adjusting for the effect of the proposed increase, may not exceed the statutory contribution rate;

(c) The actuary shall certify to the board of trustees that the proposed increase will not impair the actuarial soundness of the retirement system;

(d) A benefit increase, under this section, once awarded, cannot be reduced in succeeding years;

(2) The board of trustees shall review the actuary's recommendation and report and shall, in their discretion, determine if any increase is prudent and, if so, shall determine the amount of increase to be awarded.

4. This section does not guarantee an annual increase to any retirant.

5. If an inactive member becomes an active member after June 30, 2001, and after a break in service, unless the person earns at least four additional years of creditable service without another break in service, upon retirement the person's retirement allowance shall be calculated separately for each separate period of service ending in a break in service. The retirement allowance shall be the sum of the separate retirement allowances computed for each such period of service using the benefit formula in effect, the person's average final compensation as of the last day of such period of service and the creditable service the person earned during such period of service; provide, however, if the person earns at least four additional years of creditable service without another break in service, all of the person's creditable service prior to and including such service shall be aggregated and, upon retirement, the retirement allowance shall be computed using the benefit formula in effect and the person's average final compensation as of the last day of such period of four or more years and all of the creditable service the person earned prior to and during such period.

6. Notwithstanding anything contained in this section to the contrary, the amount of the annual service retirement allowance payable to any retirant pursuant to the provisions of sections 169.270 to 169.400, including any adjustments made pursuant to subsection 3 of this section, shall at all times comply with the provisions and limitations of Section 415 of the Internal Revenue Code of 1986, as amended, and the regulations thereunder, the terms of which are specifically incorporated herein by reference.

[6.] 7. All retirement systems established by the laws of the state of Missouri shall develop a procurement action plan for utilization of minority and women money managers, brokers and investment counselors. Such retirement systems shall report their progress annually to the joint committee on public employee retirement and the governor's minority advocacy commission."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Skaggs, **House Amendment No. 3** was adopted.

Representative Gambaro offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 660, Page 9, Section 169.070, Line 302, by inserting after all of said line the following:

"169.410. The following words and phrases as used in sections 169.410 to 169.540, unless a different meaning is plainly required by the context, shall have the following meanings:

(1) "Accumulated contributions", the sum of all amounts deducted from the compensation of a member and credited to the member's individual account together with interest allowed on such an account;

(2) "Actuarial equivalent", a benefit of equal value when computed upon the basis of interest and such mortality tables as shall be adopted by the board of trustees;

(3) "Average final compensation", the highest average annual compensation of the member received for any three consecutive years of **credited** service of the member's last ten years of **credited** service or if the member has had less than three years of such **credited** service, during the member's entire period of **credited** service;

(4) "Beneficiary", any person other than a [retirant] **retired member** receiving a [retirement allowance or] **pension benefit**, optional [retirement allowance] **pension benefit** or other benefit;

(5) "Board of education", the board of education or corresponding board having charge of the public schools of the school district other than those public schools which are operated by the board of regents;

(6) "Board of regents", the board of regents or corresponding board having charge of a public city teacher training school within the school district which was operated by its board of education prior to September 1, 1978;

(7) "Board of trustees", the board which administers the retirement system;

(8) "Charter school", any charter school established pursuant to sections 160.400 to 160.420, RSMo, and located, at the time it is established, within the school district;

[(8)] (9) "Compensation", the regular compensation which a member has earned as an employee during any period, excluding, however, any compensation earned by a person who became a member after December 31, 1995, which is in excess of the limitation set forth in Section 401(a)(17) of the Internal Revenue Code;

[(9)] (10) "Consumer price index", the Consumer Price Index for All Urban Consumers for the United States, or its successor index, as approved by the board of trustees, as such index is defined and officially reported by the United States Department of Labor, or its successor agency;

[(10)] (11) **"Credited service", prior service plus membership service plus service purchased pursuant to applicable Missouri statute;**

[(11)] (12) "Employee", any person regularly employed by (a) the board of education, or (b) the board of trustees, or (c) the board of regents who was employed at a public teacher training school within the school district prior to September 1, 1978, and who did not become a member of the Missouri state employees' retirement system pursuant to section 104.342, RSMo, **or (d) a charter school.** In case of doubt as to whether any person is an employee, the decision of the [employing] **board of education, or the board of trustees, or the board of regents** shall be final and conclusive;

(13) "Employer", the board of education, the board of trustees, the board of regents or a charter school;

[(12)] (14) "Medical board", the board of physicians;

[(13)] (15) "Member", a member of the retirement system defined as an:

(a) "Active member", a [member] **person** who is an employee; [or]

(b) "Inactive member", a **former active** member who [is not an employee;] **has accumulated contributions with the retirement system; or**

(c) "Retired member", a former active member who has retired and is receiving benefits;

[(14)] (16) "Membership service", service rendered [since last becoming a member which is creditable] **as an employee for which the employee received compensation.** For the purpose of computing creditable service at retirement, membership service shall include a member's accumulated and unused days of sick leave. The decision of the employing board as to the number of accumulated and unused days of sick leave held by a member shall be final and conclusive;

(17) "Pension benefit" or "pension", monthly payments for life to a retired member or to such beneficiary as is entitled to the payments;

[(15)] (18) "Prior service", service prior to the date the system [becomes] **became** operative which is [creditable] **credited;**

[(16)] (19) "Public school", any school for elementary, secondary or higher education, open and public, which is supported and maintained from public funds and which is operated by the board of education of the school district [or], by the board of regents, **or as a charter school as defined pursuant to sections 160.400 to 160.420, RSMo;**

[(17) "Retirant" or] (20) "Retired member", a [former] member receiving a retirement [allowance] **benefit** or [optional retirement allowance or] other benefit;

[(18) "Retirement allowance", equal monthly payments for life to a retirant or to such beneficiary as is entitled to the payments;

(19)] (21) "Retirement system", the public school retirement [school] system of a school district;

[(20)] **(22)** "School administrator", an employee whose job classification is included on the school administrators' position schedule of the employing board;

[(21)] **(23)** "School district", any **metropolitan** school district [now having or hereafter attaining a population of seven hundred thousand inhabitants or more in which a retirement system shall be established] **as defined pursuant to section 160.011, RSMo;**

[(22)] **(24)** "Teacher", any teacher, substitute teacher, supervisor, principal, supervising principal, superintendent or assistant superintendent, who shall teach or be employed on a full-time basis in the public schools of a school district **or charter school**, except those teachers electing to become [a member] **members** of the Missouri state employees' retirement system pursuant to section 104.342, RSMo. In case of doubt as to whether any person is a teacher, the decision of the board of education, or the board of regents with respect to individuals within its charge, shall be final and conclusive.

169.420. In all **metropolitan** school districts of this state [that now have or may hereafter attain a population of seven hundred thousand inhabitants or more], there are hereby created and established retirement systems for the purpose of providing retirement [allowances] **benefits** for employees of said school districts. Each such system shall be a body corporate, and shall be under the management of a board of trustees herein described, and shall be known as "The Public School Retirement System of (name of school district)". Such system shall, by and in such name, sue and be sued, transact all of its business, invest all of its funds and hold all of its cash, securities and other property; provided, however, that such securities and other property may be held on behalf of the retirement system in the name of a nominee in order to facilitate the expeditious transfer of such securities or other property. [The retirement systems so created shall begin operations as of the first day of the second month next following the date upon which this law shall take effect under article III, section 29, of the Constitution of the state of Missouri or on the first day of the second month next following the date when the school districts shall have thereafter attained a population of seven hundred thousand inhabitants or more.]

169.430. [1.] All persons who shall hereafter become employees, shall become members as a condition of their employment and shall receive no pension or retirement [allowance] **benefit** from any pension or retirement system other than the retirement system established [under] **pursuant to** sections 169.410 to 169.540 because of **credited** years of service in the school district, nor shall they be required to make contributions under any other pension or retirement system of any school district or state because of such years, except that this section does not prohibit the extension of the benefits and liabilities of Title II of the Social Security Act of the United States (42 U.S.C.A. Section 401 et seq.) to the employees of the school district for the purpose of supplementing the benefits provided by this law, through agreement by the district and the state pursuant to sections 105.300 to 105.440, RSMo.

[2. Any employee in service on the date the retirement system becomes operative shall become a member as of that date unless prior thereto he shall file with the board of trustees on a form prescribed by the board of trustees a notice of his election not to become a member of the retirement system and a duly executed waiver of all present and prospective benefits which would otherwise inure to him on account of his participation in the retirement system.

3. Should any member with less than five years of creditable service not be an employee for more than four consecutive years or should any member withdraw his accumulated contributions, or should any member become a retirant or die, he shall thereupon cease to be a member.]

169.440. 1. [The board of trustees shall fix and determine by proper rules and regulations how much service in any year is equivalent to one year of service, but in no case shall more than one year of service be creditable for all service in one calendar year. Notwithstanding any other provisions of this subsection,] **In no case shall more than one year of service be credited for all service in one calendar year.**

2. The board of trustees shall include an employee's accumulated and unused days of sick leave, if any, in computing the employee's [creditable] **credited** service upon the employee's retirement.

[2. Under such rules and regulations as the board of trustees shall adopt, each employee who was employed by the school district on and prior to the date this retirement system becomes operative and who becomes a member within one year from such date, shall file a detailed statement of all service as such employee rendered by the member to the school district prior to that date and prior to the member's attainment of age sixty-five, for which the member claims credit; provided, however, that teachers may, in addition, claim credit in such statement for not more than ten years of service rendered in public schools outside the school district. Any member with service prior to January 1, 1944, who became a member after January 1, 1945, may file claim for prior service up to a maximum of twelve years provided the member has a minimum of five continuous years of membership service and a total membership service of not less than the years of prior service being claimed.

3. Subject to the above restrictions and to such other rules and regulations as the board of trustees may adopt,

the board of trustees shall verify the service claims as soon as practicable after the filing of such statements of service.

4. Upon verification of the statements of service, the board of trustees shall issue prior service certificates, certifying to each member the length of prior service with which the member is credited on the basis of the member's statement of service. So long as the holder of such a certificate continues to be a member, a prior service certificate shall be final and conclusive for retirement purposes as to such service; provided, however, that any member may, within one year from the date of issuance, or modification, of such certificate, request the board of trustees to modify or correct the member's prior service certificate. When any employee ceases to be a member the employee's prior service certificate shall become void, and should such employee again become a member such employee shall enter the retirement system as a member not entitled to prior service and membership service credit. After the member has five years of continuous membership service since last date of reemployment and provided the member could not under the applicable law at date of the member's termination have left such member's accumulated contributions for accrued deferred retirement benefits, the member may reinstate the member's creditable service as of such date by paying to the system the accumulated contributions the member withdrew with interest to the date of repayment.

5. Membership service at retirement shall include creditable service as an employee, on account of which contributions are made by the employing board and by the member except as to creditable military service and accumulated and unused days of sick leave.

6. Creditable service upon retirement of a member, or upon such other date as a member shall cease to be an employee shall consist of membership service, and if the member has a prior service certificate in full force and effect it shall include service certified on the member's prior service certificate, except that in determining the amount of any benefits pursuant to sections 169.410 to 169.585 the years of prior service creditable shall not exceed the number of years which, when added to the membership service of the member, equals thirty-five years.

7.] 3. Any member inducted into the armed forces of the United States while an employee, and discharged or separated from such service by other than dishonorable discharge, shall be credited with such period or periods of time, not exceeding a total of four years, spent in such service during time of war or national emergency, and any additional period or periods of involuntary service as if such member had been for all effects and purposes in active service as an employee during such period or periods of time. Periods of national emergency, as that term is used in this section, shall be prescribed by rule of the board of trustees, giving due regard to the acts and resolutions of Congress and the proclamations and orders of the President.

[8. Any employee whose membership was terminated during the years 1944 to 1947, inclusive, pursuant to a rule of the board of education prohibiting the employment of married women teachers and who was reemployed on or before January 1, 1950, and is a member as of October 13, 1969, may reinstate the creditable service forfeited by the termination and acquire credit as membership service for service rendered subsequent to the termination. In order to obtain such credit, the member must pay the unpaid accumulated contributions for the approved years of membership service to be credited together with any contributions which have been refunded to the member plus interest from the date of the refund or from the date of membership service to the date of repayment as provided herein. No prior service may be reinstated or other service credited unless full payment is made for contributions for all possible service which is classified as membership service.

9.] 4. Any member who is granted a leave of absence with reduced pay may authorize deduction of contributions based on full compensation, the same as if not on leave, and in such case the full compensation shall be used as annual compensation in determining the final average compensation for calculation of benefits.

[10. Any employee who rendered service which at the time was not classified as membership service nor were contributions paid but which would be classified as membership service under later law and regulations may receive credit for such service by paying the required contributions for such period of service with interest to date.

11.] 5. A member [who has rendered service in a public school district in the state of Missouri, or outside the state of Missouri,] may elect to purchase and receive credit for [such] service in accordance with the following conditions and limitations:

(1) The member must have a minimum of five years of continuous [creditable] **credited** membership service in this retirement system prior to the member's election to purchase;

(2) [Service to be credited must be service for which the member did not and could not receive accrued benefits by leaving contributions with any other retirement system under the applicable law in effect at the termination of such service;

(3)] The member must have one year of [creditable] **credited** service in this **retirement** system for each year to be credited;

[(4) The maximum period of service which can be credited pursuant to this subsection is ten years;]

(3) **The member must purchase the entire amount of credited service the member is eligible to purchase in a given category;**

(4) **Eligible categories of credited service that can be purchased are:**

(a) **Service rendered in a public school district in the state of Missouri, or outside the state of Missouri;**

(b) **Service as an employee which at the time was not classified as membership service nor were contributions paid but which would be classified as membership service under later law and regulations;**

(c) **The period during which an employee's membership was terminated during the years 1944 to 1947, inclusive, pursuant to a rule of the board of education prohibiting the employment of married women teachers, provided the member was reemployed on or before January 1, 1950, and was a member as of October 13, 1969;**

(d) **A period of up to five years during which a member was involuntarily laid off in a staff reduction by the board of education after 1980, provided the member was restored to full-time employment and the member did not receive a refund of the member's accumulated contributions for credited service rendered prior to the layoff;**

(e) **Service for which the member received a refund of the member's accumulated contributions;**

(f) **Up to three years of service rendered in a school, which is not part of the public school system of this state and which charged tuition for the rendering of elementary and secondary educational services, as a full-time employee who was duly certified under the law governing the certification of teachers during all of such years of employment;**

(5) The member must pay for the purchase of service [after January 1, 1944, the total amount of member's contributions for such years being purchased plus interest at the rates fixed by the board of trustees with the contributions based on the compensation at which the member initially was employed in this school district and the contribution rates then in effect;

(6) If all service after January 1, 1944, for which a member is eligible has been purchased and it is less than ten years, the member may apply for credit for service prior to January 1, 1944, provided the total credit does not exceed ten years, subject to applicable conditions and limitations in this subsection, but no payment shall be required;] **in the amount required by the rules and regulations established by the board of trustees of the retirement system;**

(6) The retirement system may accept a transfer of funds from a plan qualified pursuant to Section 401(a) or 403(b) of the Internal Revenue Code in full or partial payment of the amount required to purchase the credited service;

(7) A member shall receive credit at retirement for only such service as has met the conditions of this subsection. If the member has paid for any service which has not been credited, the member shall receive a refund of the excess payment. If the member has not completed such member's payment at time of retirement, the first benefits from the **retirement** system shall be applied to pay the balance of the amount due and thereafter the full benefits shall be payable; and

(8) Any credit granted for service outside the school district prior to January 1, 1944, pursuant to subsection 2 of this section shall be included in determining whether any additional credit may be obtained pursuant to this subsection.

12. An active member who is involuntarily laid off in a staff reduction by the board of education or board of regents after 1980 may, if the member is restored to full-time employment, elect to purchase and receive credit for service retirement for the period of such layoff in accordance with the following conditions and limitations:

(1) The member shall be an employee with a minimum of five years of continuous creditable membership service in this retirement system prior to the time the member elects to purchase service for the period of such layoff;

(2) The member shall not have been paid the member's accumulated contribution credited to the member's individual account after such layoff;

(3) The maximum period of creditable service which may be credited pursuant to this subsection is five years;

(4) The member shall pay for the purchase of creditable service the total cost of such service as determined by the board of trustees based on accepted actuarial methods using the same assumptions used by the retirement system at the time of such election. Such cost shall include both the employee's and the system's share of the cost of such credited service;

(5) The member shall make payment in full for the purchase of creditable service pursuant to this subsection over a period not to exceed five years, measured from the date of election, or prior to the effective date of retirement of the member, whichever is earlier, and with interest compounded annually at the rate established by the board of trustees.

13. Notwithstanding any other provision of sections 169.410 to 169.540 to the contrary, any member with five

or more years of creditable service who ceased to be an employee, who has received a refund of such member's accumulated contributions pursuant to subsection 9 of section 169.460, who again becomes a member of the retirement system, may elect to reinstate any creditable service forfeited at time or times of any previous refunds. Such reinstatement shall be effected by the member paying to the retirement system with interest the amount of accumulated contributions refunded to the member on or after the time such member ceased to be an employee, and by continuous employment in the district for at least an additional seven years of creditable service before such member retires. Such payment with interest shall be made over a period of not longer than five years from the date of such member's election to reinstate creditable service, provided that such payment shall in all events be made prior to the retirement of such member. The member electing to reinstate such creditable service may not receive or be eligible to receive retirement benefits from any other retirement system for the period for which creditable service is being reinstated, and such member shall furnish an affidavit to the retirement system so stating].

169.450. 1. The general administration and responsibility for the proper operation of the retirement system and for making effective the provisions of sections 169.410 to 169.540 are hereby vested in a board of trustees of eleven persons, as follows:

(1) Four trustees to be appointed for terms of four years by the board of education; provided, however, that their terms shall be fixed so the terms of one of the trustees so appointed shall expire each year. **The members of such board of trustees appointed by the board of education may be members of the board of education or other individuals deemed qualified to hold such positions by the board of education;**

(2) Four trustees to be elected for terms of four years by and from the active members of the retirement system who shall hold office as trustees only while active members; provided, however, that their terms shall be fixed so that the terms of one of the trustees so elected shall expire each year; and provided further, that not more than two of such persons shall be teachers and two shall be nonteachers. **For the purposes of this subsection, a school administrator shall not be eligible for the positions established pursuant to this subdivision and shall be eligible for the position established pursuant to subdivision (4) of this subsection;**

(3) Two trustees, who shall be [retirants] **retired members**, to be elected for terms of four years by and from the [retirants] **retired members** of the retirement system; provided, however, that the terms of office of the first two trustees so elected shall begin immediately upon their election and shall expire two and four years from the date of their election, respectively; and provided further, that not more than one of such persons shall be a teacher and one shall be a nonteacher;

(4) One member, who shall be a school administrator, to be elected for a term of four years by and from the active members of the retirement system who shall hold office as a trustee only while an active member; except that, the initial term of office of such trustee shall expire on December 31, 1999.

2. If a vacancy occurs in the office of trustee, the vacancy shall be filled for the unexpired term in the same manner as the office was previously filled. **No vacancy or vacancies on the board of trustees shall impair the power of the remaining trustees to administer the retirement system pending the filling of such vacancies.**

3. [The members of such board of trustees appointed by the board of education may be members of the board of education or other individuals deemed qualified to hold such positions by the board of education. The] **In the event of lapses in a school district's corporate organization as described in subsections 1 and 4 of section 162.081, RSMo, or for any other reason, the general administration and the responsibility for the proper operation of the retirement system shall continue to be fully vested in the trustees then currently serving and such trustees shall continue to serve and be elected in the same manner as set forth in this statute as if no lapse had occurred, except that in the event of vacancies occurring in the office of trustees appointed by the board of education prior to the lapse, the board of trustees shall appoint a qualified person or persons to fill such vacancy or vacancies for terms of up to four years.**

4. Trustees shall serve without compensation, and any trustee shall be reimbursed from the expense fund for all necessary expenses which the trustee may incur through service on the board of trustees.

[4.] 5. Each trustee shall, within ten days after such trustee's appointment or election, take an oath of office before the clerk of the circuit court of the judicial circuit in which the school district is located that, so far as it devolves upon the trustee, the trustee will diligently and honestly administer the affairs of the board of trustees and that the trustee will not knowingly violate or willingly permit to be violated any of the provisions of the law applicable to the retirement system. Such oath shall be subscribed to by the trustee making it and filed in the office of the clerk of the circuit court.

[5.] 6. The circuit court of the judicial circuit in which the school district is located shall have jurisdiction over the members of the board of trustees to require them to account for their official conduct in the management and disposition of the funds and property committed to their charge; to order, decree and compel payment by them to the

public school retirement system of their school district of all sums of money, and of the value of all property which may have been improperly retained by them, or transferred to others, or which may have been lost or wasted by any violation of their duties or abuse of their powers as such members of such board; to remove any such member upon proof that the trustee has abused the trustee's trust or has violated the duties of the trustee's office; to restrain and prevent any alienation or disposition of property of such public school retirement system by the members, in cases where it may be threatened, or there is good reason to apprehend that it is intended to be made in fraud of the rights and interests of such public school retirement system. The jurisdiction conferred by sections 169.410 to 169.540 shall be exercised as in ordinary cases upon petition, filed by the board of education of such school district, or by any two members of the board of trustees. Such petition shall be heard in a summary manner after ten days' notice in writing to the member complained of, and an appeal shall lie from the judgment of the circuit court as in other causes and be speedily determined, but such appeal shall not operate under any condition as a supersedeas of a judgment of removal from office.

[6.] 7. Each trustee shall be entitled to one vote in the board of trustees. Six votes shall be necessary for a decision by the trustees at any meeting of the board of trustees.

[7.] 8. Subject to the limitations of sections 169.410 to 169.540, the board of trustees shall, from time to time, establish rules and regulations for the administration of the [assets of the] retirement system, **for eligibility for and determination of benefits under the retirement system, for the investment of retirement system assets**, and for the transaction of [its] **the retirement system's** business.

[8.] 9. The board of trustees shall elect from its membership a chairman and shall, by majority vote of its members, appoint a secretary, who may be, but need not be, one of its members. It shall engage such actuarial and other services as shall be required to transact the business of the retirement system. It shall also engage an investment counselor who shall be experienced in the investment of moneys to advise the trustees on investments of the retirement system. The compensation of all persons engaged by the board of trustees and all other expenses of the board necessary for the operation of the retirement system shall be paid at such rates and in such amounts as the board of trustees shall approve.

[9.] 10. The board of trustees shall keep in convenient form such data as shall be necessary for actuarial valuations of the assets of the retirement system and for checking the experience of the system.

[10.] 11. The board of trustees shall keep a record of all its proceedings which shall be open to public inspection. It shall prepare annually and send to the board of education and to each member of the retirement system a report showing the fiscal transactions of the retirement system for the preceding fiscal year, a detailed listing of all salaries and expenditures incurred by the trustees for its operation, the amount of the accumulated cash and securities of the system, and the last balance sheet showing the financial condition of the system by means of an actuarial valuation of the assets and liabilities of the retirement system. The board of trustees shall also prepare or cause to be prepared an annual report concerning the operation of the retirement system herein provided for, which report shall be sent by the chairman of the board of trustees to the board of education.

[11.] 12. The board of trustees shall arrange for necessary legal advice for the operation of the retirement system.

[12.] 13. The board of trustees shall designate a medical board to be composed of three physicians, none of whom shall be eligible for benefits pursuant to sections 169.410 to 169.540, who shall arrange for and pass upon all medical examinations required pursuant to the provisions of sections 169.410 to 169.540, shall investigate all essential statements and certificates made by or on behalf of a member in connection with an application for disability retirement and shall report in writing to the board of trustees its conclusions and recommendations upon all matters referred to it.

[13.] 14. The actuary shall be the technical adviser of the board of trustees on matters regarding the operation of the system created by sections 169.410 to 169.540 and shall perform such other duties as are required in connection therewith. Such person shall be qualified as an actuary by membership as a fellow in the Society of Actuaries or by [similar] objective standards **which are no less stringent than those established by the Society of Actuaries**.

[14.] 15. At least once in each five-year period the actuary shall make an investigation into the actuarial experience of the retirement system, and taking into account the results of such investigation of the experience, the board of trustees shall adopt for the retirement system such actuarial assumptions as shall be deemed necessary.

[15.] 16. On the basis of such actuarial assumptions as the board of trustees shall adopt, the actuary shall make an annual valuation of the assets and liabilities of the funds of the retirement system.

[16.] 17. On the basis of the valuation the board of trustees shall certify the rates of contribution payable by the board of education.

169.460. 1. Any member may retire [on a service retirement allowance] **and receive a normal pension** upon his **or her** written application to the board of trustees setting forth at what time not less than fifteen days nor more than [ninety] **one hundred eighty** days subsequent to the execution and filing of such application he **or she** desires to be

retired; provided, that the member at the time so specified for his **or her** retirement either (a) shall have attained age sixty-five or (b) shall have attained an age which when added to the number of years of [creditable] **credited** service of such member shall total a sum not less than eighty-five. For purposes of computing any member's age [under] **pursuant to** this section, the board shall, **if necessary**, add to his **or her** actual age any accumulated and unused days of sick leave included in his [creditable] **or her credited** service.

2. Upon retirement [for service under] **pursuant to** subsection 1 of this section, a member shall receive an annual [service retirement allowance] **pension** payable in monthly [service] installments equal to his **or her** number of years of [creditable] **credited** service multiplied by [one and one-fourth] **two** percent of his **or her** average final compensation **subject to a maximum pension of sixty percent of his or her average final compensation**.

3. A member who is not eligible for [service retirement under] **normal pension pursuant to** subsection 1 of this section but **who** has attained age sixty and has five or more years of [creditable] **credited** service may make application in the same manner as [under] **pursuant to** subsection 1 of this section for an early [service retirement allowance which shall be a percentage of his projected annual service retirement allowance. His projected annual service retirement allowance shall equal his number of years of creditable service multiplied by one and one-fourth percent of his average final compensation. The percentage of his projected annual service retirement allowance shall be computed by deducting from one hundred percent a sum equal to] **pension. His or her early pension shall be computed pursuant to subsection 2 of this section, but shall be reduced by** five-ninths of one percent for each month such member's early retirement date precedes the earliest date he **or she** could [receive a service retirement allowance under] **have received a normal pension pursuant to** subsection 1 of this section had his **or her** service continued.

4. Upon the written application of the member or of the employing board, any active member who has [had] five or more years of [creditable] **credited** service with such board and does not qualify for [service retirement under] **a normal pension pursuant to** subsection 1 of this section may be retired by the board of trustees, not less than fifteen **days** and not more than [ninety] **one hundred eighty** days next following the date of filing such application, [on an ordinary disability retirement allowance;] **and receive a disability pension**, provided, that the medical board after a medical examination of such member **or such member's medical records** shall certify that such member is unable to further perform his **or her** duties due to mental or physical incapacity, and that such incapacity is likely to be permanent and that such member should be retired; **or, provided the member furnishes evidence of the receipt of disability benefits under the federal Old Age, Survivors and Disability Insurance System of the Social Security Act.** The determination of the board of trustees in the matter shall be final and conclusive. A [disability retiree] **member being retired pursuant to this subsection** who has accumulated unused vacation and sick leave may elect to have the commencement of his **or her** disability [retirement allowance] **pension** deferred for more than [ninety] **one hundred eighty** days during the period he **or she** is entitled to vacation and sick pay.

5. Upon retirement for disability, a member shall receive a disability [retirement allowance which] **pension until such time as he or she meets the requirements for a normal pension pursuant to subsection 1 of this section, at which time his or her disability pension will be deemed to be a normal pension. The member's disability pension** shall be the larger of:

(1) A [service retirement allowance] **normal pension** based on his [creditable] **or her credited** service to the date of his **or her retirement for** disability [retirement] and calculated as if he **or she** were age sixty-five; or

(2) One-fourth of his **or her** average final compensation;
except that such [allowance] **benefit** shall not exceed the [service retirement allowance] **normal pension** which he **or she** would [receive] **have received** upon retirement [had] **if his or her service had** continued and **he or she had** satisfied the eligibility requirements of subsection 1 of this section and had his **or her** final average compensation been unchanged.

6. Once each year during the first five years following retirement [on a] **for** disability [retirement allowance] and once in every three-year period thereafter **while receiving a disability pension**, the board of trustees may, and shall, require any [disability beneficiary] **member receiving a disability pension** who has not yet become eligible for [service retirement] **a normal pension** pursuant to subsection 1 of this section to undergo a medical examination at a place designated by the medical board or by a physician or physicians designated by such board. [Should] **If** any such [disability beneficiary refuse] **member receiving a disability pension refuses** to submit to such medical examination, his [allowance] **or her benefit** may be discontinued until his **or her** withdrawal of such refusal, and [should] **if his or her refusal [continue] continues** for one year, all rights in and to his **or her** pension may be revoked by the board of trustees.

7. [Should] **If** the board of trustees [find] **finds** that any [disability retirant] **member receiving a disability pension** is engaged in or is able to engage in a gainful occupation paying more than the difference between his [retirement allowance] **or her disability pension** plus benefits, if any, to which he **or she** and his **or her** family are eligible under the federal Old Age, Survivors and Disability Insurance System of the Social Security Act and the current rate of monthly compensation for the position he **or she** held at retirement, then the amount of his [retirement allowance] **or her disability pension** shall be reduced to an amount which together with the amount earnable by him **or her** shall equal such current rate of monthly compensation. [Further adjustments in the disability retirement allowance because of earnings changes shall be made by the board of trustees.] The decisions of the board of trustees in regard to such modification of disability [allowance] **benefits** shall be final and conclusive.

8. [Should] **If** any [disability retirant be] **member receiving a disability pension** is restored to service as an employee, he **or she** shall again become [a] **an active** member of the retirement system and contribute thereunder. [If he is under age sixty at date of again becoming a member, his creditable] **His or her credited** service at the time of his **or her** retirement **for disability** shall be restored [to full force and effect,] and the excess of his **or her** accumulated contributions at **his or her** retirement **for disability** over the total **disability pension** payments which he **or she** received [during retirement] shall be credited to his **or her** account. [If he is age sixty or over, his disability retirement allowance shall cease and be resumed upon subsequent retirement, together with such retirement allowance as shall accrue by reason of his latest period of membership.]

9. If a member with fewer than five years credited service ceases to be an employee, except by death, he or she shall be paid the amount of his or her accumulated contributions in accordance with applicable provisions of the Internal Revenue Code.

[9. Should] **10. If** a member [cease] **with five years or more credited service ceases** to be an employee, except by death or retirement, he **or she** shall be paid on demand the amount of his **or her** accumulated contributions [standing to the credit of his individual account, provided that a member with five or more years of creditable service may leave], **or he or she may leave** his **or her** accumulated contributions with the retirement system and be an inactive member and claim a retirement [allowance] **benefit** at any time after he **or she** reaches the minimum age for [voluntary] retirement, **except that if such a member's accumulated contributions do not exceed the involuntary distribution limits pursuant to provisions of the Internal Revenue Code, the member must elect to become an inactive member within thirty days of employment separation to avoid application of the involuntary distribution provisions of the Internal Revenue Code.** When [his claim is presented] **an inactive member presents his or her valid claim** to the board of trustees, he **or she** shall be granted [an allowance] **a benefit** at such time and for such amount as is available [under] **pursuant to** subsection 2 or 3 of this section in accordance with the provisions of law in effect at the time his **or her** active membership ceased. The accumulated contributions of an inactive member may be withdrawn at any time upon ninety days' notice or such shorter notice as is approved by the board of trustees. [Should a] **If an inactive member [die] dies** before retirement, his **or her** accumulated contributions shall be paid to his **or her** designated beneficiary, if living, otherwise to the estate of the member. A member's accumulated contributions shall not be paid to him **or her** so long as he **or she** remains in service as an employee.

[10.] **11.** Any member upon retirement shall receive his [benefit in a retirement allowance] **or her pension** payable throughout life subject to the provision that if his **or her** death occurs before he **or she** has received total benefits at least as large as his **or her** accumulated contributions at retirement, the difference shall be paid in one sum to his **or her** designated beneficiary, if living, otherwise to the estate of the retired member.

[11.] **12.** Prior to the date of retirement [under] **pursuant to** subsection 2, 3, or 4 of this section, a member may elect to receive the actuarial equivalent [at that time] of his [retirement allowance] **or her pension** in a lesser [retirement allowance] **amount**, payable throughout life under one of the following options with the provision that:

Option 1. Upon his **or her** death, his [retirement allowance] **or her pension** shall be continued throughout the life of and paid to his **or her** beneficiary, or

Option 2. Upon his **or her** death, one-half of his [retirement allowance] **or her pension** shall be continued throughout the life of and paid to his **or her** beneficiary, or

Option 3. Upon his **or her** death, his [retirement allowance] **or her pension** shall be continued throughout the life of and paid to his **or her** beneficiary, provided that in the event his **or her** designated beneficiary predeceases him **or her**, then his [retirement allowance] **or her pension** shall be adjusted [at that time] **effective the first day of the month following the month in which his or her designated beneficiary died** to the amount determined [under] **pursuant to** subsection 2 or 3 of this section at the time of his **or her** retirement, or

Option 4. Upon his **or her** death, one-half of his [retirement allowance] **or her pension** shall be continued

throughout the life of and paid to his **or her** beneficiary, provided that in the event his **or her** designated beneficiary predeceases him **or her**, then his [retirement allowance] **or her pension** shall be adjusted [at that time] **effective the first day of the month following the month in which his or her designated beneficiary died** to the amount determined [under] **pursuant to** subsection 2 or 3 of this section at the time of his **or her** retirement.

Option 5. Prior to age sixty-two the member will receive an increased pension, where the total pension prior to age sixty-two is approximately equal to the pension after age sixty-two plus the member's estimated federal Social Security benefit, provided that the reduced pension after age sixty-two is not less than one-half the pension the member could have received had no option been elected.

A member may elect a combination of option 1 and option 5, or option 2 and option 5. The survivor benefits payable to a beneficiary, other than the spouse of the [retirant] **retired member**, under any of the foregoing options shall in no event exceed fifty percent of the actuarial equivalent of the [retirement allowance] **pension** determined [under] **pursuant to** subsection 2 or 3 of this section at the time of retirement. [The actuarial equivalent of a member's retirement allowance shall be computed as of the earlier of his actual retirement or the date he became eligible for service retirement under subsection 1 of this section.]

[12.] **13.** If an option has been elected [under] **pursuant to** subsection [11] **12** of this section, and both the retired member and beneficiary die before receiving total benefits as large as the member's accumulated contributions at retirement, the difference shall be paid to [a] **the designated beneficiary of the person last entitled to benefits**, if living, otherwise to the estate of the person last entitled to benefits.

[13.] **14.** If an active member dies while an employee and with five or more years of [creditable] **credited** service and a dependent of the member is designated as beneficiary to receive his **or her** accumulated contributions, such beneficiary may, in lieu thereof, request that benefits be paid [under] **pursuant to** option 1, subsection [11] **12** of this section, as if the member had attained age sixty, if the member was less than sixty years of age at the time of his **or her** death, and had retired under such option as of the date of death, provided that under the same circumstances a member may provide by written designation that benefits must be paid [under] **pursuant to** option 1 to such beneficiary. In addition to benefits received [under] **pursuant to** option 1, subsection [11] **12** of this section, a surviving spouse receiving benefits under this subsection shall receive sixty dollars per month for each unmarried dependent child of the deceased member who is under twenty-two years of age and is in the care of the surviving spouse; provided, that if there are more than three such unmarried dependent children one hundred eighty dollars shall be divided equally among them. A "dependent beneficiary" for the purpose of this subsection only shall mean either the surviving spouse or a person who at the time of the death of the member was receiving at least one-half of his **or her** support from the member, and the determination of the board of trustees as to whether a person is a dependent shall be final.

[14. If the board of trustees is unable to refund the contributions of a member or to commence payment of benefits after such refund or benefits are otherwise first due and payable and thereafter, proper application is made for such refund or benefits, the board will make payment of such refund or benefits but no credit will be allowed for interest after the date the refund or benefits were first due and payable.]

15. In lieu of accepting the payment of the accumulated contributions of a member who dies after having at least eighteen months of [creditable] **credited** service and while an employee, an eligible beneficiary or, if no surviving **eligible** beneficiary, the unmarried dependent children of the member under twenty-two years of age may elect to receive the benefits [under] **pursuant to** subdivision (1), (2), (3), or (4) of this subsection. An "eligible beneficiary" is the surviving spouse, unmarried dependent children under twenty-two years of age or dependent parents of the member, if designated as beneficiary. A "dependent" is one receiving at least one-half of his **or her** support from the member at his **or her** death.

(1) A surviving spouse who is sixty-two years of age at the death of the member or upon becoming such age thereafter, and who was married to the member at least one year, may receive sixty dollars per month for life. A spouse may receive this benefit after receiving benefits [under] **pursuant to** subdivision (2) of this subsection;

(2) A surviving spouse who has in his or her care an unmarried dependent child of the deceased member under twenty-two years of age may receive sixty dollars per month plus sixty dollars per month for each child under twenty-two years of age but not more than a total of two hundred forty dollars per month;

(3) If no benefits are payable [under] **pursuant to** subdivision (2) of this subsection, unmarried dependent children under the age of twenty-two may receive sixty dollars each per month; provided that if there are more than three such children one hundred eighty dollars per month shall be divided equally among them;

(4) A dependent parent upon attaining sixty-two years of age may receive sixty dollars per month as long as not remarried provided no benefits are payable at any time [under] **pursuant to** subdivision (1), (2), or (3) of this

subsection. If there are two dependent parents entitled to benefits, sixty dollars per month shall be divided equally between them;

(5) If the benefits [under] **pursuant to** this subsection are elected and the total amount paid is less than an amount equal to the accumulated contributions of a member at his **or her** death, the difference shall be payable to the beneficiary or the estate of the beneficiary last entitled to benefits.

16. [If a retired member dies while receiving a disability retirement allowance, the surviving spouse and children, if any, shall receive benefits under subsection 15 of this section to the same extent as if he had died while an employee, unless such member elected optional benefits under subsection 11 of this section.

17. Should a service retirant again become a] **If a member receiving a normal pension again becomes an active member**, his [retirement allowance] **or her pension benefit** payments shall cease during such membership and shall be resumed upon subsequent retirement together with such [retirement allowance] **pension benefit** as shall accrue by reason of his **or her** latest period of membership. **Except as otherwise provided in section 105.269, RSMo**, a [retirant] **retired member** may not receive a [retirement allowance payment in] **pension benefit** for any month for which he **or she** receives compensation from an employing board, except he **or she** may serve as a part-time or temporary employee for not to exceed sixty days in any [school] **calendar** year without becoming a member and without having his [retirement allowance] **or her pension benefit** discontinued. A [retirant] **retired member** may also serve as a member of the board of trustees and receive any [compensation and] reimbursement for expenses allowed him **or her** because of such service without becoming [a] **an active member** and without having his [retirement allowance] **or her pension benefit** discontinued or reduced.

[18.] 17. Upon approval of the board of trustees, any member may make contributions in addition to those required. Any additional contributions shall be accumulated at interest and paid in addition to the benefits provided hereunder. The board of trustees shall make such rules and regulations as it deems appropriate in connection with additional contributions including limitations on amounts of contributions and methods of payment of benefits.

[19.] 18. Notwithstanding any other provisions of this section, any member retiring on or after age sixty-five who [shall have] **has** five or more years of [creditable] **credited** service shall be entitled to an annual [service retirement allowance] **pension** of the lesser of (a) an amount equal to his **or her** number of years of [creditable] **credited** service multiplied by one hundred twenty dollars, or (b) one thousand eight hundred dollars. Upon the death of such member, any benefits payable to the beneficiary of such member shall be computed as otherwise provided.

[20. Notwithstanding any other provisions of this section, any member who continues his employment with an employing board after attaining seventy and one-half years of age shall receive service retirement benefits during the continuation of his employment if and to the extent the payment of such service retirement benefits is required by the Internal Revenue Code of 1986, as amended, and Treasury regulations promulgated thereunder; and such service retirement benefits shall be adjusted annually for additional benefits which shall accrue by reason of such continued employment in accordance with the rules and regulations of the board of trustees. Optional benefits under subsection 11 of this section must be elected by a member prior to the commencement of benefits hereunder.]

[169.462. 1. As used in this section, the term "private school" means a school which is not a part of the public school system of this state and which charges tuition for the rendering of elementary and secondary educational services.

2. A member having membership service in the retirement system provided by sections 169.410 to 169.540, who was, prior to being a member, employed by a private school on a full-time basis and duly certified under the law governing the certification of teachers during all of such employment, may elect to purchase membership credit for service rendered to the private school, but not to exceed three years; provided that he shall be entitled to apply the membership credit thus purchased toward a service retirement. The purchase allowed by this section shall be effected by the member paying to the retirement system with interest an amount based on the annual salary rate of his initial employment in the public school district under the system in which credit is being purchased and the contribution rate in effect in that system at the date of the election to purchase credit. Such payments shall include any payments that would have been made by the employer of the member during the period for which creditable service is being purchased, for each year of creditable service being purchased, plus interest at the rates fixed by the board of trustees. The purchase allowed by this section shall be effected before retirement of the member, and may be paid in installments over a period not to exceed five years. The purchase allowed by this section shall be subject to all rules and regulations of the board of trustees.]

169.466. 1. Any retired member with fifteen or more years of creditable service at retirement receiving [retirement benefits] **a pension** on August 28, 1997, shall receive on January first of each year, commencing on January

1, 1998, an increase in the amount of [benefits] **pension** received by the retired member pursuant to sections 169.410 to 169.540 during the preceding year of one hundred percent of the increase in the consumer price index calculated in the manner provided in this section; except that, no such increase in [retirement] **pension** benefits shall be paid for any year if such increase in the consumer price index is less than one percent. Such annual [retirement benefit] **pension** increase, however, shall not exceed three percent and the total increases in the amount of [retirement] **pension** benefits received by any retired member shall not, in the aggregate, exceed ten percent of the [retirement] **pension** benefits such retired member received during the year preceding January first of the first year the retired member is entitled to receive an increase pursuant to this section. A retired member qualified to receive an annual [retirement benefit] **pension** increase pursuant to this section shall not be eligible to receive an additional benefit until the January first after the first anniversary of the date on which he or she commenced receiving [retirement benefits] **a pension** pursuant to sections 169.410 to 169.540. Benefits shall not be decreased in the case of a decrease in the consumer price index for any year.

2. For the purpose of this section, any increase in the consumer price index shall be determined by the board of trustees in November of each year based on the consumer price index for the twelve-month period ended on September thirtieth of such year over the consumer price index for the twelve-month period ended on September thirtieth of the year immediately prior thereto. Any increase so determined shall be applied by the board of trustees in calculating increases in [retirement] **pension** benefits that become payable pursuant to this section for the twelve-month period beginning on the January first immediately following such determination.

3. An annual increase in [retirement] **pension** benefits, if any, shall be payable monthly with monthly installments of other [retirement] **pension** benefits pursuant to sections 169.410 to 169.540.

169.471. 1. The board of education is authorized from time to time, in its discretion, to increase the [retirement] **pension** benefits now or hereafter provided pursuant to sections 169.410 to 169.540 and to adopt and implement additional [retirement] **pension** benefits and plans, including without limitation, early retirement plans, deferred retirement option plans and cost-of-living adjustments, but excluding compensation to retired members pursuant to section 169.475, and for such purpose the contribution rate of members of the retirement system may be increased to provide part of the cost thereof, subject to the following conditions:

(1) Any such increase in [retirement] **pension** benefits and additional [retirement] **pension** benefits and plans shall be approved by the board of trustees;

(2) The board of trustees shall have presented to the board of education the projected increases in rates of contribution which will be required to be made by members and the board of education to the retirement system to pay the cost of such increases in [retirement] **pension** benefits and additional [retirement] **pension** benefits and plans; and

(3) Any increase in the contribution rate of members of the retirement system shall be approved by the board of trustees and shall be deducted from the compensation of each member by the employing board and transferred and credited to the individual account of each member from whose compensation the deduction was made, and shall be administered in accordance with sections 169.410 to 169.540; provided that, any such increase in the members' contribution rate shall not exceed one-half of one percent of compensation in any year for such increases to [retirement] **pension** benefits and additional [retirement] **pension** benefits and plans adopted during such year by the board of education pursuant to this section, and all such increases in the members' contribution rate shall, in the aggregate, not exceed two percent of compensation.

169.475. 1. Any retired member now receiving [retirement] **pension** benefits, who served five years or more as an employee of the school district and who retired after June 30, 1957, and prior to January 1, 1971, shall, upon application to the retirement system, be employed by that retirement system as a special school advisor and supervisor. Any person so employed shall perform such duties as the board of trustees directs, and shall receive a salary of five dollars per month for each year of service not to exceed seventy-five dollars per month, payable by the retirement system as part of its administrative costs, but the payment to the retired person for such services, together with the [retirement] **pension** benefits the person receives, shall not exceed one hundred fifty dollars per month. The employment provided for by this subsection shall in no way affect any person's eligibility for [retirement] **pension** benefits or for employment pursuant to other subsections of this section.

2. Any retired member now receiving [retirement] **pension** benefits, who served ten years or more as an employee of the school district and who retired prior to January 1, 1955, shall, upon application to the retirement system be employed by that retirement system as a special school advisor and supervisor. Any person so employed shall perform such duties as the board of trustees directs, and shall receive a salary of two hundred fifty dollars per month payable by the retirement system as part of its administrative costs, but payment to the retired person for such services shall be reduced by the [retirement] **pension** benefits the person receives. The employment provided for by this subsection shall in no way affect any person's eligibility for [retirement] **pension** benefits or for employment pursuant

to other subsections of this section, subject to the limitation set forth in subsection 3 of this section.

3. Any retired member now receiving [retirement] **pension** benefits who retired prior to January 1, 1976, shall, upon application to the retirement system, be employed by that retirement system as a school consultant. Any person so employed shall perform such duties as the board of trustees directs, and shall receive a salary equal to four dollars per month for each year (or major portion of a year) between the date of the person's retirement and December 31, 1981, plus two dollars per month for each year (or major portion of a year) between January 1, 1982, and December 31, 1984, and, in addition, shall be entitled to receive the insurance benefits provided [retirants] **retired members** pursuant to section 169.476 payable by the retirement system as part of its administrative costs. The employment provided for by this subsection shall in no way affect any person's eligibility for [retirement] **pension** benefits or for employment pursuant to other subsections of this section, provided that total salaries payable to any retired member pursuant to subsections 2 and 3 of this section shall not exceed two hundred fifty dollars per month.

4. Any retired member now receiving [retirement] **pension** benefits who retired on or after January 1, 1976, and prior to December 31, 1984, shall, upon application to the retirement system, be employed by the retirement system as a school consultant. Any person so employed shall perform such duties as the board of trustees directs and shall receive a salary equal to four dollars per month for each year (or major portion of a year) between the date of the person's retirement and December 31, 1984, and, in addition, shall be entitled to receive the insurance benefits provided [retirants] **retired members** pursuant to section 169.476 payable by the retirement system as part of its administrative costs. The employment provided for by this subsection shall in no way affect any person's eligibility for [retirement] **pension** benefits or for employment pursuant to other subsections of this section.

5. Any retired member now receiving [retirement] **pension** benefits or who retires prior to December 31, 1986, shall, after application to the retirement system, be employed by the retirement system as a school consultant. Any person so employed shall perform such duties as the board of trustees directs and shall receive a salary equal to two dollars per month for each year (or major portion of a year) between the date of the person's retirement and December 31, 1986, payable by the retirement system as part of its administrative costs. The employment provided for by this subsection shall in no way affect any person's eligibility for [retirement] **pension** benefits or for employment pursuant to other subsections of this section.

6. Any retired member now receiving [retirement] **pension** benefits or who retires prior to December 31, 1988, shall, after application to the retirement system, be employed by the retirement system as a school consultant. Any person so employed shall perform such duties as the board of trustees directs and shall receive a salary equal to two dollars per month for each year (or major portion of a year) between the date of the person's retirement and December 31, 1988, payable by the retirement system as part of its administrative costs. The employment provided for by this subsection shall in no way affect any person's eligibility for [retirement] **pension** benefits or for employment pursuant to other subsections of this section.

7. Any retired member now receiving [retirement] **pension** benefits or who retires prior to December 31, 1990, shall, after application to the retirement system, be employed by the retirement system as a school consultant. Any person so employed shall perform such duties as the board of trustees directs and shall receive a salary equal to two dollars per month for each year (or major portion of a year) between the date of the person's retirement and December 31, 1990, not to exceed ten years, payable by the retirement system as part of its administrative costs. The employment provided for by this subsection shall in no way affect any person's eligibility for [retirement] **pension** benefits or for employment pursuant to other subsections of this section.

8. Any retired member now receiving [retirement] **pension** benefits or who retires prior to December 31, 1993, shall, after application to the retirement system, be employed by the retirement system as a school consultant. Any person so employed shall perform such duties as the board of trustees directs and shall receive a salary equal to three dollars per month for each year (or major portion of a year) between the date of the person's retirement and December 31, 1993, payable by the retirement system as part of its administrative costs. The employment provided by this subsection shall in no way affect any person's eligibility for [retirement] **pension** benefits or for employment pursuant to other subsections of this section.

9. Any retired member now receiving [retirement] **pension** benefits with fifteen years or more creditable service at retirement, shall, after application to the retirement system, be employed by the retirement system as a consultant. Any person so employed shall, upon the request of the board of trustees, give the board, orally or in writing, a short detailed statement of the problems of retirement under the current monthly benefits. As compensation for the obligation to perform the extra duty imposed by this subsection, each consultant who meets the qualification prescribed in subsection 7 of this section, shall receive, in addition to all other compensation payable pursuant to this section, an increase in compensation each year computed on the total amount which such consultant receives pursuant to this section

of one hundred percent of the increase in the consumer price index calculated and payable in the manner specified in section 169.466. A consultant otherwise qualified to receive compensation pursuant to this subsection shall not be eligible to receive such compensation until the January first after he or she has been retired for at least twelve months. Any such annual increase in compensation, however, shall not exceed three percent, and the total increase in compensation pursuant to this subsection shall not exceed ten percent of the total compensation such consultant was receiving pursuant to this section on August 28, 1996. Additional compensation payable pursuant to this subsection shall be payable by the retirement system as part of its administrative costs. The employment provided for in this subsection shall in no way affect any person's eligibility for [retirement] **pension** benefits or for employment pursuant to other subsections of this section.

10. Annually, immediately after the close of the fiscal year of the retirement system, the actuary for the system shall determine if the payments made pursuant to the provisions of this section have impaired the actuarial soundness of the plan, and upon the actuary's certification that the soundness has been so impaired, the system shall bill the school district which last employed the retired person on a full-time basis for reimbursement of the amount paid to that person during the preceding fiscal year. The school district shall forthwith accordingly reimburse the retirement system.

11. Effective January 1, 2002, all payments made pursuant to this section shall be paid as cost-of-living benefits rather than as expenses of the retirement system.

169.476. The retirement system may contribute toward an insurance plan for the benefit of [retirants] **retired members** which may provide dental, hospital, surgical, medical, life, accident, and similar insurance benefits as approved by the board of trustees. Such contributions shall be a part of the administrative costs of the retirement system. The board of trustees shall make such rules and regulations as it deems appropriate in connection with such plan.

169.480. 1. The board of trustees shall be the trustees of all the funds of the system and shall have full power to invest and reinvest such funds, and such trustees shall have full power to hold, purchase, sell, assign, transfer or dispose of any of the securities and investments in which such funds shall have been invested, as well as of the proceeds of such investments and any moneys belonging to such funds.

2. The board of trustees shall annually credit each member's individual account with interest on the largest balance remaining in each account for the entire year and at the rate determined by the board.

3. [The board of trustees shall elect a treasurer of the retirement system who shall be a trustee and who may, but need not, be the treasurer of the board of education, who, subject to such limitations as may be provided by the board of trustees, shall be the custodian of the funds of the retirement system and shall give such bond for the faithful handling of the funds as the board of trustees shall determine.] The board of trustees may employ a bank having fiduciary powers for the provision of such custodial or clerical services as the board may deem appropriate [to assist the treasurer]. Disbursement of funds of the retirement system shall be under the **general** supervision of the [treasurer] **board of trustees** and shall be in accordance with procedures established or approved by the board of trustees with the concurrence of the system's auditors.

4. For the purpose of meeting disbursements for [retirement allowances] **pensions** and other payments, there may be kept available cash on deposit in one or more banks or trust companies in the school district, organized [under] **pursuant to** the laws of the state of Missouri, or of the United States; provided, that the amount on deposit in any one bank or trust company shall not exceed twenty-five percent of the paid-up capital and surplus of such bank or trust company, and for all deposits the board of trustees shall require of the banks or trust companies as security for the safekeeping and payment of the deposits securities of a like kind and character as may be required by law for the safekeeping and payment of deposits made by the state treasurer.

5. Except as herein provided, no trustee, member of the board of education or employee of either the board of trustees or the board of education shall have any direct interest in the gains or profits of any investment made by the board of trustees. Nor shall any of them directly or indirectly for himself **or herself** or as an agent in any manner use the assets of the retirement system except to make such current and necessary payments as are authorized by the board of trustees, nor shall any of said persons become an endorser or surety or become in any manner an obligor for moneys loaned by or borrowed from the board of trustees.

6. No member of the board of education shall be interested in any contract with or claim against the public school retirement system in his **or her** school district. If at any time after the election of any member of the board he **or she** becomes interested in any contract or claim against said retirement system, either directly or indirectly, or as agent or employee of any individual, firm or corporation, which is so interested, he **or she** shall thereupon be disqualified to continue as a member of the board.

169.490. All the assets of the retirement system shall be held as one fund.

1. (1) The employing board shall cause to be deducted from the compensation of each member at every payroll

period [four] **five** percent of his **or her** compensation, and the amounts so deducted shall be transferred to the board of trustees and credited to the individual account of each member from whose compensation the deduction was made. In determining the amount earnable by a member in any payroll period, the board of trustees may consider the rate of earnable compensation payable to such member on the first day of the payroll period as continuing throughout such payroll period; it may omit deduction from compensation for any period less than a full payroll period if the employee was not a member on the first day of the payroll period; and to facilitate the making of the deductions, it may modify the deduction required of any member by such amount as shall not exceed one-tenth of one percent of the compensation upon the basis of which such deduction was made.

(2) The deductions provided for herein are declared to be a part of the salary of the member and the making of such deductions shall constitute payments by the member out of his **or her** salary or earnings and such deductions shall be made notwithstanding that the minimum compensation provided by law for any member shall be reduced thereby. Every member shall be deemed to consent to the deductions made and provided for herein, and shall receipt for his **or her** full salary or compensation, and the making of said deductions and the payment of salary or compensation less said deduction shall be a full and complete discharge and acquittance of all claims and demands whatsoever for services rendered during the period covered by the payment except as to benefits provided by sections 169.410 to 169.540.

(3) The employing board may elect to pay member contributions required by this section as an employer pick up of employee contributions [under] **pursuant to** Section 414(h)(2) of the Internal Revenue Code of 1986, as amended, and such contributions picked up by the employing board shall be treated as contributions made by members for all purposes of sections 169.410 to 169.540.

2. [Should] **If a [retirant] retired member** receiving a [retirement benefit] **pension** pursuant to sections 169.410 to 169.540 [be] **is** restored to active service and again [become a] **becomes an active** member of the retirement system, there shall be credited to his **or her** individual account an amount equal to the excess, if any, of his **or her** accumulated contributions at retirement over the total [retirement allowances] **pension benefits** paid to him **or her**.

3. [(1) There shall be paid annually to the retirement system by the school district an amount equal to a certain percentage of the total compensation of all members to be known as the "normal cost contribution", and an additional amount equal to a percentage of such compensation to be known as the "accrued liability contribution". The rates percent of such contributions] **Annually, the actuary for the retirement system shall calculate each employer's contribution as an amount equal to a certain percentage of the total compensation of all members employed by that employer. The percentage** shall be fixed on the basis of the liabilities of the retirement system as shown by **the annual actuarial [valuations] valuation**. [The retirement system shall make similar contributions for the members who are employees of the system.

(2) On the basis of such actuarial assumptions as shall be adopted by the board of trustees, the actuary engaged by the board of trustees to make each valuation required during the period over which the accrued liability contribution is payable, at the time of making a valuation, shall determine the uniform and constant percentage of the compensation of all members in service, which, if contributed throughout their remaining period of active service, would be sufficient to provide for the payment of any pension payable on their account. The normal cost contribution rate shall be the rate percent of the compensation of all members obtained by deducting from the total liabilities of the fund the amount of assets in hand to the credit of the fund plus the amount of unfunded accrued liability and dividing the remainder by one percent of the present value of the prospective future compensation of all members in service as computed on the basis of the actuarial assumptions adopted by the board of trustees. The rate percent so determined shall be known as the "normal cost contribution rate".

(3) At the first valuation following December 31, 1980, the actuary engaged by the board of trustees shall compute the accrued liability for retirement allowance and other benefits on account of all members and beneficiaries which is not dischargeable by the assets of the retirement system, less the expense and contingency reserve, and by the value of the prospective normal cost contributions payable on account of such members during the remainder of their active service at the normal cost contribution rate then in force, and such accrued liability not so dischargeable shall be known as the "initial unfunded accrued liability". A calculation shall then be made to determine the level annual amount required to liquidate the initial unfunded accrued liability not later than October 13, 2011. At each valuation following December 31, 1980, the actuary will determine any increases or decreases in the accrued liability resulting from either changes in actuarial assumptions or changes in the benefits under sections 169.410 to 169.540. Such increases or decreases in the accrued liability will be determined by the actuary under the entry age normal-frozen initial liability cost method. The amount so obtained shall be known as a "supplement" to the unfunded accrued liability. A calculation shall then be made to determine the level annual amount required to liquidate the supplement to the unfunded accrued liability by the end of fifty years from the end of the year in which the supplement is created. The level annual amounts

required to liquidate the initial unfunded accrued liability and each supplement to the unfunded accrued liability are added together, and the amount so obtained shall be expressed as a percentage of the total earnable compensation of all members in service. This percentage of such total compensation shall be known as the "accrued liability contribution rate", and shall be payable until the unfunded accrued liability has been liquidated. Provided that the board may authorize a redetermination by the actuary of the unfunded accrued liability contribution rate within the limitation that the unfunded accrued liability will be amortized not later than the end of the fifty years from October 13, 1961, or the end of the year in which the supplement to the unfunded accrued liability was credited.

(4) The accrued liability contribution shall be discontinued as soon as assets of the retirement system, less the expense and contingency reserve, shall equal the present value as actuarially computed and approved by the board of trustees of the total liabilities of the retirement system, less the present value computed on the basis of the normal cost contribution rate then in force of the prospective normal cost contributions to be received on account of members who are at that time in service.] **The annual actuarial valuation shall be made on the basis of such actuarial assumptions and the actuarial cost method adopted by the board of trustees, provided that the actuarial cost method adopted shall be in accordance with generally accepted actuarial standards and that the unfunded actuarial accrued liability, if any, shall be amortized by level annual payments over a period not to exceed thirty years.**

4. The expense and contingency reserve shall be a reserve for investment contingencies and estimated expenses of administration of the retirement system as determined annually by the board of trustees.

5. Gifts, devises, bequests and legacies may be accepted by the board of trustees to be held and invested as a part of the assets of the retirement system and shall not be separately accounted for except where specific direction for the use of a gift is made by a donor.

169.500. On or before the first day of [June] **January** of each year the board of trustees shall certify to the board of education, **the board of trustees and the board of regents**, and to the state of Missouri with respect to the contribution for members employed by [the board of regents] **these employers**, the amount which will [become due and payable on or before January first of the year next following to the general reserve fund. The amount so certified shall be included by the board of education in its annual budget estimate.] **be paid to the retirement system on or before December thirty-first of that year. On or before the first day of January of each year the board of trustees shall certify to charter schools and to the state of Missouri with respect to the contribution of members employed by these employers, the amount which will be paid to the retirement system on a monthly basis beginning January first of that year.** The amount so certified shall be [appropriated by the school district and transferred to the retirement system for the ensuing year] **included by the employers in their annual budget estimates.**

169.510. 1. The payment of all [retirement allowances] **pension benefits**, refunds and other benefits or expenses [under] **pursuant to** the provisions of sections 169.410 to 169.540 and all expenses in connection with the administration and operation of the retirement system are hereby made obligations chargeable against the assets of the retirement system and not of the [school district] **employers**, and the assets of the retirement system shall not be diverted or used for any purpose other than the payment of such obligations.

2. No alteration, amendment or repeal of sections 169.410 to 169.540 shall be deemed to affect the rights of members of any retirement system established thereunder with reference to deposits previously made, or to reduce any accrued or potential benefits to those who are members at the time when such alterations, amendments, or repeal becomes effective or to reduce the amount of any [retirement allowance] **pension benefit** then payable.

169.520. Any funds created by sections 169.410 to 169.540 while in the charge and custody of the board of trustees of such retirement system shall not be subject to execution, garnishment, attachment or any other process whatsoever and shall be unassignable except as in sections 169.410 to 169.540 specifically provided **or in the case of a proper order of child support issued through the division of child support enforcement.**

169.540. The state of Missouri shall contribute no funds directly or indirectly to finance the plan to pay [retirement allowances] **pension benefits** by appropriation bills or otherwise, except those funds which the district may receive from time to time under a law or laws providing for a general apportionment of school moneys throughout all the state and except employer contributions for members employed by the board of regents which shall be made by the state of Missouri."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Gambaro, **House Amendment No. 4** was adopted.

Representative Boucher offered **House Amendment No. 5**.

Representative Relford raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

Representative Scheve requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Levin offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 660, Page 15, Section 169.670, Line 201, by inserting the following:

“Section 1. Any reference to the term “spouse” in Section 169.010 to 169.715 RSMo only recognizes marriage between a man and a woman. A marriage between persons of the same sex will not be recognized for any purpose in this state even when valid where contracted.”.

Representative Hagan-Harrell raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

Representative Scheve requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Levin, **House Amendment No. 5** was adopted by the following vote:

AYES: 094

Abel	Ballard	Barnett	Barnitz	Barry 100
Bearden	Behnen	Berkowitz	Berkstresser	Black
Boatright	Bonner	Britt	Burcham	Burton
Byrd	Champion	Cierpiot	Clayton	Cooper
Crawford	Crowell	Crump	Cunningham	Davis
Dempsey	Enz	Froelker	Gaskill	Green 15
Green 73	Griesheimer	Hampton	Hanaway	Hartzler
Hegeman	Henderson	Hendrickson	Holand	Hollingsworth
Holt	Hunter	Jetton	Jolly	Kelly 144
Kelly 36	King	Koller	Legan	Levin
Liese	Linton	Lograsso	Long	Luetkemeyer
Marble	Marsh	May 149	Mayer	Miller
Monaco	Moore	Murphy	Myers	Naeger
Overschmidt	Phillips	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Roark	Robirds	Ross	Schwab	Scott
Secrest	Seigfreid	Selby	Shields	Shoemyer
Smith	St. Onge	Surface	Treadway	Wagner
Walton	Ward	Willoughby	Wright	

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NOES: 032

Bland	Boucher	Bowman	Bray 84	Campbell
Carnahan	Coleman	Copenhaver	Curls	Farnen
Foley	Franklin	Fraser	Gambaro	George
Hagan-Harrell	Harding	Harlan	Hickey	Hilgemann
Kelly 27	Lowe	Mays 50	McKenna	O'Toole
Ostmann	Scheve	Shelton	Van Zandt	Villa
Wilson 25	Wilson 42			

PRESENT: 003

Haywood	O'Connor	Thompson
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ABSENT WITH LEAVE: 031

Baker	Bartelsmeyer	Bartle	Boykins	Brooks
Dolan	Fares	Ford	Graham	Gratz
Hohulin	Hoppe	Hosmer	Johnson 61	Johnson 90
Kelley 47	Kennedy	Lawson	Luetkenhaus	Merideth
Nordwald	Portwood	Ridgeway	Rizzo	Skaggs
Townley	Troupe	Vogel	Wiggins	Williams
Mr. Speaker				

VACANCIES: 003

Representative Levin requested a verification of the roll call on the adoption of **House Amendment No. 5**.

On motion of Representative Hagan-Harrell, **HCS HB 660, as amended**, was adopted.

On motion of Representative Hagan-Harrell, **HCS HB 660, as amended**, was ordered perfected and printed.

PERFECTION OF HOUSE BILL - INFORMAL

HB 678, as amended, with House Substitute Amendment No. 1 for House Amendment No. 7 and House Amendment No. 7, pending, relating to ethics, was taken up by Representative Seigfreid.

House Substitute Amendment No. 1 for House Amendment No. 7 was withdrawn.

House Amendment No. 7 was withdrawn.

Representative Crowell offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Bill No. 678, Page 1, In the Title, Line 4, by deleting the word "**fourteen**" and inserting in lieu thereof the word "**fifteen**"; and

Further amend said bill, Page 1, Section A, Line 3, by deleting the word "**fourteen**" and inserting in lieu thereof the word "**fifteen**"; and

Further amend said bill, Page 1, Section A, Line 5, by inserting after "**130.063**" the following: ", **130.077**"; and

Further amend said bill, Page 40, Section 130.063, Line 12, by inserting after all of said line the following:

"130.077. 1. Any person who is inaugurated governor at the regularly allotted time following his or her election, pursuant to section 26.015, RSMo, shall report all received contributions for and all expenses associated with such inauguration to the ethics commission, at such regular intervals and times the ethics commission sets on forms created by the ethics commission for such purpose. Such report shall include:

(1) A list of all moneys, whether used or unused as of the date of the submission of the report, which were donated by any committee, person or other entity for the funding of such inauguration, and the source of all such moneys, including the name and mailing address of any such committee, person or other entity and the amount contributed by any such committee, person or entity;

(2) A list of all moneys transferred from any of such person's campaign funds, or from the funds of any other committee, which were used or intended to be used for the funding of such inauguration, and the name and mailing address of any such committee as well as the amount contributed by such committee; and

(3) An itemized documentation of all expenditures put toward such inauguration, with a list of the cost of each individual expenditure; and

(4) A list of any other moneys collected for or expended on such inauguration, including the names and mailing addresses of any such donees and the amount contributed by such donees.

2. It shall be a violation of this section to expend moneys solicited or collected for inaugural activities, or any interest derived therefrom, on anything other than inaugural activities. On or after March first of any inaugural year, the attorney general may file an action in circuit court to collect, on behalf of the state, all remaining moneys collected for inaugural activities, or any interest derived therefrom, which were not expended on inaugural activities.

3. A violation of this section shall be punishable pursuant to section 130.081.

4. No rule or portion of a rule promulgated pursuant to this section shall take effect unless such rule has been promulgated pursuant to chapter 536, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

Speaker Kreider resumed the Chair.

On motion of Representative Crowell, **House Amendment No. 7** was adopted by the following vote:

AYES: 121

Abel	Ballard	Barnett	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Black
Boatright	Bonner	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Champion	Cierpiot	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Dempsey	Dolan	Enz	Fares	Foley
Froelker	Gambaro	Gaskill	George	Gratz
Green 15	Green 73	Griesheimer	Hampton	Harding
Harlan	Hartzler	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Legan

Levin	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	McKenna	Miller	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Phillips	Portwood	Purgason	Rector
Reid	Reinhart	Reynolds	Richardson	Rizzo
Roark	Robirds	Ross	Schwab	Scott
Secrest	Selby	Shields	Shoemyer	St. Onge
Surface	Townley	Troupe	Van Zandt	Villa
Vogel	Walton	Williams	Wilson 25	Wilson 42
Wright				

NOES: 027

Barnitz	Bland	Boucher	Bowman	Carnahan
Clayton	Davis	Franklin	Fraser	Graham
Hagan-Harrell	Haywood	Johnson 61	Merideth	Overschmidt
Ransdall	Relford	Scheve	Seigfreid	Shelton
Skaggs	Smith	Thompson	Treadway	Wagner
Ward	Willoughby			

PRESENT: 001

Farnen

ABSENT WITH LEAVE: 011

Baker	Berkstresser	Ford	Hanaway	Lawson
Mays 50	Monaco	Ostmann	Ridgeway	Wiggins
Mr. Speaker				

VACANCIES: 003

Representative Smith offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Bill No. 678, Page 40, Section 130.081, Line 11, by inserting the following after all of said line:

“Section 1. 1. The Missouri ethics commission shall design and issue lobbyist name tags, which shall be worn by each lobbyist, as defined in section 105.470, RSMo, at any time when such lobbyist is in or at the state capitol building. The Missouri ethics commission shall design such lobbyist name tags in two colors, in a size not smaller than two inches by three inches, which shall be fastened on the outside of the lobbyist’s garment with lettering adequate in size and clarity to be readable at a distance of three feet by individuals of normal vision, bearing the name of the lobbyist, the names of the persons compensating or appointing such lobbyist and the year. Where a lobbyist has more than three persons compensating or appointing such lobbyist during a calendar year, the commission shall have placed on such lobbyist’s name tag the names of the three primary persons compensating or appointing such lobbyist during the calendar year as determined by the commission by examination of the lobbyist’s report filed pursuant to section 105.470 RSMo. The commission may charge each lobbyist who is issued a name tag a reasonable fee not to exceed the cost of making such name tag.

2. After January 1, 2002, any lobbyist who fails to wear the name tag prescribed in this section for such lobbyist at any time while such lobbyist is in or at the state capitol building be guilty of a class A misdemeanor.”;
and

Further amend the title, enacting clause, and intersectional references accordingly.

Representative Wright raised a point of order that **House Amendment No. 8** amends previously amended material.

The Chair ruled the point of order not well taken.

On motion of Representative Smith, **House Amendment No. 8** was adopted.

Representative Hosmer offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Bill No. 678, Page 40, Section 130.081, Line 11, by adding at the end of said section the following:

“Any person or entity who knowingly disseminates false information in a political campaign advertisement shall be guilty of a class A misdemeanor and upon conviction shall forfeit any public office held.”; and

Further amend the title and enacting clause accordingly.

Representative Relford assumed the Chair.

Representative Reid offered **House Substitute Amendment No. 1 for House Amendment No. 9**.

*House Substitute Amendment No. 1
for
House Amendment No. 9*

AMEND House Bill No. 678, Page 40, Section 130.081, Line 11, by adding at the end of said section the following:

“Any person or entity who knowingly disseminates false information in a political campaign advertisement shall be guilty of a class A misdemeanor and upon conviction shall forfeit any public office or public employment held.”; and

Further amend the title and enacting clause accordingly.

On motion of Representative Reid, **House Substitute Amendment No. 1 for House Amendment No. 9** was adopted by the following vote:

AYES: 116

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Berkowitz	Berkstresser	Black
Bland	Boatright	Boucher	Bray 84	Britt
Brooks	Burcham	Byrd	Campbell	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Franklin
Fraser	Gaskill	George	Gratz	Green 15
Green 73	Griesheimer	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Hendrickson	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hosmer

Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Legan	Levin	Liese	Linton
Long	Luetkemeyer	Marble	Marsh	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Myers	Naeger	Nordwald	O'Connor
Ostmann	Overschmidt	Phillips	Portwood	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Robirds	Ross	Scheve	Secrest
Seigfreid	Selby	Shoemyer	Skaggs	Smith
St. Onge	Surface	Vogel	Wagner	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Wright				

NOES: 019

Behnen	Bonner	Boykins	Carnahan	Farnen
Foley	Ford	Graham	Hagan-Harrell	Hoppe
Lograsso	Lowe	May 149	Murphy	O'Toole
Roark	Shelton	Thompson	Villa	

PRESENT: 001

Bowman

ABSENT WITH LEAVE: 024

Baker	Bartelsmeyer	Burton	Crump	Froelker
Gambaro	Harlan	Henderson	Hickey	Koller
Lawson	Luetkenhaus	Purgason	Ridgeway	Rizzo
Schwab	Scott	Shields	Townley	Treadway
Troupe	Van Zandt	Wiggins	Mr. Speaker	

VACANCIES: 003

Representative Hosmer requested a verification of the roll call on the adoption of **House Substitute Amendment No. 1 for House Amendment No. 9.**

Representative Carnahan offered **House Amendment No. 10.**

House Amendment No. 10

AMEND House Bill No. 678, Page 30, Section 130.041, Line 93, by inserting immediately before the semicolon ";" on said line the following:

", and except for contributions received during the thirty-day period immediately following a general election, the candidate shall designate whether such contribution is received as a contribution for that general election or the following primary election"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Carnahan, **House Amendment No. 10** was adopted.

Representative Barry offered **House Amendment No. 11.**

House Amendment No. 11

AMEND House Bill No. 678, Page 3, Section 105.473, Line 63, by inserting the following after the word “official”:

“No expenditure reported pursuant to this section shall include any non-cash gift which is bestowed upon or given to any public official or a staff member, employee, spouse or dependent child of a public official when it is on the occasion of nuptials or condolences due to death.”.

On motion of Representative Barry, **House Amendment No. 11** was adopted.

Speaker Pro Tem Abel resumed the Chair.

Representative Crump moved the previous question on the perfection of **HB 678, as amended**.

Which motion was adopted by the following vote:

AYES: 084

Abel	Barnitz	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Coleman	Copenhaver	Crump	Curls	Davis
Farnen	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Harlan
Haywood	Hickey	Hilgemann	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Kelly 27	Kelly 36	Kennedy	Koller	Lawson
Liese	Lowe	Luetkenhaus	Mays 50	McKenna
Merideth	Monaco	O'Connor	O'Toole	Overschmidt
Ransdall	Relford	Reynolds	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Thompson	Treadway	Troupe	Van Zandt
Villa	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 066

Ballard	Barnett	Bartle	Bearden	Behnen
Berkstresser	Black	Burcham	Burton	Byrd
Champion	Cooper	Crawford	Crowell	Cunningham
Dempsey	Dolan	Fares	Froelker	Gaskill
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Hunter	Jetton	Kelley 47	Kelly 144
King	Legan	Levin	Linton	Long
Luetkemeyer	Marble	Marsh	May 149	Mayer
Miller	Moore	Murphy	Myers	Naeger
Nordwald	Ostmann	Phillips	Portwood	Purgason
Rector	Reid	Reinhart	Richardson	Roark
Robirds	Ross	Schwab	Scott	Secrest
Shields	St. Onge	Surface	Townley	Vogel
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 010

Baker	Bartelsmeyer	Boatright	Cierpiot	Enz
Griesheimer	Holand	Lograsso	Ridgeway	Wiggins

VACANCIES: 003

On motion of Representative Seigfreid, **HB 678, as amended**, was ordered perfected and printed.

HCS HB 426, relating to deferred retirement option, was taken up by Representative O'Toole.

Representative Kelly (27) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 426, Page 1, Section A, Line 2, by inserting after all of said line the following:

"87.050. 1. If any member shall be killed or die while in the performance of his duty or as the result of any injury received in the line of duty, or of any disease contracted by reason of his occupation, or shall die from any cause whatever while a member of said fire department, or shall die while receiving a disability or service pension, and shall leave a widow or child or children under the age of eighteen years surviving, said board of trustees shall order and direct the payment from the pension fund, monthly, to such widow, a sum equal to not less than twenty percent of the monthly compensation allowed a first class fireman of the fire department as salary at the date of the death of the member or seventy-five dollars, whichever is greater; and to or for the benefit of each child until it reaches the age of eighteen, a sum equal to not less than five percent of the monthly compensation allowed a first class fireman of the fire department as salary at the date of the death of the member; and to or for each unmarried child, regardless of age, who is totally and permanently mentally or physically incapacitated from engaging in gainful employment sufficiently remunerative to support himself, a sum equal to five percent of the monthly compensation allowed a first class fireman of the fire department as salary at the date of the death of the member; provided that no benefits shall be paid to or for any child over eighteen years of age who is totally and permanently mentally or physically disabled or incapacitated if such child is a patient or ward in a publicly supported institution. [In the case of widows, payments shall be made only to those widows whose marriage to the member occurred prior to his retirement on disability or service pension, and shall be made only while said widow is unmarried and are to cease forever immediately upon remarriage.] In the case of children no payments shall be made to or for any child born or adopted after the effective date of the member's retirement on disability or service pension, or the date of his death, and payments shall not be made for more than three eligible children and, if there are more than three eligible children, payments shall be made for the three youngest eligible children. If the member who dies is a member of a volunteer department, the amount to be paid monthly to his widow and children aforesaid shall be fixed by the board of trustees.

2. Any widow who is receiving survivors' pension benefits under the provisions of this section as it existed at any time prior to August 13, 1982, upon application to the board of trustees, shall be employed by the board as a special consultant on the problems of retirement, aging, and other pension system matters for the remainder of her life and upon request of the board shall give opinions in writing or orally, as may be requested, and for such services shall be compensated monthly in an amount equal to the difference between the amount of the monthly pension benefit the widow is receiving for herself and seventy-five dollars. This compensation shall be consolidated with the pension benefits the widow is receiving and shall be paid out of the same fund as are such benefits. Employment as a special consultant shall in no way affect any widow's eligibility for survivors' pension benefits or in any way have the effect of reducing such benefits, other provisions of law to the contrary notwithstanding."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Kelly (27), **House Amendment No. 1** was adopted.

On motion of Representative O'Toole, **HCS HB 426, as amended**, was adopted.

On motion of Representative O'Toole, **HCS HB 426, as amended**, was ordered perfected and printed.

HCS HB 831, relating to crime victims' compensation fund, was taken up by Representative Carnahan.

On motion of Representative Carnahan, **HCS HB 831** was adopted.

On motion of Representative Carnahan, **HCS HB 831** was ordered perfected and printed.

HCS HB 428, relating to eluding a law enforcement official, was taken up by Representative Kelly (36).

Representative Wright offered **House Amendment No. 1**.

House Amendment No. 1

Amend House Committee Substitute for House Bill No. 428, Page 1, Section 575.155, Line 13, by deleting the words "**class A misdemeanor.**" and replacing with the words: "**class D felony.**".

Representative Smith resumed the Chair.

Representative Ransdall offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 428, Page 1, Section 575.155, Line 13, by deleting said line and adding the following:

"2. Knowingly eluding a law enforcement official is a class D felony"; and

Further amend the title and enacting clause accordingly.

Representative Reid offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1**.

Representative Ransdall raised a point of order that **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1** is not a true amendment.

The Chair ruled the point of order well taken.

On motion of Representative Ransdall, **House Substitute Amendment No. 1 for House Amendment No. 1** was adopted.

HCS HB 428, as amended, was laid over.

HCS HB 780, relating to economic development, was placed on the Informal Calendar.

HCS HB 293, relating to contiguous property redevelopment fund, was placed on the Informal Calendar.

Representative Holt assumed the Chair.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 18 - Children, Families and Health

HCR 20 - Children, Families and Health

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SS SCS SBs 347 & 487 - Local Government and Related Matters

COMMITTEE REPORTS

Committee on Budget, Chairman Green (73) reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 16**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**.

House Committee Amendment No. 1

AMEND House Bill No. 16, Page 18, Section 16.124, Line 6, by inserting immediately after the word "**area**" the following:

". No funds shall be expended for other projects within the Capitol until all legislative offices and public areas are first brought into ADA compliance".

Mr. Speaker: Your Committee on Budget, to which was referred **HB 17**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**.

House Committee Amendment No. 1

AMEND House Bill No. 17, Page 3, Section 17.016, Line 3, by deleting all of said line and inserting in lieu thereof the following:

"For a grant to the St. Joseph Port Authority for capital improvement projects \$785,250

For grants for port authority capital Improvement projects **152,485**"; and

Further amend said Section, Line 9, by deleting from said line the figure "**152,485**" and inserting in lieu thereof the figure "**937,735**".

LETTERS OF OBJECTION

April 19, 2001

Mr. Ted Wedel
Chief Clerk
Missouri House of Representatives
Missouri State Capitol
Jefferson City, MO 65101

Dear Mr. Wedel:

We, the undersigned, respectfully request **SB 58** be removed from the Consent Calendar pursuant to House Rule 48. We believe this bill is of a controversial nature.

/s/ Annie Reinhart 34	/s/ Maida Coleman 63
/s/ Blaine Luetkemeyer 115	/s/ Esther Haywood 71
/s/ Patrick Naeger 155	

April 19, 2001

Mr. Ted Wedel
Chief Clerk
Missouri House of Representatives
Missouri State Capitol
Jefferson City, MO 65101

Dear Mr. Wedel:

We, the undersigned, respectfully request **HCS SCS SB 178** be removed from the Consent Calendar pursuant to House Rule 48. We believe this bill is of a controversial nature.

/s/ Annie Reinhart 34	/s/ Bill Luetkenhaus 12
/s/ Blaine Luetkemeyer 115	/s/ Patrick O'Connor 79
/s/ Patrick Naeger 155	

1304 *Journal of the House*

April 24, 2001

Ted Wedel
Chief Clerk
State Capitol Building
Room 306 C
Jefferson City, MO 65101

Dear Chief Clerk:

Comes now the undersigned members of the Missouri House of Representatives, 91st General Assembly, pursuant to Rule 48, and to object to **HCS SB 191** as a consent bill.

Sincerely,

/s/ Rep. Mike Reid
78th District

/s/ Rep. Richard Byrd
94th District

/s/ Rep. Pat Secrest
93rd District

/s/ Rep. O.L. Shelton
57th District

/s/ Rep. Maida Coleman
63rd District

/s/ Rep. Juanita Walton
69th District

April 19, 2001

Mr. Ted Wedel
Chief Clerk
Missouri House of Representatives
Missouri State Capitol
Jefferson City, MO 65101

Dear Mr. Wedel:

We, the undersigned, respectfully request **HCS SCS SB 270** be removed from the Consent Calendar pursuant to House Rule 48. We believe this bill is of a controversial nature.

/s/ Annie Reinhart 34

/s/ Phillip Britt 163

/s/ Blaine Luetkemeyer 115

/s/ Don Koller 153

/s/ Patrick Naeger 155

April 23, 2001

Ted Wedel
Chief Clerk
State Capitol Building
Room 306 C
Jefferson City, Missouri 65101

Dear Chief Clerk:

Comes now the undersigned members of the Missouri House of Representatives, 91st General Assembly, pursuant to Rule 48, and to object to **HCS SB 321** as a consent bill.

Sincerely,

/s/ Rep. Chuck Graham
24th District

/s/ Rep. Vicky Riback Wilson
25th District

/s/ Rep. Bill Skaggs
31st District

/s/ Rep. Charlie Shields
28th District

/s/ Rep. Jon Dolan
13th District

April 19, 2001

Mr. Ted Wedel
Chief Clerk
Missouri House of Representatives
Missouri State Capitol
Jefferson City, MO 65101

Dear Mr. Wedel:

We, the undersigned, respectfully request **SB 443** be removed from the Consent Calendar pursuant to House Rule 48. We believe this bill is of a controversial nature.

/s/ Annie Reinhart 34

/s/ Maida Coleman 63

/s/ Blaine Luetkemeyer 115

/s/ Esther Haywood 71

/s/ Patrick Naeger 155

April 23, 2001

Mr. Ted Wedel
Chief Clerk
Missouri House of Representatives
Missouri State Capitol
Jefferson City, MO 65101

Dear Mr. Wedel:

We, the undersigned, respectfully request **SB 575** be removed from the Consent Calendar pursuant to House Rule 48. We believe this bill is of a controversial nature.

/s/ Maida Coleman 63

/s/ Jane Cunningham 86

/s/ Esther Haywood 71

/s/ Roy Holand 135

/s/ Matt Boatright 118

April 19, 2001

Mr. Ted Wedel
Chief Clerk
Missouri House of Representatives
Missouri State Capitol
Jefferson City, MO 65101

Dear Mr. Wedel:

We, the undersigned, respectfully request **HCS SCS SB 617** be removed from the Consent Calendar pursuant to House Rule 48. We believe this bill is of a controversial nature.

/s/ Annie Reinhart 34	/s/ Chris Liese 85
/s/ Blaine Luetkemeyer 115	/s/ Chuck Graham 24
/s/ Patrick Naeger 155	

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee on Rules, Joint Rules, and Bills Perfected and Printed, pursuant to Rule 48:

SB 58
HCS SCS SB 178
HCS SB 191
HCS SCS SB 270
HCS SB 321
SB 443
SB 575
HCS SCS SB 617

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, April 25, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixtieth Day, Monday, April 23, 2001, pages 1236 and 1237, roll call, by showing Representative Barry voting "aye" rather than "absent with leave".

Pages 1245 and 1246, roll call, by showing Representative Kennedy voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, April 25, 2001. Hearing Room 7 upon morning adjournment.

Executive Session may follow on House Bills.

To be considered - SB 462

CHILDREN, FAMILIES, AND HEALTH

Thursday, April 26, 2001, 8:30 am. Hearing Room 5.

Executive Session.

COMMERCE AND ECONOMIC DEVELOPMENT

Wednesday, April 25, 2001. Side gallery upon morning adjournment.

Executive Session.

CONFERENCE COMMITTEE - APPROPRIATIONS

Wednesday, April 25, 2001, 7:30 pm. Senate Committee Room 2 (Room 119).

Conference House Bills 2 through 12.

EDUCATION - ELEMENTARY AND SECONDARY

Wednesday, April 25, 2001, 9:30 am. Hearing Room 5.

Executive Session may follow.

To be considered - SCR 3

ENVIRONMENT AND ENERGY

Thursday, April 26, 2001, 8:30 am. Hearing Room 7.

Executive Session may follow.

To be considered - SCR 28

FISCAL REVIEW AND GOVERNMENT REFORM

Wednesday, April 25, 2001. Hearing Room 3 upon morning adjournment.

Fiscal Review.

To be considered - HB 527, HB 736, HB 835, Executive Session - SB 50

JOINT COMMITTEE ON GAMING AND WAGERING

Monday, April 30, 2001, 12:00 pm. Hearing Room 7.

State of the State: Gaming in MO, Missouri Gaming Commission,

Missouri Lottery and Horse Racing.

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, April 25, 2001, 9:30 am. Hearing Room 6.

Executive Session may follow.

To be considered - SB 5

MUNICIPAL CORPORATIONS

Wednesday, April 25, 2001. Hearing Room 4 upon morning adjournment.

To be considered - Executive Session - SB 430

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, April 25, 2001, 9:30 am. Hearing Room 3.

To be considered - SB 385

RETIREMENT

Wednesday, April 25, 2001. Hearing Room 1 upon noon adjournment.

Executive Session only.

To be considered - HCR 14

RULES, JOINT RULES, AND BILLS PERFECTED AND PRINTED

Wednesday, April 25, 2001. Hearing Room 6 upon morning adjournment.

Executive Session. AMENDED.

To be considered - SB 58, SB 130, SB 178, SB 191, SB 270, SB 321, SB 443, SB 575, SB 591, SB 617

SUBCOMMITTEE ON LEGISLATIVE RESEARCH & OVERSIGHT

Wednesday, April 25, 2001, 12:30 pm. Senate Committee Room 1.

Challenge fiscal note.

To be considered - SB 69, SB 392, SB 617

TRANSPORTATION

Wednesday, April 25, 2001. Side gallery upon morning adjournment.

Executive Session.

To be considered - SB 244

UTILITIES REGULATION

Thursday, April 26, 2001, 8:15 am. Hearing Room 6. Study Session.

Panel on Power Plant Construction.

Executive Session may follow.

HOUSE CALENDAR

SIXTY-SECOND DAY, WEDNESDAY, APRIL 25, 2001

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 15 & 13 - Crawford

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

- 1 HCS HB 14 - Green (73)
- 2 HB 16, HCA 1 - Green (73)
- 3 HB 17, HCA 1 - Green (73)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 457, HA 2, as amended, tabled - Kreider
- 2 HCS HB 428, as amended - Kelly (36)
- 3 HCS HB 593 - Riback Wilson (25)
- 4 HCS HB 170 - Froelker
- 5 HCS HB 239 - Smith
- 6 HB 715 - Foley
- 7 HB 802 - Ransdall
- 8 HCS HB 374 - Fraser
- 9 HCS HB 635 - Barry
- 10 HCS HB 868 - Merideth
- 11 HCS HB 253 - Ross
- 12 HB 809, HCA 1 - Carnahan
- 13 HCS HB 340, 303 & 316 - Graham
- 14 HB 640 - Johnson (90)
- 15 HCS HB 723 - Mays (50)
- 16 HCS HB 117 - Riback Wilson (25)
- 17 HCS HB 307 - Wiggins
- 18 HCS HB 663 & 375 - Kennedy
- 19 HCS HB 921 - Curls
- 20 HB 911 - Carnahan

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HB 555 - Foley
- 3 HCS HB 981 & 665 - Willoughby
- 4 HCS HB 853 & 258 - Crump
- 5 HCS HB 186 & 172 - Troupe
- 6 HCS HB 888, 942 & 943 - Scheve
- 7 HCS HB 279 - Shoemyer
- 8 HCS HB 472 - Burton
- 9 HCS HB 780 - Scheve
- 10 HCS HB 293 - Kennedy

HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 HCR 12, (3-29-01, page 894) - Haywood
- 2 HCR 25, (4-5-01, pages 1006 & 1007) - Graham

HOUSE JOINT RESOLUTION FOR THIRD READING

HCS HJR 7 - Koller

HOUSE BILLS FOR THIRD READING

- 1 HS HB 349 - Hosmer
- 2 HS HCS HB 835, 90, 707, 373, 641, 510, 516 & 572, (Fiscal Review 4-23-01) - Britt
- 3 HS HCS HB 280, 69, 497 & 689, (Fiscal Review 4-19-01) - Hoppe
- 4 HB 527, (Fiscal Review 4-19-01) - Luetkenhaus
- 5 HS HB 736, (Fiscal Review 4-19-01) - Liese
- 6 HB 366, E.C. (Fiscal Review 4-19-01) - Champion
- 7 HS HB 286, E.C. - Smith

HOUSE BILL FOR THIRD READING - CONSENT - INFORMAL

HB 402 - Boucher

SENATE BILLS FOR THIRD READING - CONSENT

- 1 SB 25 - Farnen
- 2 HCS SB 441 - Williams
- 3 HCS SB 521 - Luetkenhaus
- 4 SCS SB 301 - Hegeman
- 5 SB 295 - McKenna
- 6 SB 394 - Hosmer
- 7 SB 442 - O'Connor
- 8 SB 203 - O'Toole
- 9 HCS SCS SB 151 - Gaskill
- 10 SCS SB 234 - Kennedy
- 11 SB 553 - Barnett
- 12 SCS SB 341 - Britt
- 13 SB 87 - Smith
- 14 SCS SB 431, E.C. - Shoemyer
- 15 SB 142 - Robirds
- 16 SCS SB 383 - Harding
- 17 SB 436 - Koller
- 18 SB 606 - Clayton
- 19 SB 605 - Luetkenhaus
- 20 SB 111 - Ostmann

- 21 HCS SB 544 - Relford
- 22 SB 200 - Thompson
- 23 SB 316 - Hagan-Harrell
- 24 SCS SB 357, E.C. - Johnson (90)
- 25 SB 207 - Kennedy
- 26 SB 252 - Surface
- 27 SCS SB 384 - Johnson (90)
- 28 SCS SB 241 - Ward
- 29 HCS SCS SB 382, E.C. - Liese
- 30 SB 224, E.C. - Luetkemeyer
- 31 SB 179 - Wagner
- 32 SB 435 - Koller
- 33 SB 223 - Hosmer
- 34 HCS SCS SB 520 - Myers
- 35 HCS SB 227 - Burton
- 36 SB 110 - Ladd Baker
- 37 SCS SB 514 - Hosmer
- 38 SB 353, HCA 1 - Shields
- 39 HCS SB 274 - Harlan
- 40 HCS SCS SB 568 - Davis
- 41 SB 451 - Mays (50)
- 42 SCS SB 352 - Lawson
- 43 HCS SB 345 - Holt
- 44 HCS SCS SB 515 - Kennedy
- 45 SCS SB 407 - Hilgemann
- 46 SB 540 - Levin
- 47 HCS SCS SB 619, E.C. - Hoppe
- 48 SB 201 - Farnen
- 49 SB 303 - Relford
- 50 HCS SB 610 - Hoppe
- 51 SCS SB 13 - Ross
- 52 HCS SB 543 - Britt
- 53 SB 556 - Hoppe
- 54 HCS SB 304 - Monaco
- 55 SB 406 - Scott
- 56 SCS SB 197 - Luetkenhaus
- 57 SB 148 - Seigfreid
- 58 HCS SB 307 - Froelker
- 59 HCS SB 348 - Barry
- 60 HCS SB 538 - Luetkemeyer

BILLS IN CONFERENCE

- 1 SCS HCS HB 2 - Green (73)
- 2 SCS HCS HB 3 - Green (73)
- 3 SCS HCS HB 4 - Green (73)
- 4 SCS HCS HB 5 - Green (73)
- 5 SCS HCS HB 6, as amended - Green (73)
- 6 SCS HCS HB 7 - Green (73)
- 7 SCS HCS HB 8 - Green (73)
- 8 SCS HCS HB 9 - Green (73)
- 9 SCS HCS HB 10, as amended - Green (73)
- 10 SCS HCS HB 11, as amended - Green (73)
- 11 SCS HCS HB 12 - Green (73)

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

SIXTY-SECOND DAY, WEDNESDAY, APRIL 25, 2001

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

O Lord, if You should mark our iniquities, who here could stand. There is enough bad in the best of us and enough good in the worst of us, so we dare not, with impunity, criticize any among us.

As the men and women of the House begin this new day that You give, keep them focused on the needs of the people; and bless them so they may be the best they can be. To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Shamon Farrell, Erin Mayes, Levi Rash, Kelsey Wilt, Michael Barge, JoAnn Benfield, Amanda Neal, Tara Wyrick, Kevin Brady, Katherine McCloskey, Katie Halenkamp, Alex La Barge, Audrey Warman, Noble Bellis, Tiffany Rodriguez and Katherine Hessel.

The Journal of the sixty-first day was approved as corrected by the following vote:

AYES: 086

Abel	Baker	Barnitz	Barry 100	Berkowitz
Black	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Campbell
Carnahan	Clayton	Coleman	Copenhaver	Crump
Curls	Davis	Farnen	Foley	Ford
Franklin	Fraser	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Haywood	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Kelly 36	Kennedy	Koller	Lawson
Liese	Lowe	Luetkenhaus	Marsh	Mays 50
McKenna	Merideth	Monaco	O'Connor	O'Toole
Overschmidt	Ransdall	Relford	Reynolds	Rizzo
Scheve	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	Surface	Thompson	Treadway
Troupe	Van Zandt	Villa	Wagner	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

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NOES: 067

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Boatright	Burcham	Burton
Byrd	Champion	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Dolan	Enz
Fares	Froelker	Gaskill	Griesheimer	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Hunter	Jetton	Kelley 47	Kelly 144	King
Levin	Linton	Long	Luetkemeyer	Marble
May 149	Mayer	Miller	Moore	Murphy
Myers	Naeger	Nordwald	Ostmann	Phillips
Portwood	Purgason	Rector	Reid	Reinhart
Richardson	Roark	Robirds	Ross	Schwab
Scott	Secrest	Shields	St. Onge	Townley
Vogel	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 007

Gambaro	Holand	Kelly 27	Legan	Lograsso
Ridgeway	Wiggins			

VACANCIES: 003

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1634 - Representative Relford
House Resolution No. 1635 - Representative Hampton
House Resolution No. 1636
and
House Resolution No. 1637 - Representative Hartzler
House Resolution No. 1638 - Representative Richardson
House Resolution No. 1639 - Representative Cooper
House Resolution No. 1640 - Representative Campbell
House Resolution No. 1641
and
House Resolution No. 1642 - Representative Shields
House Resolution No. 1643 - Representative Ridgeway
House Resolution No. 1644 - Representative May (149)
House Resolution No. 1645
through
House Resolution No. 1647 - Representative Thompson
House Resolution No. 1648 - Representative Wilson (42)
House Resolution No. 1649 - Representative Bray
House Resolution No. 1650 - Representatives Bray and Hollingsworth

COMMITTEE REPORT

Committee on Rules, Joint Rules, and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules, and Bills Perfected and Printed, to which was referred **HS HB 286, HCS HB 426, HB 436, HS HCS HB 488, HB 592, HCS HB 660, HB 678** and **HCS HB 831**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Representative Smith assumed the Chair.

SENATE BILLS FOR THIRD READING - CONSENT

SB 25, relating to the University of Missouri, was taken up by Representative Farnen.

On motion of Representative Farnen, **SB 25** was truly agreed to and finally passed by the following vote:

AYES: 152

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

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NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 007

Cierpiot	Froelker	Gambaro	Henderson	Kelly 27
Ridgeway	Wiggins			

VACANCIES: 003

Representative Smith declared the bill passed.

HCS SB 441, relating to third class cities, was taken up by Representative Williams.

On motion of Representative Williams, **HCS SB 441** was adopted.

On motion of Representative Williams, **HCS SB 441** was read the third time and passed by the following vote:

AYES: 148

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Levin	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 002

Hendrickson Reynolds

PRESENT: 000

ABSENT WITH LEAVE: 010

Berkowitz	Bray 84	Froelker	Gambaro	Hohulin
Kennedy	Legan	Lograsso	Ridgeway	Wiggins

VACANCIES: 003

Representative Smith declared the bill passed.

HCS SB 521, relating to workers' compensation safety programs, was taken up by Representative Luetkenhaus.

On motion of Representative Luetkenhaus, **HCS SB 521** was adopted.

On motion of Representative Luetkenhaus, **HCS SB 521** was read the third time and passed by the following vote:

AYES: 151

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Gaskill	George	Graham	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

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NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Byrd	Ford	Froelker	Gambaro	Gratz
Green 15	Hohulin	Lograsso	Wiggins	

VACANCIES: 003

Representative Smith declared the bill passed.

SCS SB 301, relating to conveyance in Buchanan County, was taken up by Representative Hegeman.

On motion of Representative Hegeman, **SCS SB 301** was truly agreed to and finally passed by the following vote:

AYES: 151

Abel	Baker	Ballard	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Burcham	Burton	Campbell	Carnahan	Champion
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 001

Jolly

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 007

Barnett	Byrd	Cierpiot	Froelker	Gambaro
Holand	Wiggins			

VACANCIES: 003

Representative Smith declared the bill passed.

SB 295, relating to state aid to community colleges, was taken up by Representative McKenna.

On motion of Representative McKenna, **SB 295** was truly agreed to and finally passed by the following vote:

AYES: 150

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Ransdall	Rector	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Boucher
Harlan

Byrd
Lograsso

Dolan
Purgason

Froelker
Reid

Gambaro
Wiggins

VACANCIES: 003

Representative Smith declared the bill passed.

PERFECTION OF HOUSE BILL

HCS HB 428, as amended, relating to eluding a law enforcement official, was taken up by Representative Kelly (36).

Representative Kennedy offered **House Amendment No. 2**.

Speaker Pro Tem Abel assumed the Chair.

Representative Wright raised a point of order that **House Amendment No. 2** is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Carnahan offered **House Amendment No. 2**.

Representative Wright raised a point of order that **House Amendment No. 2** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Levin offered **House Amendment No. 2**.

Representative Monaco raised a point of order that **House Amendment No. 2** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

House Amendment No. 2 was withdrawn.

Representative Reid offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 428, Page 1, Section 575.155, Line 14, by inserting before the number “3.” the following:

“when the person eludes a law enforcement official by operating a motor vehicle and such operation presents a substantial risk of serious bodily injury or death to any person, and in all other cases knowingly eluding a law enforcement official is a class A misdemeanor.”; and

Further amend said title, inserting clause and intersectional references accordingly.

On motion of Representative Reid, **House Amendment No. 2** was adopted.

On motion of Representative Kelly (36), **HCS HB 428, as amended**, was adopted.

On motion of Representative Kelly (36), **HCS HB 428, as amended**, was ordered perfected and printed.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HCS HB 14, relating to appropriations, was taken up by Representative Green (73).

Representative Marble offered **House Amendment No. 1**.

House Amendment No. 1 was withdrawn.

Representative Purgason offered **House Amendment No. 1**.

Representative Selby raised a point of order that **House Amendment No. 1** is not a true amendment.

The Chair ruled the point of order well taken.

Representative Hosmer offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 14, Page 5, Section 14.020, Line 4, by deleting the number “**10,915,747**” and inserting in lieu thereof the number “**25,084,080**”; and

Further amend said section, Page 6, Line 24, by deleting the number “**2,636,700**” and inserting in lieu thereof the number “**6,768,367**”; and

Further amend said section and page, Line 25, by deleting the number “**14,100,000**” and inserting in lieu thereof the number “**32,400,000**”; and

Further amend said bill, Page 7, Section 14.050, by deleting and section and inserting in lieu thereof the following:

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“Section 14.050. There is transferred out of the State Treasury, chargeable to the Healthy Families Trust Fund Thirty-Two Million, Four Hundred Thousand Dollars (\$32,400,000) to the Healthy Families Trust Fund - Tobacco Prevention Account
From Healthy Families Trust Fund \$32,400,000”; and

Further amend said page, Section 14.060, by deleting said section and inserting in lieu thereof the following:

“Section 14.060. There is transferred out of the State Treasury, chargeable to the Healthy Families Trust Fund, One Hundred Six Million, Seven Hundred Thousand Dollars (\$106,700,000) to the Fund for Missouri’s Future
From Health Families Trust Fund \$106,700,000”.

Representative Foley raised a point of order that **House Amendment No. 1** is out of order in accordance to Rule 49.

The Chair ruled the point of order not well taken.

Representative Hosmer moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 023

Baker	Bartelsmeyer	Bearden	Boucher	Bray 84
Burcham	Copenhaver	Crawford	Dolan	Gaskill
Hagan-Harrell	Henderson	Hendrickson	Holt	Hosmer
Johnson 90	Jolly	Kelly 27	May 149	Nordwald
Portwood	Williams	Wilson 25		

NOES: 119

Abel	Ballard	Barnett	Barnitz	Bartle
Behnen	Berkowitz	Black	Bland	Boatright
Bowman	Boykins	Britt	Brooks	Burton
Campbell	Carnahan	Champion	Cierpiot	Coleman
Cooper	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Enz	Farnen	Foley
Ford	Franklin	Fraser	Froelker	George
Graham	Gratz	Green 73	Griesheimer	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Hickey	Hilgemann	Holand	Hollingsworth	Hoppe
Hunter	Jetton	Johnson 61	Kelley 47	Kelly 144
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Seigfreid
Selby	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Treadway	Troupe
Van Zandt	Villa	Wagner	Walton	Ward
Willoughby	Wilson 42	Wright	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 018

Barry 100	Berkstresser	Bonner	Byrd	Clayton
Fares	Gambaro	Green 15	Harlan	Hohulin
Long	Richardson	Ridgeway	Secrest	Shelton
Townley	Vogel	Wiggins		

VACANCIES: 003

Representative Scott offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 14, Page 1, Section 14.005, Line 4, by deleting the number “**2,015,511**” and inserting in lieu thereof the number “**1,015,511**”; and

Further amend said section, Line 7, by deleting the number “**2,168,633**” and inserting in lieu thereof the number “**1,168,633**”; and

Further amend said section, Line 7, by inserting immediately after said line the following:

“To the Department of Health
For the Center for Local Public Health Services
For the purpose of funding core public health functions and related expenses
From Healthy Families Trust Fund - Health Care Account 1,000,000”.

HCS HB 14, with House Amendment No. 2, pending, was laid over.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 236**, entitled:

An act to amend chapter 210, RSMo, by adding thereto one new section relating to the state juvenile information system.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 266**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 491**, entitled:

An Act to repeal sections 77.370 and 77.450, RSMo 2000, relating to certain municipalities, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 664**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 745**.

On motion of Representative Crump, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Kreider.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Taylor Keal.

Mike Otto, Missouri's Outstanding Principal, addressed the House.

RESOLUTION

Representative Troupe offered House Resolution No. 1668.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1651	-	Representative Kelly (27)
House Resolution No. 1652	-	Representative Fares
House Resolution No. 1653	-	Representative Bonner
House Resolution No. 1654	-	Representatives Harding and Phillips
House Resolution No. 1655		
and		
House Resolution No. 1656	-	Representative Kelly (36)
House Resolution No. 1657	-	Representative Skaggs
House Resolution No. 1658	-	Representative Boucher, et al
House Resolution No. 1659		
through		
House Resolution No. 1664	-	Representative Lograsso, et al
House Resolution No. 1665	-	Representative Lograsso
House Resolution No. 1666		
and		
House Resolution No. 1667	-	Representative Ward

PERFECTION OF HOUSE BILL - APPROPRIATIONS

HCS HB 14, with House Amendment No. 2, pending, relating to appropriations, was again taken up by Representative Green (73).

Representative Scott moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 067

Ballard	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bearden	Behnen	Berkstresser	Black	Boatright
Boucher	Britt	Burcham	Byrd	Cooper
Copenhaver	Crawford	Crowell	Dempsey	Dolan
Enz	Fares	Gaskill	Gratz	Griesheimer
Hampton	Hanaway	Hartzler	Hegeman	Henderson
Hendrickson	Hunter	Jetton	Kelley 47	Kelly 144
Kelly 36	King	Koller	Legan	Levin
Lograsso	Luetkemeyer	Marble	Marsh	May 149
Mayer	Merideth	Miller	Moore	Myers
Naeger	Nordwald	Ostmann	Phillips	Purgason
Rector	Reid	Reinhart	Richardson	Roark
Robirds	Scott	Surface	Treadway	Vogel
Ward	Wright			

NOES: 083

Abel	Baker	Bartle	Berkowitz	Bland
Bonner	Bowman	Boykins	Bray 84	Brooks
Burton	Campbell	Carnahan	Clayton	Coleman
Crump	Cunningham	Curls	Davis	Farnen
Foley	Ford	Franklin	Fraser	George
Graham	Green 15	Green 73	Hagan-Harrell	Harding
Harlan	Haywood	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hosmer	Johnson 61
Johnson 90	Jolly	Kelly 27	Kennedy	Lawson
Liese	Linton	Lowe	Luetkenhaus	Mays 50
McKenna	Monaco	Murphy	O'Connor	O'Toole
Overschmidt	Portwood	Ransdall	Relford	Reynolds
Rizzo	Ross	Scheve	Schwab	Seigfreid
Selby	Shields	Shoemyer	Skaggs	Smith
St. Onge	Thompson	Townley	Troupe	Van Zandt
Villa	Wagner	Walton	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 010

Champion	Cierpiot	Froelker	Gambaro	Hoppe
Long	Ridgeway	Secrest	Shelton	Wiggins

VACANCIES: 003

Representative Purgason moved that Rule 49(d) be suspended for the purpose of offering and adopting **HS HCS HB 14**.

Representative Monaco raised a point of order that the motion to offer **HS HCS HB 14** is not timely.

The Chair ruled the point of order not well taken.

Representative Crump requested a division of the question on the motion to suspend Rule 49(d) and the offering and adoption of **HS HCS HB 14**.

PART I - Suspension of Rule 49(d)

On motion of Representative Purgason, **Part I** was adopted by the following vote:

AYES: 129

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Coleman	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Enz	Fares	Foley	Ford
Franklin	Fraser	Froelker	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hampton	Harding	Harlan	Hartzler	Haywood
Henderson	Hendrickson	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 36	Kennedy	King	Lawson	Levin
Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Myers	Naeger	Nordwald	O'Connor
O'Toole	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Roark	Robirds	Ross	Schwab	Scott
Secrest	Seigfreid	Shields	Skaggs	Smith
St. Onge	Surface	Thompson	Treadway	Van Zandt
Villa	Vogel	Wagner	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 020

Bearden	Clayton	Cooper	Dolan	Farnen
Hagan-Harrell	Hanaway	Hegeman	Hickey	Koller
Murphy	Reynolds	Rizzo	Scheve	Selby
Shoemyer	Townley	Troupe	Walton	Ward

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Gambaro	Hoppe	Kelly 27	Legan
Lograsso	Ostmann	Richardson	Ridgeway	Shelton
Wiggins				

VACANCIES: 003

Part II - Offering and adoption of HS HCS HB 14.

Representative Purgason offered **HS HCS HB 14**.

Representative Purgason moved that **HS HCS HB 14** be adopted.

Which motion was defeated by the following vote:

AYES: 042

Ballard	Bartelsmeyer	Bartle	Behnen	Berkstresser
Boatright	Burton	Champion	Cierpiot	Cooper
Crowell	Cunningham	Dempsey	Griesheimer	Henderson
Hendrickson	Hilgemann	Hohulin	Hoppe	Hunter
Jetton	Kelley 47	Kelly 144	King	Levin
Linton	Long	Luetkemeyer	Marble	Marsh
May 149	Miller	Murphy	Naeger	Phillips
Purgason	Rector	Roark	Robirds	Scott
Secrest	Wright			

NOES: 112

Abel	Baker	Barnett	Barnitz	Barry 100
Bearden	Berkowitz	Black	Bland	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Byrd	Campbell	Carnahan
Clayton	Coleman	Crawford	Crump	Curls
Davis	Dolan	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gaskill	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Hickey	Holand
Hollingsworth	Holt	Hosmer	Johnson 61	Johnson 90
Jolly	Kelly 27	Kelly 36	Kennedy	Koller
Lawson	Legan	Liese	Lograsso	Lowe
Luetkenhaus	Mayer	Mays 50	McKenna	Merideth
Monaco	Moore	Myers	Nordwald	O'Connor
O'Toole	Ostmann	Portwood	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Ross	Scheve	Schwab	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 006

Copenhaver	Gambaro	Harlan	Overschmidt	Troupe
Wiggins				

VACANCIES: 003

Representative Crawford offered **House Amendment No. 3**.

Representative Hanaway raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Green (73), **HCS HB 14** was adopted.

On motion of Representative Green (73), **HCS HB 14** was ordered perfected and printed.

PERFECTION OF HOUSE BILL - INFORMAL

HB 555, relating to life sciences research program, was taken up by Representative Foley.

Representative Foley offered **HS HB 555**.

Representative Graham offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Bill No. 555, Page 8, Section 192.1010, Line 12, by inserting immediately after said line the following:

“9. Notwithstanding any provision of sections 192.1010 to 192.1035 to the contrary, moneys granted by the life sciences research board shall not be used for performing, assisting with, or referring for abortions, or encouraging or counseling patients to have abortions.”; and

Further amend current subsection 9 of said section by renumbering said section accordingly.

Representative Liese offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

House Substitute Amendment No. 1 for House Amendment No. 1

AMEND House Substitute for House Bill No. 555, Page 8, Section 192.1010, Line 15 of said page, by deleting the number "**192.1030**" and inserting in lieu thereof the number "**192.1035**"; and

Further amend said bill, Pages 16 and 17, Section 192.1035, by deleting all of said section and inserting in lieu thereof the following:

"192.1035. 1. Notwithstanding the provisions of sections 192.1010 to 192.1025, no grant awards shall be paid, granted or used to subsidize in whole or in part:

- (1) Abortion services; or**
- (2) Destructive human research; or**
- (3) Development of drugs or chemicals intended to be used to induce an abortion; or**
- (4) Human cloning.**

2. For purposes of this section, the following terms mean:

(1) "Abortion services", performing or inducing, assisting in performing or inducing, or referring a woman for an abortion, except when necessary to save the life of the mother;

(2) "Child", if in utero, the same as an unborn child as defined in section 188.015, RSMo, and if ex utero, a human being at any of the stages of biological development of an unborn child from conception onward;

(3) "Destructive human research", research in which there is the taking or utilization of the organs, tissue or cellular material of a:

(a) Deceased child, unless consent is given in the manner provided in sections 194.210 to 194.290, RSMo, relating to anatomical gifts, and neither parent cause the death of such child or consented to another person causing the death of such child;

(b) Living child, when the intended or likely result of such taking or utilization is to kill or cause serious harm to the health, safety or welfare of such child, or when the purpose is to target such child for possible destruction in the future;

(4) "Facilities and administrative costs", those costs that are incurred for common or joint objectives and therefor cannot be identified readily and specifically with a particular research project or any other institutional activity;

(5) "Grant awards", awards of state funds pursuant to sections 192.1010 to 192.1035;

(6) "Human cloning", the replication of a human being genetically identical to another human being;

(7) "Research project", research specified in the grant award conducted under the auspices of the institution or institutions that applied for and received such grant award pursuant to sections 192.1010 to 192.1035, regardless of whether the research is funded in whole or part by such grant award. Such research shall include basic research, including the discovery of new knowledge; translational research, including translating knowledge into a usable form; and development research and clinical research, including but not limited to health research in human development and aging, cancer, endocrine, cardiovascular, neurological, pulmonary and infectious disease, and nutrition and food safety.

3. No grant awards shall be paid or granted pursuant to sections 192.1010 to 192.1035 to or on behalf of an existing or proposed research project that involves, as part of the project, abortion services, destructive human research, development of drugs or chemicals intended to be used to induce an abortion or human cloning. A research project that receives a grant award shall not share costs with another research project, person or entity not qualified to receive a grant award pursuant to sections 192.1010 to 192.1035; provided, however, the research project that receives a grant award may pay facilities and administrative costs directly allocable to such research project. A research project that receives a grant award shall maintain financial records that demonstrate strict compliance with this section. The audit conducted pursuant to section 192.1015 shall also certify compliance with this section.

4. The grant application shall describe in detail the proposed research project and how the research project shall be conducted in compliance with the requirements of sections 192.1010 to 192.1035. The life sciences research board shall not approve a grant award unless the board makes specific written findings that such research project shall be conducted in compliance with sections 192.1010 to 192.1035. The grant application and the grant award shall be a public record within the meaning of chapter 610, RSMo. The board shall promulgate rules in accordance with chapter 536, RSMo, to implement the provisions of this subsection.

5. Any taxpayer of this state or its political subdivisions shall have standing to bring suit against the department of health, members of the board, and the officers and employees of the department and the board in any circuit court with jurisdiction to enforce the provisions of this section.

6. Sections 192.1010 to 192.1035 shall not be construed to permit or make lawful any conduct that is otherwise unlawful pursuant to the laws of this state.

7. All of the provisions of sections 192.1010 to 192.1025 are severable; provided, however, the provisions of this section are not severable from the provisions of sections 192.1010 to 192.1025. If any provision of sections 192.1010 to 192.1025 is found to be invalid, unenforceable or unconstitutional, the remaining provisions of sections 192.1010 to 192.1025 shall be and remain valid. However, if any provision of this section is found to be invalid, unenforceable or unconstitutional, all of the provisions of sections 192.1010 to 192.1025 shall be invalid and unenforceable."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Liese, **House Substitute Amendment No. 1 for House Amendment No. 1** was adopted.

Representative Hanaway offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Substitute for House Bill No. 555, Page 17, Section 192.1035, Line 3, by inserting after said line the following:

"196.1075. 1. As used in sections 196.1075 to 196.1105, the following terms mean:

(1) "Account", an account within the health care trust fund created in subsection 2 of this section;
(2) "Health care trust fund", the fund created in subsection 2 of this section;
(3) "MSA", the master settlement agreement entered into on November 23, 1998, as amended, in the tobacco case;

(4) "Tobacco case", the case of *State of Missouri ex rel. Jeremiah W. (Jay) Nixon, Attorney General v. The American Tobacco Company, Inc., et al.*, case number 972-1465, filed in the circuit court of the City of St. Louis, state of Missouri;

(5) "Tobacco claim", any claim of the state of Missouri for conduct, acts or omissions arising out of or in any way related, in whole or in part, to the use, sale, distribution, manufacture, development, advertising, marketing or health affects of tobacco products; the exposure to tobacco products; or research, statements or warnings regarding the potential adverse affects of tobacco use, including those asserted in the tobacco case and any claims of the same or similar nature against any person or entity, including but not limited to the defendants in the tobacco case, provided that a claim of the state of Missouri for taxes or licensure fees shall not be considered a tobacco claim;

(6) "Tobacco claim payment", any moneys or proceeds of any moneys, including interest thereon, paid into the state treasury as a result of a tobacco claim, including but not limited to a payment to the state of Missouri pursuant to the MSA or any other tobacco claim settlement, award or judgment. Tobacco claim payment shall include any moneys paid into the state treasury that results in a direct offset or reduction of moneys received into the state treasury pursuant to the MSA or any other tobacco claim settlement, award or judgment.

2. The first one hundred twenty-five million dollars of tobacco claim payments shall be deposited in an endowment fund to be known as the "Fund for Missouri's Future" and shall not be subject to appropriation without a two-thirds vote of the members elected to each house of the general assembly as authorized by a concurrent resolution. The state treasurer shall invest moneys in the fund in the same manner as surplus funds are invested pursuant to section 30.260, RSMo. All earnings resulting from the investment of the moneys in the fund for Missouri's future shall be credited to such fund until the corpus of the fund reaches one billion dollars. Any tobacco claim payments received by the state after the initial one hundred twenty-five million dollars is deposited in the fund for Missouri's future and any earnings resulting from the investment of the moneys in the fund after the corpus of the fund reaches one billion dollars shall be deposited into a special trust fund to be known as the "Health Care Trust Fund" and shall be allocated by the state treasurer into separate accounts within the health care trust fund in accordance with sections 196.1075 to 196.1105 and shall be subject to appropriation for smoking prevention and cessation, early childhood care and education, prescription drug coverage and health care, and life sciences and medical research.

3. No moneys shall be withdrawn from the health care trust fund or any account of such fund except by an appropriation for the purpose and use authorized for such fund and any applicable account. No obligation for payment of moneys so appropriated from the health care trust fund and any applicable account of such fund shall be incurred and paid unless the commissioner of the office of administration certifies it for payment and further certifies that:

(1) The moneys were properly allocated to the health care trust fund and any applicable account by the state treasurer;

(2) The expenditure is within the purpose and use required for the health care trust fund and any applicable account;

(3) The expenditure is within any more specific purpose or use lawfully contained within the appropriation made by the general assembly; and

(4) There is an appropriation of an unencumbered balance within the health care trust fund and any applicable account sufficient to pay it.

At the time of issuance, each certification shall be entered on the general accounting books as an encumbrance on the appropriation.

196.1078. 1. The state treasurer shall allocate tobacco claim payments credited to the health care trust fund as follows:

(1) Fifty-five percent of such moneys shall be placed into the prescription drug coverage and health care treatment and access account created in subsection 1 of section 196.1081;

(2) Ten percent of such moneys shall be placed into the tobacco prevention, education and cessation account created in section 196.1084;

(3) Fifteen percent of such moneys shall be placed into the early childhood care and education account created in section 196.1087;

(4) Twenty percent of such moneys shall be placed into the life sciences and medical research account created in section 196.1090.

2. All moneys in the health care trust fund shall be appropriated by the general assembly in a separate appropriations bill.

196.1081. The "Prescription Drug Coverage and Health Care Treatment and Access Account" is hereby created within the health care trust fund. Appropriations made by the general assembly from the health care treatment and access account, shall be used and expended solely for prescription drug coverage and health care.

196.1084. The "Tobacco Prevention, Education and Cessation Account" is hereby created within the health care trust fund. Moneys in the account shall be used solely for tobacco prevention, education and/or cessation, including but not limited to programs to prevent tobacco usage by minors, to prevent or reduce tobacco usage generally, and to prevent tobacco addiction.

196.1087. The "Early Childhood Care and Education Account" is hereby created within the health care trust fund. Moneys in the account shall be used solely for early childhood care and/or education, including but not limited to community grants. Appropriations made by the general assembly from the account shall be used and expended solely for the purpose provided in this section.

196.1090. The "Life Sciences and Medical Research Account" is hereby created within the health care trust fund and shall be used and expended solely for life sciences and medical research purposes.

196.1096. The commissioner of administration shall establish such books of account as are necessary to account for the proceeds of any tobacco claim payments made to the state of Missouri and interest thereon and shall make or refuse to make such certifications as are necessary to ensure that these funds are allocated, used and expended only for the purposes and in the proportions set forth in sections 196.1075 to 196.1105.

196.1099. Moneys which are appropriated from the health care trust fund for the purposes provided in sections 196.1075 to 196.1105 shall constitute additional amounts over and above any moneys that are appropriated for such purposes from general revenue as of July 1, 2000. The state shall not reduce the level of funding that was in effect on July 1, 2000, for such a purpose from general revenue sources because of the appropriation of moneys for such purpose from the health care trust fund.

196.1102. Any moneys received by the state as a result of the tobacco settlement agreement together with interest and earnings thereon shall not be classified as "total state revenues" as defined in sections 17 and 18 of article X of the Missouri Constitution and the expenditure of such moneys shall not be an "expense of state government" pursuant to section 20 of article X of the Missouri Constitution.

196.1105. Any funds received by the state as a result of any legal settlement or award which is not by statute dedicated to a specific fund or program shall be subject to appropriation by the general assembly for programs related to health care and education.

Section B. Section A of this act is hereby submitted to the qualified voters of this state for approval or rejection at a special election which is hereby ordered and which shall be held and conducted on the Tuesday immediately following the first Monday in November, 2001, pursuant to the laws and constitutional provisions of this state applicable to general elections and the submission of referendum measures by initiative petition, and it shall become effective when approved by a majority of the votes cast thereon at such election and not otherwise.

Section C. The official summary statement for the proposed referendum measure of this act shall read as follows:

"Authorizes deposit of tobacco settlement moneys into funds for use in smoking prevention, health care and prescription drug coverage for seniors, life sciences and medical research, early childhood care and education, and an endowment fund which would not be subject to the constitutional limit on state spending. Defeat of the referendum measure would not create the funds and the moneys shall be credited to general revenue for appropriation by the general assembly."; and

Further amend the title and enacting clause accordingly.

Representative Scheve offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

*House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Substitute for House Bill No. 555, Page 1, In the Title, Lines 2 to 4 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"To amend chapters 192 and 196, RSMo, by adding thereto nineteen new sections relating to a life sciences research program and tobacco settlement, with a referendum clause for certain sections."; and

Further amend said bill, Page 17, Section 192.1035, Line 3 of said page, by inserting after all of said line the following:

"196.1075. 1. As used in sections 196.1075 to 196.1105, the following terms mean:

(1) "Account", an account within the health care trust fund created in subsection 2 of this section;
(2) "Health care trust fund", the fund created in subsection 2 of this section;
(3) "MSA", the master settlement agreement entered into on November 23, 1998, as amended, in the tobacco case;

(4) "Tobacco case", the case of *State of Missouri ex rel. Jeremiah W. (Jay) Nixon, Attorney General v. The American Tobacco Company, Inc., et al.*, case number 972-1465, filed in the circuit court of the City of St. Louis, state of Missouri;

(5) "Tobacco claim", any claim of the state of Missouri for conduct, acts or omissions arising out of or in any way related, in whole or in part, to the use, sale, distribution, manufacture, development, advertising, marketing or health affects of tobacco products; the exposure to tobacco products; or research, statements or warnings regarding the potential adverse affects of tobacco use, including those asserted in the tobacco case and any claims of the same or similar nature against any person or entity, including but not limited to the defendants in the tobacco case, provided that a claim of the state of Missouri for taxes or licensure fees shall not be considered a tobacco claim;

(6) "Tobacco claim payment", any moneys or proceeds of any moneys, including interest thereon, paid into the state treasury as a result of a tobacco claim, including but not limited to a payment to the state of Missouri pursuant to the MSA or any other tobacco claim settlement, award or judgment. Tobacco claim payment shall include any moneys paid into the state treasury that results in a direct offset or reduction of moneys received into the state treasury pursuant to the MSA or any other tobacco claim settlement, award or judgment.

2. The first one hundred twenty-five million dollars of tobacco claim payments shall be deposited in an endowment fund to be known as the "Fund for Missouri's Future" and shall not be subject to appropriation without a two-thirds vote of the members elected to each house of the general assembly as authorized by a concurrent resolution. The state treasurer shall invest moneys in the fund in the same manner as surplus funds are invested pursuant to section 30.260, RSMo. All earnings resulting from the investment of the moneys in the fund for Missouri's future shall be credited to such fund until the corpus of the fund reaches one billion dollars. A separate and special trust fund to be known as the "Health Care Trust Fund" is hereby created in the state treasury. All tobacco claim payments received by the state after the initial one hundred twenty-five million dollars is deposited in the fund for Missouri's future as provided in this subsection and all earnings resulting from the investment of the moneys in the fund for Missouri's future after the corpus of such fund reaches one billion dollars shall be deposited into the health care trust fund. All moneys received in the health care trust fund shall be allocated by the state treasurer into separate accounts within the health care trust fund in accordance with sections 196.1075 to 196.1105 and shall be subject to appropriation for smoking prevention and cessation, early childhood care and education, prescription drug coverage and health care, and life sciences and

medical research. If a transfer of the one hundred twenty-five million dollars into the endowment fund is made prior to the effective date of the act, it shall satisfy the provisions of this subsection and no additional transfers into the endowment fund shall be made unless as further provided by law.

3. No moneys shall be withdrawn from the health care trust fund or any account of such fund except by an appropriation for the purpose and use authorized for such fund and any applicable account. No obligation for payment of moneys so appropriated from the health care trust fund and any applicable account of such fund shall be incurred and paid unless the commissioner of the office of administration certifies it for payment and further certifies that:

(1) The moneys were properly allocated to the health care trust fund and any applicable account by the state treasurer;

(2) The expenditure is within the purpose and use required for the health care trust fund and any applicable account;

(3) The expenditure is within any more specific purpose or use lawfully contained within the appropriation made by the general assembly; and

(4) There is an appropriation of an unencumbered balance within the health care trust fund and any applicable account sufficient to pay it.

At the time of issuance, each certification shall be entered on the general accounting books as an encumbrance on the appropriation.

196.1078. 1. The state treasurer shall allocate tobacco claim payments credited to the health care trust fund as follows:

(1) Sixty percent of such moneys shall be placed into the prescription drug coverage and health care treatment and access account created in subsection 1 of section 196.1081;

(2) Ten percent of such moneys shall be placed into the tobacco prevention, education and cessation account created in section 196.1084;

(3) Ten percent of such moneys shall be placed into the early childhood and youth development care and education account created in section 196.1087;

(4) Twenty percent of such moneys shall be placed into the life sciences and medical research account created in section 196.1090.

2. All moneys in the health care trust fund shall be appropriated by the general assembly in a separate appropriations bill.

196.1081. The "Prescription Drug Coverage and Health Care Treatment and Access Account" is hereby created within the health care trust fund. Appropriations made by the general assembly from the health care treatment and access account, shall be used and expended solely for prescription drug coverage and health care.

196.1084. The "Tobacco Prevention, Education and Cessation Account" is hereby created within the health care trust fund. Moneys in the account shall be used solely for tobacco prevention, education and/or cessation, including but not limited to programs to prevent tobacco usage by minors, to prevent or reduce tobacco usage generally, and to prevent tobacco addiction.

196.1087. The "Early Childhood and Youth Development Care and Education Account" is hereby created within the health care trust fund. Moneys in the account shall be used solely for early childhood and youth development care and/or education, including but not limited to community grants. Appropriations made by the general assembly from the account shall be used and expended solely for the purpose provided in this section.

196.1090. The "Life Sciences and Medical Research Account" is hereby created within the health care trust fund and shall be used and expended solely for life sciences and medical research purposes.

196.1093. At least ten percent of moneys appropriated from the accounts pursuant to sections 196.1081, 196.1084, 196.1087 and 196.1090, other than moneys used for prescription drug coverage, shall be used for programs and grants that benefit minorities, women and at-risk children and communities through community based not-for-profit organizations.

196.1096. The commissioner of administration shall establish such books of account as are necessary to account for the proceeds of any tobacco claim payments made to the state of Missouri and interest thereon and shall make or refuse to make such certifications as are necessary to ensure that these funds are allocated, used and expended only for the purposes and in the proportions set forth in sections 196.1075 to 196.1105.

196.1099. Moneys which are appropriated from the health care trust fund for the purposes provided in

sections 196.1075 to 196.1105 shall constitute additional amounts over and above any moneys that are appropriated for such purposes from general revenue as of July 1, 2000. The state shall not reduce the level of funding that was in effect on July 1, 2000, for such a purpose from general revenue sources because of the appropriation of moneys for such purpose from the health care trust fund. This section shall not apply to amounts appropriated or expended for the purposes of administering section 135.095, RSMo.

196.1102. Any moneys received by the state as a result of the tobacco settlement agreement together with interest and earnings thereon shall not be classified as "total state revenues" as defined in sections 17 and 18 of article X of the Missouri Constitution and the expenditure of such moneys shall not be an "expense of state government" pursuant to section 20 of article X of the Missouri Constitution.

196.1105. Any funds received by the state as a result of any legal settlement or award which is not by constitution or statute dedicated to a specific fund or program shall be subject to appropriation by the general assembly for programs related to health care and education."; and

Further amend said bill, Page 17, Section 1, Line 24 of said page, by inserting after all of said line the following:

"Section B. Sections 196.1075, 196.1078, 196.1081, 196.1084, 196.1087, 196.1090, 196.1093, 196.1096, 196.1099, 196.1102 and 196.1105 of section A of this act is hereby submitted to the qualified voters of this state for approval or rejection at a special election which is hereby ordered and which shall be held and conducted on the Tuesday immediately following the first Monday in November, 2001, pursuant to the laws and constitutional provisions of this state applicable to general elections and the submission of referendum measures by initiative petition, and it shall become effective on July 1, 2002, after approved by a majority of the votes cast thereon at such election and not otherwise.

Section C. The official summary statement for the proposed referendum measure of this act shall read as follows:

"Authorizes deposit of tobacco settlement moneys into funds for use in smoking prevention, health care and prescription drug coverage for seniors, life sciences and medical research, early childhood and youth development care and education, and an endowment fund which would not be subject to the constitutional limit on state spending. Defeat of the referendum measure would not create the funds and the moneys shall be credited to general revenue for appropriation by the general assembly."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Scheve, **House Substitute Amendment No. 1 for House Amendment No. 2** was adopted.

Representative Boucher offered **House Amendment No. 3**.

Representative Foley raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Reid offered **House Amendment No. 3**.

Representative Monaco raised a point of order that **House Amendment No. 3** goes beyond the scope and is not germane to the bill.

The Chair ruled the point of order well taken.

On motion of Representative Foley, **HS HB 555, as amended**, was adopted.

On motion of Representative Foley, **HS HB 555, as amended**, was ordered perfected and printed.

ADOPTION AND THIRD READING OF HOUSE CONCURRENT RESOLUTION

HCR 25, relating to bonds for UMC sports arena, was taken up by Representative Graham.

Representative Graham offered **HS HCR 25**.

Representative Monaco assumed the Chair.

Speaker Kreider resumed the Chair.

On motion of Representative Graham, **HS HCR 25** was adopted.

Representative Scheve assumed the Chair.

On motion of Representative Graham, **HS HCR 25** was read the third time and passed by the following vote:

AYES: 083

Abel	Barry 100	Bartelsmeyer	Bartle	Bearden
Berkowitz	Berkstresser	Bland	Bonner	Bowman
Boykins	Britt	Brooks	Burton	Campbell
Carnahan	Cierpiot	Coleman	Crump	Curls
Davis	Dempsey	Dolan	Fares	Farnen
Foley	Franklin	Gaskill	George	Graham
Hagan-Harrell	Hanaway	Hartzler	Haywood	Hickey
Hilgemann	Hohulin	Holand	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Kelly 36
Kennedy	Koller	Levin	Liese	Long
Lowe	Luetkenhaus	Marsh	Mays 50	McKenna
Monaco	O'Connor	O'Toole	Ostmann	Overschmidt
Relford	Reynolds	Richardson	Rizzo	Robirds
Ross	Scheve	Secrest	Shelton	Shoemyer
Skaggs	Surface	Thompson	Treadway	Villa
Wagner	Walton	Ward	Williams	Willoughby
Wilson 42	Wright	Mr. Speaker		

NOES: 073

Baker	Ballard	Barnett	Barnitz	Behnen
Black	Boatright	Boucher	Bray 84	Burcham
Byrd	Champion	Clayton	Cooper	Copenhaver
Crawford	Crowell	Cunningham	Enz	Fraser
Froelker	Gratz	Green 15	Green 73	Griesheimer
Hampton	Harding	Harlan	Hegeman	Henderson
Hendrickson	Hollingsworth	Hunter	Jetton	Kelley 47
Kelly 144	Kelly 27	King	Lawson	Legan
Linton	Lograsso	Luetkemeyer	Marble	May 149
Mayer	Merideth	Miller	Moore	Murphy
Myers	Naeger	Nordwald	Phillips	Portwood

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Purgason	Ransdall	Rector	Reid	Reinhart
Ridgeway	Roark	Schwab	Scott	Seigfreid
Selby	Shields	Smith	St. Onge	Townley
Van Zandt	Vogel	Wilson 25		

PRESENT: 000

ABSENT WITH LEAVE: 004

Ford	Gambaro	Troupe	Wiggins
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VACANCIES: 003

Representative Scheve declared the bill passed.

Representative Boucher requested a verification of the roll call on the third reading and final passage of **HS HCR 25**.

The Chair denied the request for a verification of the roll call on **HS HCR 25**.

PERFECTION OF HOUSE BILL

HCS HBs 663 & 375, relating to tax credits, was placed on the Informal Calendar.

COMMITTEE REPORTS

Committee on Rules, Joint Rules, and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules, and Bills Perfected and Printed, to which was referred **SB 58, SCS SB 178, SCS SB 270, SB 321, SB 443, and SB 575** begs leave to report it has examined the same and pursuant to Rule 48 concurs in the reports of the committees of origin to place said bills on the House Consent Calendar for Third Reading and Final Passage.

Mr. Speaker: Your Committee on Rules, Joint Rules, and Bills Perfected and Printed, to which was referred **HCS SB 191**, begs leave to report it has examined the same and recommends that it be **returned to the committee of origin**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SJRs 1 & 4**, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 8 of article III of the Constitution of Missouri relating to term limits, and adopting two new sections in lieu thereof relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 48**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 129**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 180**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 247 & 330**, entitled:

An act to repeal sections 226.540, 226.550 and 226.585, RSMo 2000, relating to highway beautification, and to enact in lieu thereof four new sections relating to the same subject, with an emergency clause.

Emergency clause defeated.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 274**, entitled:

An act to repeal section 171.033, RSMo 2000, relating to inclement weather exceptions for mandatory days of school attendance, and to enact in lieu thereof one new section relating to the same subject, with an emergency clause.

With Senate Amendment No. 1 to Senate Committee Amendment No. 1, Senate Committee Amendment No. 1, as amended.

Senate Committee Amendment No. 1

AMEND House Committee Substitute for House Bill No. 274, Page 2, Section 173.033, Line 20, by inserting after “**year.**” the following:

“A school district which held class for a full school day during the 2000-01 school year and after November 20, 2000, on a day in which at least one adjoining school district or at least one other district headquartered in the same county cancelled classes due to inclement weather may report its daily attendance for such day, for the purposes of determining state school aid pursuant to section 163.031, RSMo, based upon the district’s average daily attendance for the preceding school year, provided that no district may report attendance pursuant to this subsection for more than five school days during the 2000-01 school year.”.

*Senate Amendment No. 1
to
Senate Committee Amendment No. 1*

AMEND Senate Committee Amendment No. 1 to House Committee Substitute for House Bill No. 274, Page 1, Line 1, by striking “**173.033**” and inserting in lieu thereof the following: “**171.033**”.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 454**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SBs 551, 410, 539, 528 & 296**, entitled:

An act to repeal sections 208.029, 210.170, 210.536 and 453.073, RSMo 2000, relating to children and families, and to enact in lieu thereof four new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 801**, entitled:

An act relating to compliance with Title V of the federal Gramm-Leach-Bliley Financial Modernization Act of 1999, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, April 26, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-first Day, Tuesday, April 24, 2001, pages 1255 and 1256, roll call, by showing Representative Myers voting "aye" rather than "absent with leave".

Pages 1293 and 1294, roll call, by showing Representative Sanders Brooks voting "present" rather than "absent with leave".

Pages 1295 and 1296, roll call, by showing Representative Hanaway voting "aye" rather than "absent with leave".

Pages 1297 and 1298, roll call, by showing Representative Henderson voting "aye" rather than "absent with leave".

Pages 1299 and 1300, roll call, by showing Representatives Boatright and Enz voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

CHILDREN, FAMILIES, AND HEALTH

Thursday, April 26, 2001, 8:30 am. Hearing Room 5.

Executive Session.

CONFERENCE COMMITTEE - APPROPRIATIONS

Thursday, April 26, 2001, 8:00 am. Senate Committee Room 2 (Room 119).

House Bills 2 through 12.

ENVIRONMENT AND ENERGY

Thursday, April 26, 2001, 8:30 am. Hearing Room 7.

Executive Session may follow.

To be considered - SCR 28

JOINT COMMITTEE ON GAMING AND WAGERING

Monday, April 30, 2001, 12:00 pm. Hearing Room 7.

State of the State: Gaming in MO, Missouri Gaming Commission,
Missouri Lottery and Horse Racing.

UTILITIES REGULATION

Thursday, April 26, 2001, 8:15 am. Hearing Room 6. Study Session.

Panel on Power Plant Construction.

Executive Session may follow.

HOUSE CALENDAR

SIXTY-THIRD DAY, THURSDAY, APRIL 26, 2001

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 15 & 13 - Crawford

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

1 HB 16, HCA 1 - Green (73)

2 HB 17, HCA 1 - Green (73)

HOUSE BILLS FOR PERFECTION

1 HCS HB 457, HA 2, as amended, tabled - Kreider

2 HCS HB 593 - Riback Wilson (25)

3 HCS HB 170 - Froelker

4 HCS HB 239 - Smith

5 HB 715 - Foley

- 6 HB 802 - Ransdall
- 7 HCS HB 374 - Fraser
- 8 HCS HB 635 - Barry
- 9 HCS HB 868 - Merideth
- 10 HCS HB 253 - Ross
- 11 HB 809, HCA 1 - Carnahan
- 12 HCS HB 340, 303 & 316 - Graham
- 13 HB 640 - Johnson (90)
- 14 HCS HB 723 - Mays (50)
- 15 HCS HB 117 - Riback Wilson (25)
- 16 HCS HB 307 - Wiggins
- 17 HCS HB 921 - Curls
- 18 HB 911 - Carnahan

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HCS HB 981 & 665 - Willoughby
- 3 HCS HB 853 & 258 - Crump
- 4 HCS HB 186 & 172 - Troupe
- 5 HCS HB 888, 942 & 943 - Scheve
- 6 HCS HB 279 - Shoemyer
- 7 HCS HB 472 - Burton
- 8 HCS HB 780 - Scheve
- 9 HCS HB 293 - Kennedy
- 10 HCS HB 663 & 375 - Kennedy

HOUSE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING

HCR 12, (3-29-01, page 894) - Haywood

HOUSE JOINT RESOLUTION FOR THIRD READING

HCS HJR 7 - Koller

HOUSE BILL FOR THIRD READING - APPROPRIATIONS

HCS HB 14 - Green (73)

HOUSE BILLS FOR THIRD READING

- 1 HS HB 349 - Hosmer
- 2 HS HCS HB 835, 90, 707, 373, 641, 510, 516 & 572, (Fiscal Review 4-23-01) - Britt
- 3 HS HCS HB 280, 69, 497 & 689, (Fiscal Review 4-19-01) - Hoppe
- 4 HB 527, (Fiscal Review 4-19-01) - Luetkenhaus
- 5 HS HB 736, (Fiscal Review 4-19-01) - Liese
- 6 HB 366, E.C. (Fiscal Review 4-19-01) - Champion
- 7 HS HB 286, E.C. - Smith
- 8 HB 436 - Merideth
- 9 HS HCS HB 488 - Koller
- 10 HB 592, E.C. (Fiscal Review 4-25-01) - Williams
- 11 HCS HB 660, E.C. - Hagan-Harrell
- 12 HB 678 - Seigfreid
- 13 HCS HB 426 - O'Toole
- 14 HCS HB 831 - Carnahan

SENATE JOINT RESOLUTION FOR SECOND READING

SS SCS SJR 1 & 4

SENATE BILLS FOR SECOND READING

- 1 SCS SB 247 & 330
- 2 SS SCS SB 551, 410, 539, 528 & 296

SENATE BILLS FOR THIRD READING - CONSENT

- 1 HCS SB 321 - Crump
- 2 SB 394 - Hosmer
- 3 SB 442 - O'Connor
- 4 SB 203 - O'Toole
- 5 HCS SCS SB 151 - Gaskill
- 6 SCS SB 234 - Kennedy
- 7 SB 553 - Barnett
- 8 SCS SB 270 - Monaco
- 9 SCS SB 341 - Britt
- 10 SB 87 - Smith
- 11 SCS SB 431, E.C. - Shoemyer
- 12 SB 142 - Robirds
- 13 SCS SB 383 - Harding
- 14 SB 436 - Koller
- 15 SB 606 - Clayton
- 16 SB 605 - Luetkenhaus
- 17 SB 111 - Ostmann

- 18 HCS SB 544 - Relford
- 19 SB 200 - Thompson
- 20 SB 316 - Hagan-Harrell
- 21 SCS SB 357, E.C. - Johnson (90)
- 22 SB 207 - Kennedy
- 23 SB 252 - Surface
- 24 SB 443, E.C. - Hosmer
- 25 SCS SB 384 - Johnson (90)
- 26 SCS SB 241 - Ward
- 27 HCS SCS SB 382, E.C. - Liese
- 28 SB 224, E.C. - Luetkemeyer
- 29 SB 179 - Wagner
- 30 SB 435 - Koller
- 31 SB 223 - Hosmer
- 32 HCS SCS SB 520 - Myers
- 33 HCS SB 227 - Burton
- 34 SB 110 - Ladd Baker
- 35 SCS SB 514 - Hosmer
- 36 SB 353, HCA 1 - Shields
- 37 HCS SB 274 - Harlan
- 38 HCS SCS SB 568 - Davis
- 39 SB 451 - Mays (50)
- 40 SCS SB 352 - Lawson
- 41 HCS SCS SB 178 - Hoppe
- 42 HCS SB 345 - Holt
- 43 HCS SCS SB 515 - Kennedy
- 44 SCS SB 407 - Hilgemann
- 45 SB 540 - Levin
- 46 HCS SCS SB 619, E.C. - Hoppe
- 47 SB 201 - Farnen
- 48 SB 58 - Wagner
- 49 SB 303 - Relford
- 50 HCS SB 610 - Hoppe
- 51 SCS SB 13 - Ross
- 52 HCS SB 543 - Britt
- 53 SB 556 - Hoppe
- 54 SB 575 - Davis
- 55 HCS SB 304 - Monaco
- 56 SB 406 - Scott
- 57 SCS SB 197 - Luetkenhaus
- 58 SB 148 - Seigfreid
- 59 HCS SB 307 - Froelker
- 60 HCS SB 348 - Barry
- 61 HCS SB 538 - Luetkemeyer

BILLS IN CONFERENCE

- 1 SCS HCS HB 2 - Green (73)
- 2 SCS HCS HB 3 - Green (73)
- 3 SCS HCS HB 4 - Green (73)
- 4 SCS HCS HB 5 - Green (73)
- 5 SCS HCS HB 6, as amended - Green (73)
- 6 SCS HCS HB 7 - Green (73)
- 7 SCS HCS HB 8 - Green (73)
- 8 SCS HCS HB 9 - Green (73)
- 9 SCS HCS HB 10, as amended - Green (73)
- 10 SCS HCS HB 11, as amended - Green (73)
- 11 SCS HCS HB 12 - Green (73)

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

SIXTY-THIRD DAY, THURSDAY, APRIL 26, 2001

Speaker Pro Tem Abel in the Chair.

Prayer by Representative Gary Marble.

Dear Heavenly, thank You for this beautiful day and the many blessings of life. Thank You for the opportunity to serve You in this Honored Body. Thank You for our families who willingly sacrifice every day, so we can serve. And, most of all, thank You for Your son who has given us the hope of eternal life.

Now, Father, I pray, as we look forward to the work before us this day and the coming three weeks; that You will give us wisdom and help us to follow Your directions as found in Micah 6:8: "He has shown You, O man, what does the Lord require of you but to do justly, to love mercy, and to walk humbly with your God."

For it's in Jesus name I pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Nicole Ottersburg, Jamie Hillier, Andrew Nabors, Olivia Crain, Cassie Wright, April Willsie, Amber Clifton, Whitney Dameron, Krystal Himes, Amanda Theiler, Elizabeth Kimack, Jennifer Horton, Latasha Brock, Kareema Harrell, Amanda Rackers, Sarah Estep, Honnah Marshall, Grace Miller, Ethan S. Musick, Richie Shy, Clint Blevins and Rob Morgan.

The Journal of the sixty-second day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1669	-	Representative Berkstresser
House Resolution No. 1670	-	Representative Champion
House Resolution No. 1671	-	Representative Berkstresser
House Resolution No. 1672	-	Representatives Berkstresser and Robirds
House Resolution No. 1673	-	Representative George
House Resolution No. 1674	-	Representative Davis
House Resolution No. 1675		
through		
House Resolution No. 1677	-	Representative King
House Resolution No. 1678	-	Representatives Bartle and Cunningham
House Resolution No. 1679	-	Representative Wiggins

House Resolution No. 1680

and

House Resolution No. 1681 - Representative Williams

House Resolution No. 1682 - Representative Ostmann

House Resolution No. 1683 - Representative Riback Wilson (25), et al

House Resolution No. 1684 - Representative Walton

House Resolution No. 1685

and

House Resolution No. 1686 - Representative Enz

House Resolution No. 1687

through

House Resolution No. 1693 - Representatives Williams and Berkstresser

House Resolution No. 1694

and

House Resolution No. 1695 - Representative Merideth

House Resolution No. 1696 - Representative Barry

House Resolution No. 1697 - Representative Hollingsworth

House Resolution No. 1698

through

House Resolution No. 1711 - Representative Jetton

House Resolution No. 1712 - Representative Farnen

SECOND READING OF SENATE JOINT RESOLUTION

SS SCS SJRs 1 & 4 was read the second time.

SECOND READING OF SENATE BILLS

SCS SBs 247 & 330 and **SS SCS SBs 551, 410, 539, 528 & 296** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules, and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules, and Bills Perfected and Printed, to which was referred **HCS HB 14**, **HCS HB 428** and **HS HB 555**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

THIRD READING OF SENATE BILLS - CONSENT

HCS SB 321, relating to sheltered workshops, was taken up by Representative Crump.

On motion of Representative Crump, **HCS SB 321** was adopted.

On motion of Representative Crump, **HCS SB 321** was read the third time and passed by the following vote:

AYES: 150

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gaskill
George	Gratz	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Williams	Willoughby	Wilson 42	Wright	Mr. Speaker

NOES: 002

Graham Wilson 25

PRESENT: 000

ABSENT WITH LEAVE: 008

Gambaro	Green 15	Green 73	Harlan	Hickey
Kelly 36	Reynolds	Wiggins		

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HCS SCS SB 151, relating to auto insurance, was taken up by Representative Gaskill.

On motion of Representative Gaskill, **HCS SCS SB 151** was adopted.

On motion of Representative Gaskill, **HCS SCS SB 151** was read the third time and passed by the following vote:

AYES: 150

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Fraser	Froelker	Gaskill	George
Graham	Graz	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Franklin	Gambaro	Green 15	Hickey	Hilgemann
Hunter	Kelly 36	Long	Reynolds	Wiggins

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

Representative Carnahan assumed the Chair.

SCS SB 234, relating to the sales/use tax: telecommunications, was taken up by Representative Kennedy.

On motion of Representative Kennedy, **SCS SB 234** was truly agreed to and finally passed by the following vote:

AYES: 154

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gaskill
George	Graham	Gratz	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Gambaro	Green 15	Hickey	Lograsso	Reynolds
Wiggins				

VACANCIES: 003

Representative Carnahan declared the bill passed.

SB 553, relating to conveyance in Nodaway County, was taken up by Representative Barnett.

On motion of Representative Barnett, **SB 553** was truly agreed to and finally passed by the following vote:

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AYES: 153

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Ford
Franklin	Fraser	Froelker	Gaskill	George
Graham	Gratz	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Foley	Gambaro	Green 15	Green 73	Hickey
Reynolds	Wiggins			

VACANCIES: 003

Representative Carnahan declared the bill passed.

SCS SB 270, relating to administrative law judges, was taken up by Representative Monaco.

On motion of Representative Monaco, **SCS SB 270** was truly agreed to and finally passed by the following vote:

AYES: 138

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Bray 84	Britt
Brooks	Burcham	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gaskill	George	Graham	Gratz	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Hegeman	Hendrickson	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 36	King	Lawson	Legan
Levin	Liese	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	Nordwald
O'Connor	O'Toole	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	St. Onge	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 006

Fares	Kennedy	Koller	Murphy	Ostmann
Reid				

PRESENT: 000

ABSENT WITH LEAVE: 016

Boykins	Burton	Byrd	Gambaro	Green 15
Green 73	Haywood	Henderson	Hickey	Hunter
Kelly 27	Linton	Reynolds	Shields	Surface
Wiggins				

VACANCIES: 003

Representative Carnahan declared the bill passed.

Speaker Pro Tem Abel resumed the Chair.

THIRD READING OF HOUSE BILL - APPROPRIATIONS

HCS HB 14, relating to appropriations, was taken up by Representative Green (73).

On motion of Representative Green (73), **HCS HB 14** was read the third time and passed by the following vote:

AYES: 119

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Behnen	Berkowitz	Berkstresser	Black
Bland	Bonner	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Campbell
Carnahan	Clayton	Coleman	Copenhaver	Crump
Curls	Davis	Dolan	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
George	Graham	Gratz	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Hilgemann	Holand
Hollingsworth	Hoppe	Hosmer	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Lograsso	Long	Lowe	Luetkenhaus	Marsh
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Ransdall	Reid	Relford	Ridgeway
Rizzo	Robirds	Ross	Scheve	Secrest
Seigfreid	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 033

Ballard	Bartelsmeyer	Bearden	Boatright	Byrd
Champion	Cierpiot	Cooper	Crawford	Crowell
Cunningham	Dempsey	Enz	Gaskill	Henderson
Hendrickson	Hohulin	Holt	Hunter	Jetton
Linton	Luetkemeyer	Marble	May 149	Portwood
Purgason	Rector	Reinhart	Richardson	Roark
Schwab	Scott	Selby		

PRESENT: 001

Johnson 61

ABSENT WITH LEAVE: 007

Boucher	Gambaro	Green 15	Hickey	Kelly 27
Reynolds	Wiggins			

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

Representative Liese assumed the Chair.

Speaker Pro Tem Abel resumed the Chair.

THIRD READING OF HOUSE JOINT RESOLUTION

HCS HJR 7, relating to the transportation commission, was taken up by Representative Koller.

On motion of Representative Koller, **HCS HJR 7** was read the third time and passed by the following vote:

AYES: 091

Abel	Barnitz	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Britt	Brooks
Burcham	Campbell	Carnahan	Clayton	Coleman
Copenhaver	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Farnen	Foley	Ford
Franklin	Fraser	George	Graham	Gratz
Green 73	Griesheimer	Hagan-Harrell	Hampton	Harding
Harlan	Hartzler	Haywood	Hegeman	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 27
Kelly 36	Kennedy	Koller	Liese	Lowe
Luetkenhaus	Mays 50	McKenna	Merideth	Monaco
Murphy	O'Connor	O'Toole	Ostmann	Overschmidt
Ransdall	Relford	Robirds	Scheve	Scott
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Thompson	Treadway
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 056

Ballard	Barnett	Bartle	Bearden	Behnen
Berkstresser	Black	Boatright	Burton	Byrd
Champion	Cierpiot	Cooper	Crawford	Crowell
Enz	Fares	Gaskill	Hanaway	Henderson
Hendrickson	Hohulin	Hunter	Jetton	Kelly 144
Legan	Levin	Linton	Lograsso	Long
Luetkemeyer	Marble	Marsh	May 149	Mayer
Miller	Moore	Myers	Naeger	Nordwald
Phillips	Portwood	Purgason	Rector	Reid
Reinhart	Richardson	Ridgeway	Roark	Ross
Schwab	Secrest	Surface	Townley	Troupe
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 013

Baker	Bartelsmeyer	Boykins	Bray 84	Froelker
Gambaro	Green 15	Hickey	King	Lawson
Reynolds	Rizzo	Wiggins		

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

Representative Berkowitz requested a verification of the roll call on the third reading and final passage of **HCS HJR 7**.

THIRD READING OF HOUSE BILL

HB 436, relating to the Missouri Airport Protection Act, was taken up by Representative Merideth.

On motion of Representative Merideth, **HB 436** was read the third time and passed by the following vote:

AYES: 142

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crump	Cunningham	Curls
Davis	Dolan	Enz	Fares	Farnen
Ford	Franklin	Froelker	Gaskill	George
Graham	Gratz	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	McKenna	Merideth	Miller	Monaco
Moore	Myers	Nordwald	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 010

Bearden	Crowell	Dempsey	Foley	Fraser
King	Murphy	Naeger	Roark	Selby

PRESENT: 000

ABSENT WITH LEAVE: 008

Ballard	Gambaro	Green 15	Hickey	Mays 50
O'Connor	Reynolds	Wiggins		

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HS HB 349, relating to protection of the elderly, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HS HB 349** was read the third time and passed by the following vote:

AYES: 153

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gaskill
George	Graham	Gratz	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Hendrickson	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Long
Lowe	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 001

Luetkemeyer

PRESENT: 000

ABSENT WITH LEAVE: 006

Gambaro	Green 15	Henderson	Hickey	Reynolds
Wiggins				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HS HCS HB 488, relating to tourism, was taken up by Representative Koller.

On motion of Representative Koller, **HS HCS HB 488** was read the third time and passed by the following vote:

AYES: 135

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Crawford
Crowell	Crump	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gaskill
George	Graham	Gratz	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 36	King
Koller	Lawson	Legan	Levin	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Myers
Naeger	Nordwald	O'Toole	Ostmann	Overschmidt
Phillips	Purgason	Ransdall	Reid	Reinhart
Relford	Richardson	Ridgeway	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Secret
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 013

Burcham	Byrd	Cunningham	Hendrickson	Hohulin
Jetton	Kelly 144	Kennedy	Mayer	Murphy
Portwood	Rector	Roark		

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Copenhaver	Gambaro	Green 15	Green 73
Harlan	Hickey	Kelly 27	Lograsso	O'Connor
Reynolds	Wiggins			

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HCS HB 660, relating to public school retirement, was taken up by Representative Hagan-Harrell.

On motion of Representative Hagan-Harrell, **HCS HB 660** was read the third time and passed by the following vote:

AYES: 146

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Britt	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gaskill	George	Graham	Gratz	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secret	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Willoughby	Wright
Mr. Speaker				

NOES: 005

Bray 84	Brooks	Williams	Wilson 25	Wilson 42
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PRESENT: 002

Davis	O'Toole
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ABSENT WITH LEAVE: 007

Baker	Gambaro	Green 15	Harlan	Hickey
Reynolds	Wiggins			

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

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AYES: 148

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gaskill	George
Graham	Gratz	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright		

NOES: 003

Hohulin	Roark	Mr. Speaker
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PRESENT: 001

Hunter

ABSENT WITH LEAVE: 008

Baker	Gambaro	Green 15	Harlan	Hickey
Nordwald	Reynolds	Wiggins		

VACANCIES: 003

HB 678, relating to ethics, was taken up by Representative Seigfreid.

On motion of Representative Seigfreid, **HB 678** was read the third time and passed by the following vote:

AYES: 149

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gaskill
George	Graham	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Legan	Levin	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Gambaro	Gratz	Green 15	Harlan	Hickey
Lawson	Nordwald	Reynolds	Surface	Wiggins
Williams				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

Representative Villa assumed the Chair.

HCS HB 426, relating to retirement, was taken up by Representative O'Toole.

On motion of Representative O'Toole, **HCS HB 426** was read the third time and passed by the following vote:

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AYES: 146

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gaskill	George
Graham	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 003

Hendrickson	Hunter	Treadway
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PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Gambaro	Gratz	Green 15	Harlan
Hickey	Linton	Long	Nordwald	Reynolds
Wiggins				

VACANCIES: 003

Representative Villa declared the bill passed.

HCS HB 831, relating to crime victims' compensation, was taken up by Representative Carnahan.

On motion of Representative Carnahan, **HCS HB 831** was read the third time and passed by the following vote:

AYES: 149

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gaskill	George
Graham	Gratz	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Gambaro	Green 15	Harlan	Hickey
Lograsso	Long	Nordwald	Reynolds	Surface
Wiggins				

VACANCIES: 003

Representative Villa declared the bill passed.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HB 16, with House Committee Amendment No. 1, relating to appropriations, was taken up by Representative Green (73).

On motion of Representative Green (73), **House Committee Amendment No. 1** was adopted.

Representative Green (73) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 16, Page 25, Section 16.170, Line 5, by deleting the number “**152**” and inserting in lieu thereof the following: “**389, Section 612**”; and

Further amend said bill, Page 25, Section 16.172, Line 5, by deleting the number “**152**” and inserting in lieu thereof the following: “**389, Section 612**”; and

Further amend said bill, Page 26, Section 16.174, Line 5, by deleting the number “**152**” and inserting in lieu thereof the following: “**389, Section 612**”.

On motion of Representative Green (73), **House Amendment No. 1** was adopted.

On motion of Representative Green (73), **HB 16, as amended**, was ordered perfected and printed.

HB 17, with House Committee Amendment No. 1, relating to appropriations, was taken up by Representative Green (73).

On motion of Representative Green (73), **House Committee Amendment No. 1** was adopted.

Representative Ransdall offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 17, Page 27, Section 17.176, Line 2, by deleting from said line the word “**part**” and inserting in lieu thereof the word “**park**”.

On motion of Representative Ransdall, **House Amendment No. 1** was adopted.

Representative Bray offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 17, Page 35, Section 17.218, Lines 1-8, by deleting all of said Section.

Speaker Pro Tem Abel resumed the Chair.

Representative Bray moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 034

Bland	Bowman	Boykins	Bray 84	Brooks
Campbell	Carnahan	Clayton	Coleman	Copenhaver
Curls	Franklin	Fraser	Hagan-Harrell	Harding
Harlan	Haywood	Hilgemann	Johnson 61	Johnson 90

Jolly	Kelly 27	Lowe	Mays 50	Ostmann
Relford	Scheve	Skaggs	Thompson	Van Zandt
Walton	Williams	Willoughby	Wilson 42	

NOES: 110

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Boatright	Bonner	Boucher
Britt	Burcham	Burton	Byrd	Champion
Cierpiot	Cooper	Crawford	Crowell	Crump
Cunningham	Davis	Dempsey	Dolan	Enz
Farnen	Foley	Froelker	Gaskill	George
Green 73	Griesheimer	Hampton	Hanaway	Hartzler
Hegeman	Henderson	Hendrickson	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Kelley 47	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Long	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	O'Connor	O'Toole	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Richardson	Ridgeway	Rizzo	Robirds
Ross	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Smith
St. Onge	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Ward	Wright	Mr. Speaker

PRESENT: 001

Graham

ABSENT WITH LEAVE: 015

Baker	Fares	Ford	Gambaro	Gratz
Green 15	Hickey	Kelly 144	Naeger	Nordwald
Reynolds	Roark	Surface	Wiggins	Wilson 25

VACANCIES: 003

On motion of Representative Green (73), **HB 17, as amended**, was ordered perfected and printed.

PERFECTION OF HOUSE BILLS - INFORMAL

HCS HB 279, relating to screening of newborns, was taken up by Representative Shoemyer.

On motion of Representative Shoemyer, **HCS HB 279** was adopted.

On motion of Representative Shoemyer, **HCS HB 279** was ordered perfected and printed.

HCS HBs 981 & 665, relating to tort immunity for teachers, was taken up by Representative Willoughby.

Representative Willoughby offered **HS HCS HBs 981 & 665**.

Representative Willoughby offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill Nos. 981 & 665, Page 6, Section 160.261, Line 16, by deleting all of said line and inserting in lieu thereof the following:

“State law, acts of school violence, within the”.

Representative Shields offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 981 & 665, Page 6, Section 160.261, Line 16, by deleting all of said line and inserting in lieu thereof the following:

“state law, acts of school violence or threatened acts of school violence, within the”.

On motion of Representative Shields, **House Substitute Amendment No. 1 for House Amendment No. 1** was adopted.

On motion of Representative Willoughby, **HS HCS HBs 981 & 665, as amended**, was adopted.

On motion of Representative Willoughby, **HS HCS HBs 981 & 665, as amended**, was ordered perfected and printed.

HCS HB 780, relating to economic development, was taken up by Representative Scheve.

Representative Scheve offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 780, Page 8, Section 135.200, Line 52, by deleting all of said line and inserting in lieu thereof the following:

"thousand eight hundred and classified as SIC 7011 or NAICS 72111. Notwithstanding any other provisions of law to the contrary, hotel and motel activities as defined in this subdivision shall not be eligible for state enterprise zone tax credits but shall be eligible for the real property improvements exemption provided in subsection 1 of section 135.215, regardless of the number of new jobs created and maintained;"; and

Further amend said bill, Page 13, Section 135.208, Line 87, by deleting all of said line and inserting in lieu thereof the following: **"population of at least one thousand four hundred but less than one thousand four hundred fifty inhabitants and"**; and

Further amend said bill, Page 13, Section 135.208, Lines 90 and 91, by deleting all of said lines and inserting in lieu thereof the following: **"rule city with a population of at least twenty-two thousand two hundred but less than twenty-two thousand four hundred inhabitants and located in a county of the first"**; and

Further amend said bill, Page 14, Section 135.208, Lines 96 and 97, by deleting all of said lines and inserting in lieu thereof the following: **"fourth class city with a population of at least two thousand seven hundred but less than two thousand seven hundred ten inhabitants and located in a county of the first classification with"**; and

Further amend said bill, Page 17, Section 135.411, Line 8, by inserting after all of said line the following:

"135.478. As used in sections 135.481 to 135.487, the following terms mean:

(1) "Department", the department of economic development;
 (2) "Director", the director of the department of economic development;
 (3) "Distressed community", as defined in section 135.530;
 (4) "Eligible costs for a new residence", expenses incurred for property acquisition, development, site preparation [other than demolition], surveys, architectural and engineering services and construction and all other necessary and incidental expenses incurred for constructing a new market rate residence, which is or will be owner-occupied, which is not replacing a national register listed or local historic structure; except that, costs paid for by the taxpayer with grants or forgivable loans, other than tax credits, provided pursuant to state or federal governmental programs are ineligible;

(5) "Eligible costs for rehabilitation", expenses incurred for the renovation or rehabilitation of an existing residence including site preparation, surveys, architectural and engineering services, construction, modification, expansion, remodeling, structural alteration, replacements and alterations; except that, costs paid for by the taxpayer with grants or forgivable loans other than tax credits provided pursuant to state or federal governmental programs are ineligible;

(6) "Eligible residence", a single-family residence forty years of age or older, located in this state and not within a distressed community as defined by section 135.530, which is occupied or intended to be or occupied long-term by the owner or offered for sale at market rate for owner-occupancy and which is either located within a United States census block group which, if in a metropolitan statistical area, has a median household income of less than ninety percent, but greater than or equal to seventy percent of the median household income for the metropolitan statistical area in which the census block group is located, or which, if located within a United States census block group in a nonmetropolitan area, has a median household income of less than ninety percent, but greater than or equal to seventy percent of the median household income for the nonmetropolitan areas in the state. **An eligible residence shall include a condominium or residence within a multiple residential structure or a structure containing multiple single family residences;**

(7) "Flood plain", any land or area susceptible to being inundated by water from any source or located in a one hundred-year flood plain area determined by Federal Emergency Management Agency mapping as subject to flooding;

(8) "New residence", a residence constructed on land which if located within a distressed community has either been vacant for at least two years or is or was occupied by a structure which has been condemned by the local entity in which the structure is located or which, if located outside of a distressed community but within a census block group as described in subdivision (6) or (10) of this section, either replaces a residence forty years of age or older demolished for purposes of constructing a replacement residence, or which is constructed on vacant property which has been classified for not less than forty continuous years as residential or utility, commercial, railroad or other real property pursuant to article X, section 4(b) of the Missouri Constitution, as defined in section 137.016, RSMo, **or, if not a first class county with a charter form of government, vacant property classified residential or agricultural and horticultural property, as defined in section 137.016, RSMo**; except that, no new residence shall be constructed in a flood plain or on property used for agricultural purposes. In a distressed community, the term "new residence" shall include condominiums, owner-occupied units or other units intended to be owner-occupied in multiple unit structures;

(9) "Project", new construction, rehabilitation or substantial rehabilitation of a residence **or residences, whether comprised of one structure containing multiple single-family residences or multiple individual structures** that [qualifies] **qualify** for a tax credit pursuant to sections 135.475 to 135.487;

(10) "Qualifying residence", a single-family residence, forty years of age or older, located in this state which is occupied or intended to be occupied long-term by the owner or offered for sale at market rate for owner-occupancy and which is located in a metropolitan statistical area or nonmetropolitan statistical area within a United States census

block group which has a median household income of less than seventy percent of the median household income for the metropolitan statistical area or nonmetropolitan area, respectively, or which is located within a distressed community. A qualifying residence shall include a condominium or residence within a multiple residential structure or a structure containing multiple single-family residences which is located within a distressed community;

(11) "Substantial rehabilitation", rehabilitation the costs of which exceed fifty percent of either the purchase price or the cost basis of the structure immediately prior to rehabilitation; provided that, the structure is at least fifty years old notwithstanding any provision of sections 135.475 to 135.487 to the contrary;

(12) "Tax liability", the tax due pursuant to chapter 143, 147 or 148, RSMo, other than taxes withheld pursuant to sections 143.191 to 143.265, RSMo;

(13) "Taxpayer", any person, partnership, corporation, trust or limited liability company.

135.481. 1. (1) Any taxpayer who incurs eligible costs for a new residence located in a distressed community or within a census block group as described in subdivision (6) or (10) of section 135.478, or for a multiple unit condominium described in subdivision (2) of this subsection, shall receive a tax credit equal to [fifteen] **twenty** percent of such costs against his or her tax liability. The tax credit shall not exceed forty thousand dollars per new residence in any ten-year period.

(2) For the purposes of this section, a "multiple unit condominium" is one that is intended to be owner occupied, which is constructed on property subject to an industrial development contract as defined in section 100.310, RSMo, and which lies within an area with a city zoning classification of urban redevelopment district established after January 1, 2000, and before December 31, 2001, and which is constructed in connection with the qualified rehabilitation of a structure more than ninety years old eligible for the historic structures rehabilitation tax credit described in sections 253.545 to 253.559, RSMo, and is under way by January 1, 2000, and completed by January 1, 2002.

[2. Any taxpayer who incurs eligible costs for a new residence located within a census block as described in subdivision (6) of section 135.478 shall receive a tax credit equal to fifteen percent of such costs against his or her tax liability. The tax credit shall not exceed twenty-five thousand dollars per new residence in any ten-year period.]

[3.] **2.** Any taxpayer who is not performing substantial rehabilitation and who incurs eligible costs for rehabilitation of an eligible residence or a qualifying residence shall receive a tax credit equal to twenty-five percent of such costs against his or her tax liability. The minimum eligible costs for rehabilitation of an eligible residence shall be ten thousand dollars. The minimum eligible costs for rehabilitation of a qualifying residence shall be five thousand dollars. The tax credit shall not exceed twenty-five thousand dollars in any ten-year period.

[4.] **3.** Any taxpayer who incurs eligible costs for substantial rehabilitation of a qualifying residence shall receive a tax credit equal to thirty-five percent of such costs against his or her tax liability. The minimum eligible costs for substantial rehabilitation of a qualifying residence shall be ten thousand dollars. The tax credit shall not exceed seventy thousand dollars in any ten-year period.

[5.] **4.** A taxpayer shall be eligible to receive tax credits for new construction or rehabilitation pursuant to only one subsection of this section.

[6.] **5.** No tax credit shall be issued pursuant to this section for any structure which is in violation of any municipal or county property, maintenance or zoning code.

[7.] **6.** No tax credit shall be issued pursuant to sections 135.475 to 135.487 for the construction or rehabilitation of rental property."; and

Further amend said bill, Page 17, Section 135.484, Line 3, by deleting from said line the word "**initially**"; and

Further amend said bill, Page 18, Section 135.484, Line 16, by deleting from said line the word "**sixty**"; and

Further amend said bill, Page 18, Section 135.484, Lines 17 and 18, by deleting all of said lines and inserting in lieu thereof the following: "The maximum tax credit for a project [consisting of multiple-unit qualifying residences in a distressed community] shall not exceed [three] **one million five hundred thousand** dollars."; and

Further amend said bill, Page 18, Section 135.484, Line 35, by inserting after all of said line the following:

"135.487. 1. To obtain any credit allowed pursuant to sections 135.475 to 135.487, a taxpayer shall submit to the department, for preliminary approval, an application for tax credit. The director shall, upon final approval of an application and presentation of acceptable proof of substantial completion of construction, issue the taxpayer a certificate of tax credit. **In the case of projects involving the new construction, rehabilitation or substantial**

rehabilitation of more than one residence, one application for tax credit may be submitted to the department for preliminary approval for the entire project, and the director shall issue the taxpayer a certificate of tax credit upon final approval of an application and presentation of acceptable proof of substantial completion of construction for each individual residence rather than delaying issuance of a tax credit pursuant to sections 135.475 to 135.487 until substantial completion of the entire project. The director shall issue all credits allowed pursuant to sections 135.475 to 135.487 in the order the applications are received. In the case of a taxpayer other than an owner-occupant, the director shall not delay the issuance of a tax credit pursuant to sections 135.475 to 135.487 until the sale of a residence at market rate for owner-occupancy. A taxpayer, taxpayer other than an owner-occupant who receives a certificate of tax credit pursuant to sections 135.475 to 135.487 shall, within thirty days of the date of the sale of a residence, furnish to the director satisfactory proof that such residence was sold at market rate for owner-occupancy. If the director reasonably determines that a residence was not in good faith intended for long-term owner occupancy, the director make revoke any tax credits issued and seek recovery of any tax credits issued pursuant to section 620.017, RSMo.

2. The department may cooperate with a municipality or a county in which a project is located to help identify the location of the project, the type and eligibility of the project, the estimated cost of the project and the completion date of the project.

3. The department may promulgate such rules or regulations or issue administrative guidelines as are necessary to administer the provisions of sections 135.475 to 135.487. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

4. The department shall conduct annually a comprehensive program evaluation illustrating where the tax credits allowed pursuant to sections 135.475 to 135.487 are being utilized, explaining the economic impact of such program and making recommendations on appropriate program modifications to ensure the program's success."; and

Further amend said bill, Page 19, Section 135.500, Lines 17 and 18, by deleting from said lines the following: **"or qualified Missouri agricultural business";** and

Further amend said bill, Page 19, Section 135.500, Lines 23 and 24, by deleting all of said lines and inserting in lieu thereof the following:

"(4) "Certified capital investment", an investment of cash by an investor in a Missouri certified capital company that fully funds either the investor's equity interest in a certified capital company, a qualified debt instrument that a certified capital company issues, or both;"; and

Further amend said bill, Page 19, Section 135.500, Line 38, by deleting all of said line and inserting in lieu thereof the following:

"(11) "Qualified debt instrument", a debt instrument that a certified capital company issues at par value or at a premium that:

(a) Has an original maturity date of at least five years from the date on which it was issued;
(b) Has a repayment schedule that is no faster than a level principal amortization; and
(c) Until the certified capital company may make distributions other than qualified distributions, the interest, distribution or payment features of which are not related to the certified capital company's profitability or the performance of its investment portfolio;

(12) "Qualified distribution", any distribution of payment to equity holders of a certified"; and

Further amend said bill, Page 19, Section 135.500, Lines 42 and 43, by deleting all of said lines and inserting in lieu thereof the following:

"(b) Management fees for managing and operating the certified capital company [; and] which, on an annual basis, do not exceed two and one-half percent of the certified capital company's total certified capital;

(c) Reasonable and necessary fees paid for professional services related to the operation of the certified capital company; and

[(c)] (d) Any increase in federal or state taxes, penalties and interest, including those related"; and

Further amend said bill, Page 19, Section 135.500, Line 46, by deleting the number "(12)" and inserting in lieu thereof the following: "[(12)] **(13)**"; and

Further amend said bill, Page 19, Section 135.500, Lines 47 and 48, by deleting all of said lines and inserting in lieu thereof the following:

"company in such a manner as to acquire capital in a qualified Missouri business. **The investment must also be for the purchase of an equity security of the qualified business or a debt security of the qualified business, provided the debt has a maturity of at least one year. Other than debt securities issued by a qualified business located in a distressed community or by a qualified Missouri agricultural business, the debt security must be unsecured or be convertible into equity securities or equity participation instruments such as options or warrants. As a condition of the investment, the qualified business must agree to retain its headquarters and principal business operations in the state, or in a distressed community, if the investment is to be credited to a distressed community allocation, for three years following any qualified investment;**"; and

Further amend said bill, Page 19, Section 135.500, Line 49, by deleting therefrom the number "(13)" and inserting in lieu thereof the following: "**(14)**"; and

Further amend said bill, Page 20, Section 135.500, Lines 59 to 75, by deleting all of said lines and inserting in lieu thereof the following:

"[(13)] **(15)** "Qualified Missouri business", an independently owned and operated business, which is headquartered and [located] **has its principal business operations** in Missouri and which is in need of venture capital and cannot obtain conventional financing. Such business:

- (a) Shall have no more than two hundred employees[.];
- (b) **Shall have at least** eighty percent of [which are] **its employees** employed in Missouri[. Such business];
- (c) Shall be involved in commerce for the purpose of manufacturing, processing or assembling products, conducting research and development, or providing services in interstate commerce, but excluding retail, real estate, real estate development, insurance and professional services provided by accountants, lawyers or physicians[.];
- (d) If [such business] it has been in existence for three years or less, its gross sales during its most recent complete fiscal years shall not have exceeded four million dollars. If such business has been in existence for longer than three years, its gross sales during its most recent complete fiscal year shall not have exceeded three million dollars[.];
- (e) **Shall certify that it will maintain its headquarters and principal business operations in this state, or in a distressed community, if the investment is to be credited to a distressed community allocation, for three years following any qualified investment; and**
- (f) **If any business which is classified as a qualified Missouri business at the time of the first investment in such business by a Missouri certified capital company shall, for a period of seven years from the date of such first investment, remain classified as a qualified Missouri business and may receive follow-on investments from any Missouri certified capital company and such follow-on investments shall be qualified investments even though such business may not meet the [other] qualifications of paragraphs (a), (b) and (d) of this [subsection] subdivision at the time of such follow-on investments, provided, however, that such business continues to meet the other requirements set forth in this subdivision, and such business reaffirms its intention to maintain its headquarters and its principal business operations in this state, or in a distressed community, if the investment is to be credited to a distressed community allocation;**"; and

Further amend said bill, Page 20, Section 135.500, Line 76, by deleting the number "(15)" and inserting in lieu thereof the following: "**(16)**"; and

Further amend said bill, Page 21, Section 135.503, Line 24, by deleting from said line the opening bracket "["; and

Further amend said bill, Page 21, Section 135.503, Lines 30 to 38, by deleting all of said lines and inserting in lieu thereof the following: "to subsection 1 of this section. During any calendar year in which the limitation described in this subsection will limit"; and

Further amend said bill, Page 22, Section 135.503, Line 50, by deleting all of said line and inserting in lieu thereof the following: "following: for calendar year 1999 [and for any year thereafter,] an amount to be determined by the"; and

Further amend said bill, Page 22, Section 135.503, Line 52, by inserting after the word "year" the following: **"; and for calendar year 2002, an amount to be determined by the director, but not to exceed forty million dollars, entitling all Missouri certified capital company investors in the applicable funds to take aggregate credits not to exceed four million dollars for any year,"**; and

Further amend said bill, Page 22, Section 135.503, Line 56, by inserting after the number "4" the following: **"or 5"**; and

Further amend said bill, Page 22, Section 135.503, Lines 60 to 64, by deleting all of said lines and inserting in lieu thereof the following:

"subdivision [(13)] **(15)** of subsection 2 of section 135.500 means:

(a) A Missouri business that is located in a distressed community as defined in section 135.530, **has at least eighty percent of its employees in distressed communities**, and meets all of the requirements of subdivision [(13)] **(15)** of subsection 2 of section 135.500, except that its gross sales during its most recent complete fiscal year shall not have exceeded five million dollars; **or**

(b) With respect to certified capital invested in 2002, a qualified Missouri agricultural business. During any calendar year in which the limitation described in this subsection limits the amount"; and

Further amend said bill, Page 22, Section 135.503, Line 79, by inserting after the number "4" the following: **"or 5"**; and

Further amend said bill, Page 23, Section 135.503, Line 81, by inserting after all of said line the following:

"7. In no event shall the cumulative amount of tax credits authorized by this section exceed one hundred eighty million dollars.

135.508. **1.** The department may certify profit or not-for-profit entities which submit an application to be designated as a Missouri certified capital company. The department shall review the organizational documents for each applicant for certification and the business history of the applicant, determine that the Missouri certified capital company's cash, marketable securities and other liquid assets are at least five hundred thousand dollars, determine that the liquid asset base for certified companies is at least five hundred thousand dollars at all times during the company's participation in the program authorized by sections 135.500 to 135.529, and determine that the officers and the board of directors, partners, trustees or managers are thoroughly acquainted with the requirements of sections 135.500 to 135.529.

2. To be certified, at least two of the principals have a minimum of five years of experience making venture capital investments out of private equity funds, with no less than twenty million dollars being provided by third-party investors for investment in the early stage of operating businesses. At least one full-time manager or principal of the certified capital company who has such experience must be primarily located in an office of the certified capital company which is based in this state.

3. To be certified, there must be no evidence that the applicant has:

(1) Violated any provision of this law;
(2) Made a material misrepresentation or false statement or concealed any essential or material fact from any person during the application process or with respect to information and reports required of certified capital companies pursuant to this law;

(3) Been convicted of, or entered a plea of guilty or nolo contendere to, a crime against the laws of this state or any other state or of the United States or any other country or government, including a fraudulent act in connection with the operation of a certified capital company, or in connection with the performance of fiduciary duties in another capacity;

(4) Been adjudicated liable in a civil action on grounds of fraud, embezzlement, misrepresentation or

deceit; or

(5) **Been the subject of any decision, finding, injunction, suspension, prohibition, revocation, denial, judgment or administrative order by any court of competent jurisdiction, administrative law judge, or any state or federal agency, national securities, commodities, or option exchange, or national securities, commodities or option association, involving a material violation of any federal or state securities or commodities law or any rule or regulation adopted pursuant to such law, or any rule or regulation of any national securities, commodities or options exchange, or national securities, commodities or options association; or**

(6) **Been the subject of any injunction or adverse administrative order by a state or federal agency regulating banking, insurance, finance or small loan companies, real estate, mortgage brokers or other related or similar industries.**

4. No insurance company which receives tax credits permitted under sections 135.500 to 135.529 for an investment in a Missouri certified capital company shall, individually or with or through one or more affiliates, be a managing general partner of or control the direction of investments of that Missouri certified capital company. Within seventy-five days of application, the department shall either issue the certification and notify the department of revenue and the director of the department of insurance of such certification or shall refuse the certification and communicate in detail to the applicant the grounds for the refusal, including the suggestions for the removal of those grounds.

5. The department shall be responsible for the administration of the tax credits authorized by sections 135.500 to 135.529. No rule or portion of a rule promulgated under the authority of sections 135.500 to 135.529 shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo. All rulemaking authority delegated prior to June 27, 1997, is of no force and effect and repealed; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to June 27, 1997, if such rule complied with the provisions of chapter 536, RSMo. The provisions of this section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, including the ability to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule, are subsequently held unconstitutional, then the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void."; and

Further amend said bill, Page 23, Section 135.516, Lines 11 to 14, by deleting all of said lines and inserting in lieu thereof the following: **"capital shall be, or have been, placed in qualified investments. A Missouri certified capital company may not make an investment in"**; and

Further amend said bill, Page 24, Section 135.516, Lines 38 to 46, by deleting all of said lines and inserting in lieu thereof the following:

"which has been placed in qualified investments and can be received by the company[, may be held or invested in such manner as the Missouri certified capital company, in its discretion, deems appropriate]:

- (a) **Shall be held in a financial institution or held by a registered broker-dealer;**
- (b) **Shall not be invested in a certified investor of the certified capital company or any affiliate of the certified investor of the certified capital company other than a result of an investment permitted by subparagraph c of paragraph (c) of subdivision (5) of subsection 1 of this section;**
- (c) **Shall be invested only in:**
 - a. **Any United States Treasury obligations;**
 - b. **Certificates of deposit or other obligations, maturing within three years after acquisitions of such certificates or obligations, issued by a financial institution or trust company incorporated pursuant to the laws of the United States;**
 - c. **Obligations which (i) are rated "A" or better by any nationally recognized credit rating agency, or (ii) issued by, or guaranteed with respect to payment by, an entity whose unsecured indebtedness is rated "A" or better by any nationally recognized credit rating agency and which is not subordinated to other unsecured indebtedness of the issuer or guarantor, as the case may be;**
 - d. **Mortgage-backed securities, with an average life of five years or less, after the acquisition of such securities, which are rated "A" or better by any nationally recognized credit rating agency;**
 - e. **Collateralized mortgage obligations and real estate mortgage investment conduits that are direct obligations of an agency of the United States government, are not private-label issues, are in book-entry form, and do not include the classes of interest only, principal only, residual or zero; or**

f. Interests in money market funds, the portfolio of which is limited to cash and obligations described in subparagraphs a to e of this paragraph.

2. The"; and

Further amend said bill, Page 24, Section 135.516, Line 51, by deleting from said line the number "2." and inserting in lieu thereof the following: "[2.] 3."; and

Further amend said bill, Page 24, Section 135.516, Lines 54 to 56, by deleting all of said lines and inserting in lieu thereof the following: "investments. Cumulative distributions to equity holders, other than"; and

Further amend said bill, Page 25, Section 135.516, Line 72, by inserting after all of said line the following:

"4. In the event that a business in which a qualified investment is made fails to comply with its agreement to retain its headquarters and principal business operations in the state, or in a distressed community, if the investment is to be credited to a distressed community allocation, for three years following any qualified investment, by relocating its headquarters or principal business operations of such business within the state to another state, the cumulative amount of qualified investment shall be reduced for purposes of this subsection only by the amount of such qualified investment, unless:

(1) The certified capital company invests an amount of at least equal to the investment of certified capital in the relocated business in a qualified business located in the state or in a distressed community, if the investment is to be credited to a distressed community allocation, within six months of the relocation; or

(2) The business demonstrates that it has returned its principal business operations to Missouri or a distressed community, if the investment is to be credited to a distressed community allocation, within three months of such relocation."; and

Further amend said bill, Page 25, Section 135.516, Line 73, by deleting the number "3." and inserting in lieu thereof the following: "[3.] 5."; and

Further amend said bill, Page 25, Section 135.516, Line 76, by deleting the number "4." and inserting in lieu thereof the following: "[4.] 6."; and

Further amend said bill, Page 25, Section 135.516, Line 79, by deleting the number "5." and inserting in lieu thereof the following: "[5.] 7."; and

Further amend said bill, Page 25, Section 135.516, Line 94, by inserting after all of said line the following:

"135.527. 1. On an annual basis, on or before January thirty-first, each certified capital company shall file with the department, on forms or in a manner prescribed by the department, a report for the period ending December thirty-first of the immediately preceding calendar year:

(1) The total dollar amount the certified capital company received from certified investors, the identity of the certified investors and the amount received from each certified investor;

(2) The total dollar amount the certified capital company invested and the amount invested in qualified businesses, together with the identity and location of those businesses and the amount invested in each qualified business; and

(3) The total number of permanent, full-time jobs either created or retained by the qualified business, the average wage of the jobs created or retained, the industry sectors in which the qualified businesses operate and any additional capital invested in qualified businesses from sources other than certified capital companies.

2. The report shall be verified by one or more principals of the certified capital company submitting the form.

3. The department may audit and examine the accounts, books or records of certified capital companies, certified investors and qualified Missouri businesses that received qualified investments for the purpose of ascertaining the correctness of any report filed, and to ascertain a certified capital company's compliance with the provisions of sections 135.500 to 135.529.

4. Beginning on March 31, 2002, and on March thirty-first of each even-numbered year thereafter, the

department shall report on a biennial basis to the governor, the speaker of the house of representatives, and the president pro tempore of the senate on or before April first:

(1) The total dollar amount each certified capital company received from all certified investors and any other investor, the identity of the certified investors, and the total amount of premium tax credit used by each certified investor for the previous calendar year;

(2) The total dollar amount invested by each certified capital company and that portion invested in qualified businesses, the identity and location of those businesses, the amount invested in each qualified business and the total number of permanent, full-time jobs created or retained by each qualified business; and

(3) The return for the state as a result of the certified capital company investments, including the extent to which:

- (a) Certified capital company investments have contributed to employment growth;
- (b) The wage level of businesses in which certified capital companies have invested exceeds the average wage for the county in which the jobs are located; and
- (c) The investments of the certified capital companies in qualified businesses have contributed to expanding or diversifying the economic base of the state."; and

Further amend said bill, Page 25, Section 135.530, Line 8, by deleting all of said line and inserting in lieu thereof the following: "statistical area which has a population of at least [two thousand] five hundred, and each block"; and

Further amend said bill, Page 26, Section 135.530, Lines 17 to 22, by deleting all of said lines and inserting in lieu thereof the following:

"decennial census. **In metropolitan statistical areas, the definition shall include areas that are designated as either a federal empowerment zone, a federal enhanced enterprise community, or a state enterprise zone that was originally designated prior to January 1, 1986.**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Scheve, **House Amendment No. 1** was adopted.

Representative Merideth offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 780, Page 11, Section 67.1360, Line 52, by inserting after all of said line the following:

"135.205. For purposes of sections 135.200 to 135.256, an area must meet all the following criteria in order to qualify as an enterprise zone:

(1) The area is one of pervasive property, unemployment, and general distress;

(2) At least sixty-five percent of the residents living in the area have incomes below eighty percent of the median income of all residents within the state of Missouri according to the last decennial census or other appropriate source as approved by the director;

(3) The resident population of the area must be at least four thousand but not more than seventy-two thousand at the time of designation as an enterprise zone if the area lies within a metropolitan statistical area, as established by the United States Census Bureau; or, if the area does not lie within a metropolitan statistical area, the resident population of the area at the time of designation must be at least one thousand but not more than [twenty] **twenty-five** thousand inhabitants. If the population of the jurisdiction of the governing authority does not meet the minimum population requirements set forth in this subdivision, the population of the area must be at least fifty percent of the population of the jurisdiction; provided, however, no enterprise zone shall be created which consists of the total area within the political boundaries of a county; and

(4) The level of unemployment of persons, according to the most recent data available from the division of employment security or from the United States Bureau of Census and approved by the director, within the area exceeds

one and one-half times the average rate of unemployment for the state of Missouri over the previous twelve months, or the percentage of area residents employed on a full-time basis is less than fifty percent of the statewide percentage of residents employed on a full-time basis.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Merideth, **House Amendment No. 2** was adopted.

Representative Foley offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 780, Page 17, Section 135.230, Line 110, by inserting after all of said line the following:

"135.406. Notwithstanding sections 135.403 and 135.405, no more than one million dollars of the total amount of Missouri small business tax credits available for qualified investments in Missouri small businesses shall be used and made available for qualified investments in Missouri small businesses, which are enterprises which consist of one or more establishments assigned a SIC code of 8731 and the results of the activities of which are designed to be used by establishments assigned a SIC code of 2834, engaged solely in pharmaceutical research and development; but in the event this one million dollar set aside is not used in its entirety by September first of any year, the balance of the credit may be used by other entities qualifying for tax credits under the capital tax credit program as defined in sections 135.400 to 135.430. The limitations of subsection 2 of section 135.403 and section 135.405 upon the amounts of qualified investments, the aggregate of tax credits authorized and the maximum tax credits which may be evidenced by certificates of tax credit issued or owned by a single taxpayer shall not apply to amounts allocated by this section. The director shall give preference in issuing certificates of tax credit to applicants under this section."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Foley, **House Amendment No. 3** was adopted.

Representative Jetton offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 780, Page 17, Section 135.230, Line 110, by inserting after said line the following:

"135.305. A Missouri wood energy producer shall be eligible for a tax credit on taxes otherwise due under chapter 143, RSMo, except sections 143.191 to 143.261, RSMo, as a production incentive to produce processed wood products in a qualified wood producing facility using Missouri forest product residue. The tax credit to the wood energy producer shall be five dollars per ton of processed material. The credit may be claimed for a period of [five] ~~ten~~ years and is to be a tax credit against the tax otherwise due."; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Jetton, **House Amendment No. 4** was adopted.

Representative Hohulin offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 780, Page 28, Line 3, by adding the following:

“the owner of a recreational facility located in a third class county of less than 30,000 inhabitants bordered by a state line and two other third class counties shall be eligible for an 80% tax credit for improvements made to such facility. The maximum allowable tax credit for such facility shall be \$10,000.”.

On motion of Representative Hohulin, **House Amendment No. 5** was adopted.

Representative Reid offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 780, Page 26, Section 620.1450, Line 2, by inserting immediately after said line the following:

"Section 1. For real property tax increment allocation redevelopment projects, no project with the portion of total redevelopment project costs pursuant to section 99.805, RSMo, for retail equal to fifty percent or more of such total costs shall be approved beginning August 28, 2001 to March 1, 2003 in a county of the first classification having a charter form of government and a population greater than nine hundred thousand inhabitants."; and

Further amend title, enacting clause and intersectional references accordingly.

Representative Scheve raised a point of order that **House Amendment No. 6** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Reid moved that **House Amendment No. 6** be adopted.

Which motion was defeated by the following vote:

AYES: 025

Baker	Bearden	Boatright	Bray 84	Burcham
Crawford	Cunningham	Enz	Fraser	Hampton
Henderson	Hendrickson	Hohulin	Hunter	Johnson 90
Kelly 27	Marble	Moore	Murphy	Phillips
Purgason	Reid	Selby	Townley	Williams

NOES: 106

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Behnen	Berkowitz	Berkstresser	Black
Bland	Bonner	Bowman	Britt	Brooks
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crowell
Crump	Curls	Davis	Dempsey	Dolan
Fares	Farnen	Foley	Froelker	Gaskill
George	Graham	Griesheimer	Hagan-Harrell	Hanaway
Harding	Hartzler	Haywood	Hegeman	Hilgemann

Hollingsworth	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Jolly	Kelley 47	King	Koller
Lawson	Legan	Levin	Liese	Lowe
Luetkenhaus	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Ransdall	Rector	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Robirds	Ross	Scheve
Schwab	Secrest	Seigfreid	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Thompson
Treadway	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Willoughby	Wilson 42	Wright
Mr. Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 029

Ballard	Boucher	Boykins	Burton	Ford
Franklin	Gambaro	Gratz	Green 15	Green 73
Harlan	Hickey	Holand	Kelly 144	Kelly 36
Kennedy	Linton	Lograsso	Long	Luetkemeyer
Nordwald	Portwood	Reynolds	Roark	Scott
Surface	Troupe	Wiggins	Wilson 25	

VACANCIES: 003

Representative Griesheimer offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for House Bill No. 780, Page 26, Line 2, by inserting after all of said line the following:

"447.700. As used in sections 447.700 to 447.718, the following terms mean:

(1) "Abandoned property", real property previously used for, or which has the potential to be used for, commercial or industrial purposes which reverted to the ownership of the state, a county, or municipal government, or an agency thereof, through donation, purchase, tax delinquency, foreclosure, default or settlement, including conveyance by deed in lieu of foreclosure; or a privately owned property endorsed by the city, or county if the property is not in a city, for inclusion in the program which will be transferred to a person other than the potentially responsible party as defined in chapter 260, RSMo, and has been vacant for a period of not less than three years from the time an application is made to the department of economic development;

(2) "Allowable cost", all or part of the costs of project facilities, including the costs of acquiring the property, relocating any remaining occupants, constructing, reconstructing, rehabilitating, renovating, enlarging, improving, equipping or furnishing project facilities, demolition, site clearance and preparation, supplementing and relocating public capital improvements or utility facilities, designs, plans, specifications, surveys, studies and estimates of costs, expenses necessary or incident to determining the feasibility or practicability of assisting an eligible project or providing project facilities, architectural, engineering and legal service fees and expenses, the costs of conducting any other activities as part of a voluntary remediation and such other expenses as may be necessary or incidental to the establishment or development of an eligible project and reimbursement of moneys advanced or applied by any governmental agency or other person for allowable costs. **In any third class city with a population of more than eleven thousand but less than twelve thousand inhabitants located in a county of the first classification with a population of more than eighty thousand but less than eighty-two thousand inhabitants, allowable costs shall also include the demolition of any building or structure which is located on the site of an abandoned or underutilized property;**

(3) "Applicant", the person that submits an application for consideration of a project or location or real property for financial, tax credit or other assistance pursuant to sections 447.700 to 447.718; an applicant may not be any party

who intentionally or negligently caused the release or potential release of hazardous substances at the eligible project as that term is defined pursuant to chapter 260, RSMo;

(4) "Eligible project", abandoned or underutilized property to be acquired, established, expanded, remodeled, rehabilitated or modernized for industry, commerce, distribution or research or any combination thereof, the operation of which, alone or in conjunction with other facilities, will create new jobs or preserve existing jobs and employment opportunities, attract new businesses to the state, prevent existing businesses from leaving the state and improve the economic welfare of the people of the state. The term "eligible project", without limitation, includes voluntary remediation conducted pursuant to sections 260.565 to 260.575, RSMo. To be an "eligible project" pursuant to sections 447.700 to 447.718, the obligations of the prospective applicant and the governmental agency shall be defined in a written agreement signed by both parties. The facility, when completed, shall be operated in compliance with applicable federal, state and local environmental statutes, regulations and ordinances. An "eligible project" shall be determined by consideration of the entire project. The definition or identification of an "eligible project" shall not be segmented into parts to separate commercial and industrial uses from residential uses;

(5) "Financial assistance", direct loans, loan guarantees, and grants pursuant to sections 447.702 to 447.706; and tax credits, inducements and abatements pursuant to section 447.708;

(6) "Governmental action", any action by a state, county or municipal agency relating to the establishment, development or operation of an eligible project and project facilities that the governmental agency has authority to take or provide for the purpose under law, charter or ordinance, including but not limited to, actions relating to contracts and agreements, zoning, building, permits, acquisition and disposition of property, public capital improvements, utility and transportation service, taxation, employee recruitment and training, and liaison and coordination with and among governmental agencies;

(7) "Governmental agency", the state, county and municipality and any department, division, commission, agency, institution or authority, including a municipal corporation, township, and any agency thereof and any other political subdivision or public corporation; the United States or any agency thereof; any agency, commission or authority established pursuant to an interstate compact or agreement and any combination of the above;

(8) "Person", any individual, firm, partnership, association, limited liability company, corporation or governmental agency, and any combination thereof;

(9) "Project facilities", buildings, structures and other improvements and equipment and other property or fixtures, excluding small tools, supplies and inventory, and public capital improvements;

(10) "Public capital improvements", capital improvements or facilities owned by a governmental agency and which such agency has authority to acquire, pay the costs of, maintain, relocate or operate, or to contract with other persons to have the same done, including but not limited to, highways, roads, streets, electrical, gas, water and sewer facilities, railroad and other transportation facilities, and air and water pollution control and solid waste disposal facilities;

(11) "Underutilized", real property of which less than thirty-five percent of the commercially usable space of the property and improvements thereon, are used for their most commercially profitable and economically productive use; or property that was used by the state of Missouri as a correctional center for a period of at least one hundred years and which requires environmental remediation before redevelopment can occur, if approval from the general assembly has been given for any improvements to, or remediation, lease or sale of, said property;

(12) "Voluntary remediation", an action to remediate hazardous substances and hazardous waste pursuant to sections 260.565 to 260.575, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Griesheimer, **House Amendment No. 7** was adopted.

Representative Byrd offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for House Bill No. 780, Page 1, Line 11 of the title, by deleting the words "**economic development**" and inserting in lieu thereof the following: "**tax credits and enterprise zones**".

Representative Scheve offered **House Substitute Amendment No. 1 for House Amendment No. 8**.

*House Substitute Amendment No. 1
for
House Amendment No. 8*

AMEND House Committee Substitute for House Bill No. 780, Page 1, Line 11 in the title, by adding immediately after the words “**relating to**” the following: “**programs administered by the department of**”.

On motion of Representative Scheve, **House Substitute Amendment No. 1 for House Amendment No. 8** was adopted.

On motion of Representative Scheve, **HCS HB 780, as amended**, was adopted.

On motion of Representative Scheve, **HCS HB 780, as amended**, was ordered perfected and printed.

HOUSE BILL WITH SENATE AMENDMENTS

HCS HB 274, with Senate Amendment No. 1 to Senate Committee Amendment No. 1 and Senate Committee Amendment No. 1, as amended, relating to school attendance, was taken up by Representative Shields.

On motion of Representative Shields, the House concurred in **Senate Amendment No. 1 to Senate Committee Amendment No. 1 and Senate Committee Amendment No. 1, as amended**, by the following vote:

AYES: 125

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Bonner	Bowman
Bray 84	Britt	Burcham	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Enz
Fares	Foley	Franklin	Fraser	Froelker
Gaskill	George	Graham	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Hegeman	Henderson	Hilgemann	Hohulin	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Lowe	Luetkenhaus
Marble	Marsh	May 149	Mayer	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	O'Connor	Ostmann	Overschmidt
Phillips	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Rizzo	Robirds
Ross	Scheve	Secrest	Seigfreid	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge

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Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Williams	Willoughby	Wilson 42	Wright	Mr. Speaker

NOES: 005

Boatright	Brooks	Farnen	Hendrickson	Selby
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PRESENT: 000

ABSENT WITH LEAVE: 030

Ballard	Boucher	Boykins	Burton	Dolan
Ford	Gambaro	Gratz	Green 15	Green 73
Haywood	Hickey	Holand	Kelly 144	Linton
Lograsso	Long	Luetkemeyer	Mays 50	Nordwald
O'Toole	Portwood	Reynolds	Ridgeway	Roark
Schwab	Scott	Surface	Wiggins	Wilson 25

VACANCIES: 003

On motion of Representative Shields, **HCS HB 274, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 122

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Bonner	Bowman
Bray 84	Britt	Brooks	Burcham	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Enz	Fares	Foley	Franklin	Fraser
Froelker	Gaskill	George	Graham	Griesheimer
Hagan-Harrell	Hanaway	Harding	Harlan	Hartzler
Hegeman	Henderson	Hilgemann	Hohulin	Hollingsworth
Holt	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Levin
Liese	Lowe	Luetkenhaus	Marble	Marsh
May 149	Mayer	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
O'Connor	Ostmann	Overschmidt	Phillips	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Secrest	Seigfreid	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Thompson
Townley	Treadway	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Willoughby	Wilson 42
Wright	Mr. Speaker			

NOES: 004

Boatright	Farnen	Hendrickson	Selby
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PRESENT: 000

ABSENT WITH LEAVE: 034

Ballard	Boucher	Boykins	Burton	Dolan
Ford	Gambaro	Gratz	Green 15	Green 73
Hampton	Haywood	Hickey	Holand	Hoppe
Kelly 144	Kennedy	Linton	Lograsso	Long
Luetkemeyer	Mays 50	Nordwald	O'Toole	Portwood
Reynolds	Roark	Schwab	Scott	Surface
Troupe	Wiggins	Williams	Wilson 25	

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 124

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Bonner	Bowman
Bray 84	Britt	Brooks	Burcham	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Enz	Fares	Foley	Franklin	Fraser
Froelker	Gaskill	George	Graham	Griesheimer
Hagan-Harrell	Hanaway	Harding	Harlan	Hartzler
Hegeman	Henderson	Hilgemann	Hohulin	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Levin	Liese	Lowe	Luetkenhaus	Marble
Marsh	May 149	Mayer	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	O'Connor	Ostmann	Overschmidt	Phillips
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Richardson	Ridgeway	Rizzo	Robirds
Ross	Scheve	Secrest	Seigfreid	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Willoughby	Wilson 42	Wright	Mr. Speaker	

NOES: 004

Boatright	Farnen	Hendrickson	Selby
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PRESENT: 000

ABSENT WITH LEAVE: 032

Baker	Boucher	Boykins	Burton	Dolan
Ford	Gambaro	Gratz	Green 15	Green 73
Hampton	Haywood	Hickey	Holand	Kelly 144

Kennedy	Linton	Lograsso	Long	Luetkemeyer
Mays 50	Nordwald	O'Toole	Portwood	Reynolds
Roark	Schwab	Scott	Surface	Wiggins
Williams	Wilson 25			

VACANCIES: 003

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HS HB 555 - Fiscal Review and Government Reform (Fiscal Note)

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SS #2 SCS SBs 22 & 106 - Children, Families and Health

SS SCS SBs 89 & 37 - Criminal Law

COMMITTEE REPORTS

Committee on Agriculture, Vice-Chairman Shoemyer reporting:

Mr. Speaker: Your Committee on Agriculture, to which was referred **SB 462**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Civil and Administrative Law, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **SB 72**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Conservation, State Parks and Mining, Chairman Relford reporting:

Mr. Speaker: Your Committee on Conservation, State Parks and Mining, to which was referred **SS SCR 13**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE CONCURRENT RESOLUTION NO. 13

WHEREAS, the United States Fish and Wildlife Service has recommended that the United States Army Corps of Engineers implement the so-called "spring rise-split season" plan for operation of the Missouri River mainstem reservoir system. This plan would result in an increase in the flow of the Missouri River in the spring and a reduction of the flow in the summer of each year, purportedly to improve habitat for the threatened and endangered pallid sturgeon, least tern and piping plover; and

WHEREAS, additional changes under consideration by the United States Army Corps of Engineers to the Missouri River Master Manual would result in the storage of more water in the upstream reservoirs while decreasing the amount of water available downstream for designated uses. These changes would shorten the navigation season on the Missouri River by twenty-seven days in November and put at risk Mississippi River navigation as well; and

WHEREAS, analysis of the proposed changes by the state of Missouri and the United States Army Corps of Engineers has indicated these changes will fail to improve and will potentially diminish habitat for the species in question, will increase the risk of flooding along the Missouri River, and will result in a decrease in river levels in early summer and fall which will impact navigation and other designated uses on the Missouri and Mississippi Rivers; and

WHEREAS, habitat restoration along the lower Mississippi River has demonstrated great success in aiding the recovery of these species and a similar approach should be given the opportunity to succeed on the Missouri River; and

WHEREAS, these plans have the potential for severe impact on any industry which uses the Missouri River or Mississippi River to transport products and the potential to increase risk of flooding in river communities and on farm land in the Missouri and lower Mississippi River basins; and

WHEREAS, these proposals do not adequately address the concerns and needs of states in the lower Missouri and Mississippi River basin, and will not realize the purported benefit of increasing habitat for endangered species; and

WHEREAS, the Missouri departments of natural resources, conservation and transportation have opposed these plans and have informed the Fish and Wildlife Service and the United States Army Corps of Engineers of their concerns regarding the potential impact on the state's river communities, lands, businesses and wildlife habitat:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninety-first General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge the Governor to protest against any proposals that would so negatively impact beneficial uses of the lower Missouri and Mississippi Rivers and would not significantly improve conditions for the species of concern; and

BE IT FURTHER RESOLVED that the members of the General Assembly urge the Department of Natural Resources, the Department of Conservation and the Department of Transportation to continue to insist that any plan involving the operations of the Missouri River improve the Missouri River for all beneficial uses and be sure any river management changes are based on sound science; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the United States Fish and Wildlife Service, the United States Army Corps of Engineers, the Governor of Missouri, the Director of the Department of Natural Resources, the Director of the Department of Conservation and the Director of the Department of Transportation.

Committee on Critical Issues, Consumer Protection and Housing, Chairman Harlan reporting:

Mr. Speaker: Your Committee on Critical Issues, Consumer Protection and Housing, to which was referred **HB 511**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Education-Elementary and Secondary, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **HCR 23**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE CONCURRENT RESOLUTION NO. 23

WHEREAS, the Windfall Elimination Provision of WEP was added to the federal Social Security Act in 1983 to prevent unfairly inflated benefits for persons who held highly compensated government positions that were not covered by Social Security and who also had brief, relatively low-paying Social Security covered employment; and

WHEREAS, the WEP has had the unintended consequence of undermining the retirement plans of individuals who have been teachers and who often continue to hold Social Security covered employment during summers and holidays; and

WHEREAS, Missouri and other states are anticipating an increased rate of teacher retirement and difficulty attracting young adults into the education field; and

WHEREAS, the WEP also serves to discourage mid-life career changes from Social Security covered employment to employment covered by public pensions such as teaching; and

WHEREAS, the WEP often works in conjunction with another income-reducing feature, the government pension offset (GPO) that bears disproportionately on women, to doubly affect the teacher corps which is still primarily made up of women; and

WHEREAS, the formula of the WEP assumes retirees have had a higher-paying position over the entire course of their careers, an assumption which is contrary to the fact for teachers; and

WHEREAS, many teachers need a second income and therefore work in Social Security covered positions, thereby activating the WEP; and

WHEREAS, the continuation of the WEP and GPO impacts presently retired teachers, teachers near retirement, and young adults entering the education field, all who are essential parts of our national education corps:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-first General Assembly, First Regular Session, the Senate concurring therein, hereby urge the 107th Congress to rescind the Windfall Elimination Provision for teachers; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for each member of the Missouri congressional delegation.

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **SCR 26**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **SB 319**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Fiscal Review and Government Reform, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **SCR 22**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Insurance, Chairman Luetkenhaus reporting:

Mr. Speaker: Your Committee on Insurance, to which was referred **SB 193**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Judiciary, Chairman Monaco reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SS SCS SB 267**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Local Government and Related Matters, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SB 125**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Miscellaneous Bills & Resolutions, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **SS SCR 6**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **SCR 10**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **SCS SCR 14**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **SCR 20**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **SB 86**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **SB 371**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Public Safety, Law Enforcement and Veteran Affairs, Chairman Boucher reporting:

Mr. Speaker: Your Committee on Public Safety, Law Enforcement and Veteran Affairs, to which was referred **SCR 16**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Retirement, Chairman Hagan-Harrell reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **HCR 14**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE CONCURRENT RESOLUTION NO. 14

WHEREAS, the Railroad Retirement and Survivors Improvement Act of 2000 was approved in a bipartisan effort by 391 members of the United States House of Representatives of the 106th Congress, including the entire Missouri delegation to the United States House of Representatives; and

WHEREAS, more than 83 United States Senators, including both Missouri Senator Kit Bond and then Missouri Senator John Ashcroft, signed letters of support for this legislation in 2000; and

WHEREAS, the bill now before the 107th Congress modernizes the Railroad Retirement System for its 690,000 beneficiaries nationwide, including over 23,100 in Missouri; and

WHEREAS, railroad management, labor and retiree organizations have agreed to support this legislation; and

WHEREAS, this legislation provides tax relief to freight railroads, Amtrak and commuter lines; and

WHEREAS, this legislation provides benefit improvements for surviving spouses of rail workers, who currently suffer deep cuts in income when the rail retiree dies; and

WHEREAS, no outside contributions from taxpayers are needed to implement the changes called for in this legislation; and

WHEREAS, all changes will be paid for from within the railroad industry, including a full share of active employees:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri House of Representatives of the Ninety-first General Assembly, First Regular Session, the Senate concurring therein, hereby urge the United States Congress to support the Railroad Retirement and Survivors Improvement Act introduced in the 107th Congress; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives and each member of the Missouri Congressional delegation.

Committee on Tourism, Recreation and Cultural Affairs, Chairman Overschmidt reporting:

Mr. Speaker: Your Committee on Tourism, Recreation and Cultural Affairs, to which was referred **SS SCS SBs 323 & 230**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment Nos. 1 and 2**.

House Committee Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 323 & 230, Page 22, Section 210.861, Line 59, by inserting after said line the following:

“Section 1. 1. Any county of the first classification without a charter form of government with a population of more than fifty seven thousand inhabitants but less than sixty thousand inhabitants may, by ordinance or order of the governing body of the county and approved by the majority of the qualified voters of the county, levy a one dollar fee upon each rental of a motor vehicle which is rented within such county on a short-term basis. For purposes of this section “short-term” shall mean a rental contract of less than one month. The fee shall be collected by any business located in such county which rents motor vehicles on a short-term basis upon payment of the contract by the customer.

2. The county collector of such county may provide for collection of such fee on forms provided by the county collector. Failure to collect and remit such fees by any business located in such county which rents motor vehicles on a short-term basis shall be subject to a penalty of five percent per month together with interest as determined by section 32.065, RSMo.

3. All revenues collected from the imposition of the fee as authorized by this section shall be used solely for tourism purposes within such county.”; and

Further amend the title, enacting clause and intersectional references accordingly.

House Committee Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 323 & 230, Page 1, In the Title, Line 2, by inserting after "**67.1775**" the following: ", **94.812**"; and

Further amend said bill, Page 1, In the Title, Line 4, by deleting "**twenty-six**" and inserting in lieu thereof the following: "**twenty-seven**"; and

Further amend said bill, Page 1, Section A, Line 1, by inserting after "**67.1775**" the following: ", **94.812**"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting "**twenty-six**" and inserting in lieu thereof the following: "**twenty-seven**"; and

Further amend said bill, Page 1, Section A, Line 5, by inserting after "**67.1977**" the following: ", **94.812**"; and

Further amend said bill, Page 20, Section 67.1977, Line 45, by inserting after all of said line the following:

"94.812. Every retailer, vendor, operator, and other person who sells or provides goods and services subject to tax under section 94.802 or section 94.805 shall be liable and responsible for the collection and payment of taxes due under these sections and shall make a return and remit such taxes to the municipality or its designee, at such times and in such manner as the governing body of the municipality shall prescribe. The collection of the taxes imposed by these sections shall be computed in accordance with schedules or systems approved by the governing body of the municipality. [Such schedules or systems shall be designed so that no such tax is charged on any sale of one dollar or less.]; and

Further amend said title, enacting clause and intersectional references accordingly.

Committee on Urban Affairs, Chairman Curls reporting:

Mr. Speaker: Your Committee on Urban Affairs, to which was referred **SCS SB 4**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Ways and Means, Chairman Kennedy reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **SB 460**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCR 10**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 369**, entitled:

An act to amend chapter 67, RSMo, by adding thereto nine new sections relating to utility access to public rights-of-way, with an emergency clause.

Emergency clause defeated.

In which the concurrence of the House is respectfully requested.

MESSAGE FROM THE GOVERNOR

EXECUTIVE OFFICE
April 26, 2001

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
FIRST REGULAR SESSION
91ST GENERAL ASSEMBLY
STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 15** entitled:

"AN ACT"

To appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2001.

On April 26, 2001, I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 15**.

Respectfully submitted,

/s/ Bob Holden
Governor

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 3:00 p.m., Monday, April 30, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-second Day, Wednesday, April 25, 2001, page 1336, line 25, by inserting immediately after said line the following:

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 592 - Fiscal Review and Government Reform (Fiscal Note)

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SS SCS SB 372 - Ways and Means

Pages 1313 and 1314, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Pages 1315 and 1316, roll call, by showing Representatives Froelker, Henderson and Kelly (27) voting "aye" rather than "absent with leave".

Pages 1316 and 1317, roll call, by showing Representatives Froelker and Kennedy voting "aye" rather than "absent with leave".

Pages 1317 and 1318, roll call, by showing Representative Froelker voting "aye" rather than "absent with leave".

Pages 1318 and 1319, roll call, by showing Representative Jolly voting "aye" rather than "no".

Pages 1318 and 1319, roll call, by showing Representatives Barnett and Froelker voting "aye" rather than "absent with leave".

Pages 1319 and 1320, roll call, by showing Representatives Boucher, Froelker and Purgason voting "aye" rather than "absent with leave".

Pages 1322 and 1323, roll call, by showing Representative Barry voting "aye" rather than "absent with leave".

Pages 1322 and 1323, roll call, by showing Representative Fares voting "no" rather than "absent with leave".

Pages 1324 and 1325, roll call, by showing Representative Champion voting "aye" rather than "absent with leave".

Page 1326, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Page 1327, roll call, by showing Representative Copenhaver voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

APPROPRIATIONS - TRANSPORTATION

Thursday, May 3, 2001, 8:30 am. Hearing Room 3.

CHILDREN, FAMILIES, AND HEALTH

Tuesday, May 1, 2001. Hearing Room 4 upon morning adjournment.
Executive Session will follow.

To be considered - HCR 18, HCR 20, SB 22

COMMERCE AND ECONOMIC DEVELOPMENT

Tuesday, May 1, 2001. Hearing Room 6 upon morning adjournment.
Executive Session to follow.

To be considered - SCR 23

CONFERENCE COMMITTEE - APPROPRIATIONS

Monday, April 30, 2001, 10:00 am. Hearing Room 3.
House Bills 2 through 12

CONFERENCE COMMITTEE - APPROPRIATIONS

Monday, April 30, 2001, 7:30 pm. Hearing Room 3.
House Bills 2 through 12.

FISCAL REVIEW AND GOVERNMENT REFORM

Monday, April 30, 2001. Hearing Room 1 upon evening adjournment.
Fiscal Note.

To be considered - HB 280, HB 555, HB 592, HB 736, HB 835

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Thursday, May 3, 2001, 1:00 pm. Senate Lounge.
Committee will meet at 1:00 pm or upon adjournment of both houses.
Rule # 13CSR 70-20.050, 20CSR 500.6.700

JOINT COMMITTEE ON GAMING AND WAGERING

Monday, April 30, 2001, 12:00 pm. Hearing Room 7.

State of the State: Gaming in MO, Missouri Gaming Commission,
Missouri Lottery and Horse Racing.

JUDICIARY

Tuesday, May 1, 2001. Hearing Room 5 upon morning adjournment.

Executive Session may follow.

To be considered - SB 128, SB 258

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, May 1, 2001. Hearing Room 7 upon morning adjournment.

Executive Session may follow.

To be considered - SB 347

RULES, JOINT RULES, BILLS PERFECTED AND PRINTED

Tuesday, May 1, 2001, 1:00 pm. Hearing Room 3.

Executive Session.

To be considered - SB 130, SB 591, SB 617

SPECIAL COMMITTEE ON REDISTRICTING

Tuesday, May 1, 2001, 8:30 am. Hearing Room 5.

Adoption of proposed guidelines.

Proposals for redistricting maps.

SPECIAL COMMITTEE ON SPORTSMANSHIP, SAFETY AND FIREARMS

Tuesday, May 1, 2001. Hearing Room 3 upon morning adjournment.

Executive Session may follow.

To be considered - SB 123

WAYS AND MEANS

Tuesday, May 1, 2001. Hearing Room 2 upon morning adjournment.

Executive Session.

To be considered - SB 372

HOUSE CALENDAR

SIXTY-FOURTH DAY, MONDAY, APRIL 30, 2001

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 15 & 13 - Crawford

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 457, HA 2, as amended, tabled - Kreider
- 2 HCS HB 593 - Riback Wilson (25)
- 3 HCS HB 170 - Froelker
- 4 HCS HB 239 - Smith
- 5 HB 715 - Foley
- 6 HB 802 - Ransdall
- 7 HCS HB 374 - Fraser
- 8 HCS HB 635 - Barry
- 9 HCS HB 868 - Merideth
- 10 HCS HB 253 - Ross
- 11 HB 809, HCA 1 - Carnahan
- 12 HCS HB 340, 303 & 316 - Graham
- 13 HB 640 - Johnson (90)
- 14 HCS HB 723 - Mays (50)
- 15 HCS HB 117 - Riback Wilson (25)
- 16 HCS HB 307 - Wiggins
- 17 HCS HB 921 - Curls
- 18 HB 911 - Carnahan
- 19 HCS HB 511 - Johnson (90)

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HCS HB 853 & 258 - Crump
- 3 HCS HB 186 & 172 - Troupe
- 4 HCS HB 888, 942 & 943 - Scheve
- 5 HCS HB 472 - Burton
- 6 HCS HB 293 - Kennedy
- 7 HCS HB 663 & 375 - Kennedy

HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 HCR 12, (3-29-01, page 894) - Haywood
- 2 HCR 23, (4-26-01) - Holand
- 3 HCR 14, (4-26-01) - Koller

HOUSE BILLS FOR THIRD READING - APPROPRIATIONS

- 1 HB 16 - Green (73)
- 2 HB 17 - Green (73)

HOUSE BILLS FOR THIRD READING

- 1 HS HCS HB 835, 90, 707, 373, 641, 510, 516 & 572, (Fiscal Review 4-23-01) - Britt
- 2 HS HCS HB 280, 69, 497 & 689, (Fiscal Review 4-19-01) - Hoppe
- 3 HB 527, (Fiscal Review 4-19-01) - Luetkenhaus
- 4 HS HB 736, (Fiscal Review 4-19-01) - Liese
- 5 HB 366, E.C. (Fiscal Review 4-19-01) - Champion
- 6 HS HB 286, E.C. - Smith
- 7 HB 592, E.C. (Fiscal Review 4-25-01) - Williams
- 8 HCS HB 428 - Kelly (36)
- 9 HS HB 555, (Fiscal Review 4-26-01) - Foley

SENATE BILL FOR SECOND READING

SS SCS SB 369

SENATE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 SCR 26, (3-29-01, page 898) - Franklin
- 2 SS SCR 6, (2-26-01, page 490) - O'Toole
- 3 SCR 10, (3-8-01, page 641) - Koller
- 4 SCR 22, (3-27-01, page 831) - Clayton
- 5 HCS SS SCR 13, (4-26-01) - Myers
- 6 SCS SCR 14, (3-29-01, page 897) - O'Toole
- 7 SCR 20, (3-8-01, page 645) - Kreider
- 8 SCR 16, (3-8-01, page 643) - Boucher

SENATE BILLS FOR THIRD READING - CONSENT

- 1 SB 394 - Hosmer
- 2 SB 442 - O'Connor
- 3 SB 203 - O'Toole
- 4 SCS SB 341 - Britt
- 5 SB 87 - Smith
- 6 SCS SB 431, E.C. - Shoemyer
- 7 SB 142 - Robirds
- 8 SCS SB 383 - Harding
- 9 SB 436 - Koller
- 10 SB 606 - Clayton
- 11 SB 605 - Luetkenhaus
- 12 SB 111 - Ostmann
- 13 HCS SB 544 - Relford
- 14 SB 200 - Thompson
- 15 SB 316 - Hagan-Harrell
- 16 SCS SB 357, E.C. - Johnson (90)

- 17 SB 207 - Kennedy
- 18 SB 252 - Surface
- 19 SB 443, E.C. - Hosmer
- 20 SCS SB 384 - Johnson (90)
- 21 SCS SB 241 - Ward
- 22 HCS SCS SB 382, E.C. - Liese
- 23 SB 224, E.C. - Luetkemeyer
- 24 SB 179 - Wagner
- 25 SB 435 - Koller
- 26 SB 223 - Hosmer
- 27 HCS SCS SB 520 - Myers
- 28 HCS SB 227 - Burton
- 29 SB 110 - Ladd Baker
- 30 SCS SB 514 - Hosmer
- 31 SB 353, HCA 1 - Shields
- 32 HCS SB 274 - Harlan
- 33 HCS SCS SB 568 - Davis
- 34 SB 451 - Mays (50)
- 35 SCS SB 352 - Lawson
- 36 HCS SCS SB 178 - Hoppe
- 37 HCS SB 345 - Holt
- 38 HCS SCS SB 515 - Kennedy
- 39 SCS SB 407 - Hilgemann
- 40 SB 540 - Levin
- 41 HCS SCS SB 619, E.C. - Hoppe
- 42 SB 201 - Farnen
- 43 SB 58 - Wagner
- 44 SB 303 - Relford
- 45 HCS SB 610 - Hoppe
- 46 SCS SB 13 - Ross
- 47 HCS SB 543 - Britt
- 48 SB 556 - Hoppe
- 49 SB 575 - Davis
- 50 HCS SB 304 - Monaco
- 51 SB 406 - Scott
- 52 SCS SB 197 - Luetkenhaus
- 53 SB 148 - Seigfreid
- 54 HCS SB 307 - Froelker
- 55 HCS SB 348 - Barry
- 56 HCS SB 538 - Luetkemeyer

SENATE BILLS FOR THIRD READING

- 1 SCS SB 4 - Rizzo
- 2 HCS SB 371 - O'Toole
- 3 HCS SS SCS SB 267 - Monaco
- 4 HCS SB 462, E.C. - Legan
- 5 SS SCS SB 323 & 230, HCA 1 and HCA 2 - Koller
- 6 HCS SS SB 193 - Ward
- 7 HCS SB 125 - Hoppe
- 8 HCS SB 86 - Scott
- 9 HCS SB 319, E.C. - Johnson (61)
- 10 HCS SB 460 - Kennedy
- 11 HCS SB 72 - Smith

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HB 491 - George
- 2 SCS HB 236 - Smith
- 3 SCS SB 801, E.C. - Liese

BILLS IN CONFERENCE

- 1 SCS HCS HB 2 - Green (73)
- 2 SCS HCS HB 3 - Green (73)
- 3 SCS HCS HB 4 - Green (73)
- 4 SCS HCS HB 5 - Green (73)
- 5 SCS HCS HB 6, as amended - Green (73)
- 6 SCS HCS HB 7 - Green (73)
- 7 SCS HCS HB 8 - Green (73)
- 8 SCS HCS HB 9 - Green (73)
- 9 SCS HCS HB 10, as amended - Green (73)
- 10 SCS HCS HB 11, as amended - Green (73)
- 11 SCS HCS HB 12 - Green (73)

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

SIXTY-FOURTH DAY, MONDAY, APRIL 30, 2001

Speaker Pro Tem Abel in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God: we know of no better way to begin this new week than with the rededication of our work to the causes of good government and fair play for the people of Missouri. Bless the members of this House and their staff, enable them to do their best. Protect them from narrow expediency. Give them a passion for the good and hearts filled with joy.

To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Colton Schwab, Mary Kate Mullen, Mark Mullen and James Mullen.

The Journal of the sixty-third day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1713

and

House Resolution No. 1714 - Representative Hanaway

House Resolution No. 1715

and

House Resolution No. 1716 - Representative Abel

House Resolution No. 1717 - Representative Vogel

House Resolution No. 1718 - Representative Green (73), et al

House Resolution No. 1719 - Representative Portwood

House Resolution No. 1720

and

House Resolution No. 1721 - Representatives Ross and Lograsso

House Resolution No. 1722

through

House Resolution No. 1724 - Representatives Lowe and Jolly

House Resolution No. 1725 - Representative Ward

House Resolution No. 1726
and
House Resolution No. 1727 - Representative Rector
House Resolution No. 1728
through
House Resolution No. 1734 - Representatives Rector and Hartzler
House Resolution No. 1735 - Representatives Rector and King
House Resolution No. 1736 - Representatives Rector and Bartle
House Resolution No. 1737 - Representatives Rector and Kelley (47)
House Resolution No. 1738 - Representative Kreider
House Resolution No. 1739
and
House Resolution No. 1740 - Representative Carnahan
House Resolution No. 1741 - Representative Seigfreid
House Resolution No. 1742 - Representative Williams

SECOND READING OF SENATE BILL

SS SCS SB 369 was read the second time.

COMMITTEE REPORTS

Committee on Rules, Joint Rules, and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules, and Bills Perfected and Printed, to which was referred **HBs 16, HB 17, HCS HB 279, HCS HB 780** and **HS HCS HBs 981 & 665**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Committee on Fiscal Review and Government Reform, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HS HCS HBs 280, 69, 497 & 689 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HS HB 555 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HB 592 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HS HB 736 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HS HCS HBs 835, 90, 707, 373, 641, 510, 516 & 572 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF SENATE BILLS - CONSENT

SB 203, relating to metropolitan park and recreation system, was taken up by Representative O'Toole.

On motion of Representative O'Toole, **SB 203** was truly agreed to and finally passed by the following vote:

AYES: 153

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambara	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

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ABSENT WITH LEAVE: 007

Baker	Bartelsmeyer	Coleman	Hoppe	Kelly 144
Lograsso	Wiggins			

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

SB 394, relating to conveyance in Greene County, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **SB 394** was truly agreed to and finally passed by the following vote:

AYES: 153

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Bartelsmeyer	Coleman	Hoppe	Kelly 144	Lograsso
Wiggins	Wilson 42			

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

SB 442, relating to special license plate, was taken up by Representative O'Connor.

On motion of Representative O'Connor, **SB 442** was truly agreed to and finally passed by the following vote:

AYES: 150

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Franklin	Froelker	Gambara
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Williams	Willoughby	Wilson 42	Wright	Mr. Speaker

NOES: 002

Fraser	Wilson 25
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PRESENT: 000

ABSENT WITH LEAVE: 008

Baker	Bartelsmeyer	Berkstresser	Coleman	Hoppe
Kelly 144	Lograsso	Wiggins		

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

SCS SB 341, relating to law enforcement agencies, was taken up by Representative Britt.

On motion of Representative Britt, **SCS SB 341** was truly agreed to and finally passed by the following vote:

AYES: 154

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Baker	Bartelsmeyer	Coleman	Hoppe	Lograsso
Wiggins				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

SB 87, relating to civil commitment of sex offenders, was taken up by Representative Smith.

On motion of Representative Smith, **SB 87** was truly agreed to and finally passed by the following vote:

AYES: 148

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 001

Myers

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Bartelsmeyer	Bearden	Coleman	Franklin
Harlan	Hoppe	Lograsso	May 149	Wiggins
Williams				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

SCS SB 431, relating to Clarence Cannon wholesale water district, was taken up by Representative Shoemyer.

On motion of Representative Shoemyer, **SCS SB 431** was truly agreed to and finally passed by the following vote:

AYES: 154

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Bartelsmeyer	Bearden	Coleman	Hoppe	Lograsso
Wiggins				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 142

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Behnen	Berkowitz	Black
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Fraser	Froelker	Gambara	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	Koller	Lawson	Legan
Liese	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
Ostmann	Overschmidt	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 007

Boatright	Hendrickson	King	Phillips	Portwood
Roark	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 011

Bartelsmeyer	Bearden	Berkstresser	Coleman	Franklin
Hoppe	Levin	Linton	Lograsso	O'Toole
Wiggins				

VACANCIES: 003

SB 142, relating to Korean war license plate, was taken up by Representative Robirds.

On motion of Representative Robirds, **SB 142** was truly agreed to and finally passed by the following vote:

AYES: 150

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman

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Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dolan	Enz	Fares	Farnen	Foley
Ford	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Baker	Bartelsmeyer	Bearden	Coleman	Dempsey
Franklin	Hoppe	Linton	Long	Wiggins

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

SCS SB 383, relating to sale of facility at the KCI airport, was taken up by Representative Harding.

On motion of Representative Harding, **SCS SB 383** was truly agreed to and finally passed by the following vote:

AYES: 145

Abel	Barnett	Barry 100	Bartle	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz

Fares	Farnen	Foley	Ford	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hosmer
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	Koller
Lawson	Legan	Levin	Liese	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 005

Barnitz	Cooper	Hunter	King	Mayer
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PRESENT: 000

ABSENT WITH LEAVE: 010

Baker	Ballard	Bartelsmeyer	Bearden	Coleman
Franklin	Harlan	Hoppe	Linton	Wiggins

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

SB 436, relating to issuance of driver's licenses, was taken up by Representative Koller.

On motion of Representative Koller, **SB 436** was truly agreed to and finally passed by the following vote:

AYES: 149

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway

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Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hosmer	Hunter	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Bartelsmeyer	Bearden	Burton	Coleman
Harlan	Hoppe	Jetton	Linton	Lograsso
Wiggins				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

SB 606, relating to revision bill, was taken up by Representative Clayton.

On motion of Representative Clayton, **SB 606** was truly agreed to and finally passed by the following vote:

AYES: 148

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144

Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 001

Selby

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Bartelsmeyer	Bearden	Burton	Coleman
Harlan	Hoppe	Linton	Lograsso	Rector
Wiggins				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

SB 605, relating to surplus lines insurance, was taken up by Representative Luetkenhaus.

On motion of Representative Luetkenhaus, **SB 605** was truly agreed to and finally passed by the following vote:

AYES: 148

Abel	Barnett	Barry 100	Bartle	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Legan
Levin	Liese	Long	Lowe	Luetkemeyer

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Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 001

Barnitz

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Ballard	Bartelsmeyer	Bearden	Coleman
Harlan	Hoppe	Lawson	Linton	Lograsso
Wiggins				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

SB 111, relating to physically disabled license plates, was taken up by Representative Ostmann.

On motion of Representative Ostmann, **SB 111** was truly agreed to and finally passed by the following vote:

AYES: 149

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hosmer	Hunter	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149

Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Bartelsmeyer	Bearden	Coleman	Franklin
Harlan	Hoppe	Jetton	Linton	Lograsso
Wiggins				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HCS SB 544, relating to conveyance in Clinton County, was taken up by Representative Relford.

On motion of Representative Relford, **HCS SB 544** was adopted.

On motion of Representative Relford, **HCS SB 544** was read the third time and passed by the following vote:

AYES: 146

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Behnen	Berkowitz	Black	Bland
Boatright	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burton	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Legan	Levin	Liese
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy

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Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker	Bartelsmeyer	Bearden	Berkstresser	Burcham
Byrd	Coleman	Copenhaver	Harlan	Hoppe
Lawson	Linton	Lograsso	Wiggins	

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

SB 200, relating to women's offender program, was taken up by Representative Thompson.

On motion of Representative Thompson, **SB 200** was truly agreed to and finally passed by the following vote:

AYES: 145

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Long	Lowe
Luetkemeyer	Luetkenhaus	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Ridgeway	Rizzo	Robirds

Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 006

Cooper	Henderson	Hunter	Marble	Purgason
Roark				

PRESENT: 000

ABSENT WITH LEAVE: 009

Bartelsmeyer	Bearden	Coleman	Hoppe	Hosmer
Linton	Lograsso	Richardson	Wiggins	

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

SB 316, relating to school retirement systems, was taken up by Representative Franklin.

On motion of Representative Franklin, **SB 316** was truly agreed to and finally passed by the following vote:

AYES: 150

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Lograsso	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields

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Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Williams	Willoughby	Wilson 25	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Bartelsmeyer	Bearden	Coleman	Harlan	Hoppe
Linton	Long	Richardson	Wiggins	Wilson 42

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

SCS SB 357, relating to psychologists, was taken up by Representative Johnson (90).

Representative Johnson (90) offered **House Perfecting Amendment No. 1**.

House Perfecting Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 357, Page 5, Section B, Line 2, by deleting the words and numerals “sections 337.029 and 337.510 of this act are” and inserting in lieu thereof the following: “**section A of this act is**”; and

Further amend said section, Line 5, by deleting the words and numerals “sections 337.029 and 337.510” and inserting in lieu thereof the following: “**section A**”.

On motion of Representative Johnson (90), **House Perfecting Amendment No. 1** was adopted.

On motion of Representative Johnson (90), **SCS SB 357, as amended**, was read the third time and passed by the following vote:

AYES: 148

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144

Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 001

Murphy

PRESENT: 001

Byrd

ABSENT WITH LEAVE: 010

Baker	Bartelsmeyer	Bearden	Coleman	Harlan
Hoppe	Linton	Lograsso	May 149	Wiggins

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 106

Abel	Baker	Barnitz	Barry 100	Behnen
Berkowitz	Berkstresser	Bonner	Boucher	Bowman
Britt	Brooks	Burcham	Burton	Campbell
Carnahan	Clayton	Crawford	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Harding	Hartzler	Haywood	Hegeman	Hickey
Hilgemann	Hollingsworth	Holt	Hosmer	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 27	Kennedy
Koller	Lawson	Legan	Levin	Liese
Long	Lowe	Marsh	Mayer	Mays 50
McKenna	Merideth	Monaco	Moore	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Rizzo	Robirds	Scheve	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	Surface	Thompson	Townley
Treadway	Troupe	Vogel	Wagner	Walton

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Ward	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 037

Ballard	Barnett	Bartle	Black	Boatright
Champion	Cierpiot	Cooper	Crowell	Enz
Hanaway	Henderson	Hendrickson	Hohulin	Hunter
Jetton	Kelly 144	King	Lograsso	Luetkemeyer
Marble	May 149	Miller	Murphy	Nordwald
Phillips	Portwood	Purgason	Rector	Ridgeway
Roark	Ross	Schwab	Scott	St. Onge
Villa	Wright			

PRESENT: 002

Byrd	Copenhaver
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ABSENT WITH LEAVE: 015

Bartelsmeyer	Bearden	Bland	Boykins	Bray 84
Coleman	Gambara	Harlan	Holand	Hoppe
Kelly 36	Linton	Luetkenhaus	Van Zandt	Wiggins

VACANCIES: 003

SB 207, relating to board of healing arts, was taken up by Representative Kennedy.

On motion of Representative Kennedy, **SB 207** was truly agreed to and finally passed by the following vote:

AYES: 137

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Copenhaver	Crawford	Crowell	Crump
Curls	Davis	Dempsey	Dolan	Enz
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambara	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Harding	Hartzler	Haywood	Hegeman
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith

St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Wagner	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 012

Byrd	Cooper	Cunningham	Fares	Hanaway
Henderson	Hohulin	Hunter	Kelly 144	Marble
Rector	Roark			

PRESENT: 000

ABSENT WITH LEAVE: 011

Ballard	Bartelsmeyer	Bearden	Coleman	Harlan
Hoppe	Kelley 47	Linton	Murphy	Vogel
Wiggins				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

SB 252, relating to conveyance in Newton County, was taken up by Representative Surface.

On motion of Representative Surface, **SB 252** was truly agreed to and finally passed by the following vote:

AYES: 148

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith

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St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Bartelsmeyer	Bearden	Coleman	Copenhaver	Franklin
Harlan	Hoppe	Hunter	Kelley 47	Linton
Marble	Wiggins			

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

SB 443, relating to water patrol officers, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **SB 443** was truly agreed to and finally passed by the following vote:

AYES: 149

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambara	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Levin	Liese	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Bartelsmeyer	Bearden	Coleman	Harlan
Hoppe	Kelley 47	Kennedy	Linton	Lograsso
Wiggins				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 143

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dolan	Enz	Fares	Farnen
Foley	Ford	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Legan	Levin
Liese	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 004

Dempsey	Hendrickson	Roark	Smith
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PRESENT: 000

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ABSENT WITH LEAVE: 013

Bartelsmeyer	Bearden	Coleman	Franklin	Harlan
Hoppe	Kelley 47	Lawson	Linton	Lograsso
May 149	Vogel	Wiggins		

VACANCIES: 003

Representative Villa assumed the Chair.

SCS SB 384, relating to dietitians, was taken up by Representative Johnson (90).

On motion of Representative Johnson (90), **SCS SB 384** was truly agreed to and finally passed by the following vote:

AYES: 144

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelly 144	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Ridgeway	Rizzo	Roark
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 015

Bartelsmeyer	Bearden	Byrd	Coleman	Dempsey
Harlan	Hoppe	Kelley 47	Kelly 27	Linton
Lograsso	Richardson	Robirds	Wiggins	Williams

VACANCIES: 003

Representative Villa declared the bill passed.

SCS SB 241, relating to insurance, was taken up by Representative Ward.

On motion of Representative Ward, **SCS SB 241** was truly agreed to and finally passed by the following vote:

AYES: 147

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Bartelsmeyer	Bearden	Byrd	Coleman	Dempsey
Harlan	Hoppe	Kelley 47	Linton	Long
Myers	Wiggins	Williams		

VACANCIES: 003

Representative Villa declared the bill passed.

THIRD READING OF HOUSE BILLS - APPROPRIATIONS

HB 16, relating to appropriations, was taken up by Representative Green (73).

On motion of Representative Green (73), **HB 16** was read the third time and passed by the following vote:

AYES: 144

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Kelly 144	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 003

Hanaway	Hunter	Roark
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PRESENT: 000

ABSENT WITH LEAVE: 013

Bartelsmeyer	Bearden	Coleman	Harlan	Hohulin
Hoppe	Kelley 47	Kelly 27	Linton	O'Connor
Reid	Troupe	Wiggins		

VACANCIES: 003

Representative Villa declared the bill passed.

HB 17, relating to appropriations, was taken up by Representative Green (73).

On motion of Representative Green (73), **HB 17** was read the third time and passed by the following vote:

AYES: 141

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Behnen	Berkowitz	Berkstresser	Black
Bland	Bonner	Boucher	Bowman	Boykins
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 005

Gratz	Hanaway	Hunter	Marble	Roark
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PRESENT: 000

ABSENT WITH LEAVE: 014

Baker	Bartelsmeyer	Bearden	Boatright	Bray 84
Coleman	Harlan	Hohulin	Hoppe	Kelley 47
Linton	O'Connor	Walton	Wiggins	

VACANCIES: 003

Representative Villa declared the bill passed.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HB 236, relating to juvenile information systems, was taken up by Representative Smith.

On motion of Representative Smith, **SCS HB 236** was adopted by the following vote:

AYES: 143

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Murphy	Naeger	Nordwald	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reinhart	Relford	Reynolds	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 002

Hosmer	Myers
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PRESENT: 000

ABSENT WITH LEAVE: 015

Bartelsmeyer	Bearden	Coleman	Harlan	Hohulin
Hoppe	Kelley 47	Linton	Lograsso	Long
Moore	O'Connor	Reid	Richardson	Wiggins

VACANCIES: 003

On motion of Representative Smith, **SCS HB 236** was truly agreed to and finally passed by the following vote:

AYES: 145

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Murphy	Naeger	Nordwald
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 002

Hosmer	Myers
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PRESENT: 000

ABSENT WITH LEAVE: 013

Bartelsmeyer	Bearden	Coleman	Hohulin	Hoppe
Kelley 47	Linton	Lograsso	Moore	O'Connor
O'Toole	St. Onge	Wiggins		

VACANCIES: 003

Representative Villa declared the bill passed.

SCS HB 801, relating to disclosure of personal information, was taken up by Representative Liese.

On motion of Representative Liese, **SCS HB 801** was adopted by the following vote:

AYES: 146

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker	Bartelsmeyer	Bearden	Britt	Coleman
Froelker	Hampton	Hohulin	Hoppe	Kelley 47
Linton	O'Connor	Van Zandt	Wiggins	

VACANCIES: 003

On motion of Representative Liese, **SCS HB 801** was truly agreed to and finally passed by the following vote:

AYES: 147

Abel	Ballard	Barnett	Barnitz	Barry 100
Behnen	Berkowitz	Berkstresser	Black	Bland
Boatright	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Baker	Bartelsmeyer	Bartle	Bearden	Coleman
Froelker	Hohulin	Hoppe	Kelley 47	Linton
O'Connor	Reynolds	Wiggins		

VACANCIES: 003

Representative Villa declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 136

Abel	Barnett	Barnitz	Barry 100	Bartle
Behnen	Berkowitz	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper

Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hosmer	Jetton	Johnson 90
Jolly	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Long	Luetkemeyer	Luetkenhaus	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Toole	Ostmann	Overschmidt
Portwood	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 004

Hunter	Marble	Phillips	Purgason
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PRESENT: 000

ABSENT WITH LEAVE: 020

Baker	Ballard	Bartelsmeyer	Bearden	Berkstresser
Byrd	Coleman	Copenhaver	Froelker	Henderson
Hohulin	Hoppe	Johnson 61	Kelley 47	Linton
Lograsso	Lowe	O'Connor	Scott	Wiggins

VACANCIES: 003

Speaker Pro Tem Abel resumed the Chair.

SCS HB 491, relating to third class cities, was taken up by Representative George.

Representative George moved that **SCS HB 491** be adopted.

Which motion was defeated by the following vote:

AYES: 071

Abel	Barnitz	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Copenhaver	Crump	Curls	Davis	Farnen
Foley	Ford	Franklin	Fraser	Gambaro
George	Graham	Green 15	Green 73	Hagan-Harrell

Hampton	Harding	Harlan	Haywood	Hilgemann
Hollingsworth	Hosmer	Jolly	Kelly 27	Kelly 36
Kennedy	Koller	Lawson	Liese	Lowe
Mays 50	McKenna	Merideth	Monaco	O'Toole
Overschmidt	Ransdall	Relford	Reynolds	Selby
Shelton	Shoemyer	Skaggs	Smith	Thompson
Treadway	Van Zandt	Villa	Wagner	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 073

Ballard	Barnett	Bartle	Behnen	Berkstresser
Black	Boatright	Burcham	Burton	Byrd
Champion	Cierpiot	Cooper	Crawford	Crowell
Dempsey	Dolan	Enz	Fares	Froelker
Gaskill	Gratz	Griesheimer	Hanaway	Hartzler
Hegeman	Henderson	Hendrickson	Hickey	Hohulin
Holand	Holt	Hunter	Jetton	Johnson 90
Kelly 144	King	Legan	Levin	Long
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Miller	Moore	Murphy	Myers
Naeger	Nordwald	Ostmann	Phillips	Portwood
Purgason	Rector	Reid	Reinhart	Richardson
Roark	Robirds	Ross	Schwab	Scott
Secrest	Seigfreid	Shields	St. Onge	Surface
Townley	Vogel	Wright		

PRESENT: 002

Cunningham Johnson 61

ABSENT WITH LEAVE: 014

Baker	Bartelsmeyer	Bearden	Coleman	Hoppe
Kelley 47	Linton	Lograsso	O'Connor	Ridgeway
Rizzo	Scheve	Troupe	Wiggins	

VACANCIES: 003

Representative George moved that the House refuse to adopt **SCS HB 491** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

THIRD READING OF SENATE BILL - CONSENT

HCS SCS SB 382, relating to disclosure of personal information, was taken up by Representative Liese.

On motion of Representative Liese, **HCS SCS SB 382** was adopted.

On motion of Representative Liese, **HCS SCS SB 382** was read the third time and passed by the following vote:

AYES: 145

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Baker	Bartelsmeyer	Bearden	Byrd	Coleman
Cooper	Harlan	Hoppe	Kelley 47	Linton
Lograsso	Long	O'Connor	O'Toole	Wiggins

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 141

Abel	Baker	Ballard	Barnett	Barnitz
Bartle	Behnen	Berkowitz	Berkstresser	Black
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell

Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelly 144	Kelly 27	Kelly 36	Kennedy
Koller	Lawson	Legan	Levin	Liese
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Murphy	Myers	Naeger
Nordwald	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 006

Boatright	Hendrickson	Hohulin	King	Purgason
Rector				

PRESENT: 000

ABSENT WITH LEAVE: 013

Barry 100	Bartelsmeyer	Bearden	Coleman	Harlan
Hoppe	Kelley 47	Linton	Lograsso	Long
Moore	O'Connor	Wiggins		

VACANCIES: 003

SB 224, relating to law enforcement districts, was taken up by Representative Luetkemeyer.

On motion of Representative Luetkemeyer, **SB 224** was truly agreed to and finally passed by the following vote:

AYES: 132

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Campbell	Carnahan	Champion	Cierpiot
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell

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Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelly 144	Kelly 27
Kelly 36	King	Koller	Legan	Levin
Liese	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Myers	Naeger	Nordwald	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reinhart	Relford	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 010

Bowman	Byrd	Foley	Green 73	Hendrickson
Hickey	Murphy	O'Toole	Reid	Reynolds

PRESENT: 001

Lowe

ABSENT WITH LEAVE: 017

Bartelsmeyer	Bearden	Clayton	Coleman	Harlan
Hoppe	Kelley 47	Kennedy	Lawson	Linton
Lograsso	Long	Luetkemeyer	Luetkenhaus	O'Connor
Van Zandt	Wiggins			

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 126

Abel	Ballard	Barnett	Barry 100	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Boykins	Bray 84	Britt
Burcham	Burton	Campbell	Carnahan	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Ford
Franklin	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hickey	Hilgemann	Hohulin
Holand	Holt	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Lowe	Luetkemeyer

Luetkenhaus	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Moore	Myers
Naeger	Nordwald	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reinhart
Relford	Richardson	Ridgeway	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	St. Onge	Surface	Thompson	Townley
Troupe	Villa	Vogel	Wagner	Walton
Ward	Williams	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 021

Barnitz	Bartle	Bowman	Byrd	Champion
Foley	Fraser	Green 73	Harding	Hendrickson
Hollingsworth	Lograsso	Marble	Murphy	O'Toole
Reid	Reynolds	Roark	Smith	Treadway
Willoughby				

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 012

Baker	Bartelsmeyer	Bearden	Coleman	Hoppe
Kelley 47	Linton	Long	Monaco	O'Connor
Van Zandt	Wiggins			

VACANCIES: 003

SB 179, relating to mortgage brokers, was taken up by Representative Wagner.

On motion of Representative Wagner, **SB 179** was truly agreed to and finally passed by the following vote:

AYES: 144

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Brooks	Burcham
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelly 144
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Lograsso	Lowe

Luetkemeyer	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Moore
Murphy	Myers	Naeger	Nordwald	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Bartelsmeyer	Bearden	Britt	Byrd	Coleman
Hoppe	Kelley 47	Kelly 27	Linton	Long
Luetkenhaus	Monaco	O'Connor	Secrest	Shields
Wiggins				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

SB 435, relating to historic motor vehicles, was taken up by Representative Koller.

On motion of Representative Koller, **SB 435** was truly agreed to and finally passed by the following vote:

AYES: 144

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelly 144	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Lowe	Luetkemeyer	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Miller	Murphy
Myers	Naeger	Nordwald	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall

Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Bartelsmeyer	Bearden	Coleman	Hoppe	Kelley 47
Kelly 27	Linton	Lograsso	Long	Luetkenhaus
Merideth	Monaco	Moore	O'Connor	Rector
Wiggins				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

SB 223, relating to lesser included offenses, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **SB 223** was truly agreed to and finally passed by the following vote:

AYES: 143

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Britt	Brooks	Burcham	Burton
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hosmer	Hunter	Jetton	Johnson 90
Jolly	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Liese
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Moore	Murphy	Myers
Naeger	Nordwald	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs

Smith	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Ballard	Bartelsmeyer	Bearden	Bray 84	Byrd
Coleman	Foley	Hoppe	Johnson 61	Kelley 47
Levin	Linton	Long	Monaco	O'Connor
St. Onge	Wiggins			

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HCS SCS SB 520, relating to motor vehicles, was taken up by Representative Myers.

On motion of Representative Myers, **HCS SCS SB 520** was adopted.

On motion of Representative Myers, **HCS SCS SB 520** was read the third time and passed by the following vote:

AYES: 140

Abel	Ballard	Barnett	Barnitz	Bartle
Behnen	Berkowitz	Berkstresser	Black	Bland
Boatright	Bonner	Boucher	Bowman	Boykins
Britt	Brooks	Burcham	Burton	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Fraser
Froelker	Gambaro	Gaskill	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelly 144	Kelly 36	Kennedy	King	Koller
Lawson	Levin	Liese	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Moore	Myers	Naeger	Nordwald	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Villa

Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 020

Baker	Barry 100	Bartelsmeyer	Bearden	Bray 84
Byrd	Coleman	Franklin	George	Hoppe
Kelley 47	Kelly 27	Legan	Linton	Long
Monaco	Murphy	O'Connor	Van Zandt	Wiggins

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HCS SB 227, relating to nonprobate transfers, was taken up by Representative Burton.

On motion of Representative Burton, **HCS SB 227** was adopted.

On motion of Representative Burton, **HCS SB 227** was read the third time and passed by the following vote:

AYES: 147

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Fraser	Froelker
Gambaro	Gaskill	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Moore	Murphy	Myers	Naeger
Nordwald	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton

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Ward	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Bartelsmeyer	Bearden	Coleman	Franklin	George
Hoppe	Kelley 47	Linton	Long	Monaco
O'Connor	Richardson	Wiggins		

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

Representative Jolly assumed the Chair.

SB 110, relating to regulation of mattresses, was taken up by Representative Ladd Baker.

On motion of Representative Ladd Baker, **SB 110** was truly agreed to and finally passed by the following vote:

AYES: 143

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Moore
Murphy	Myers	Naeger	Nordwald	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Ridgeway	Rizzo	Roark	Robirds
Ross	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Bartelsmeyer	Bearden	Byrd	Coleman	Franklin
Hagan-Harrell	Hoppe	Kelley 47	Linton	Lograsso
Long	Monaco	O'Connor	Richardson	Scheve
Treadway	Wiggins			

VACANCIES: 003

Representative Jolly declared the bill passed.

PERFECTION OF HOUSE BILLS

HCS HB 170, relating to property tax collections, was placed on the Informal Calendar.

HB 715, relating to certificate of need, was placed on the Informal Calendar.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 279 - Fiscal Review and Government Reform (Fiscal Note)

HCS HB 780 - Fiscal Review and Government Reform (Fiscal Note)

HCS HBs 981 & 665 - Fiscal Review and Government Reform (Fiscal Note)

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 1668 - Miscellaneous Bills & Resolutions

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SB 125 - Fiscal Review and Government Reform (Fiscal Note)

HCS SB 462 - Fiscal Review and Government Reform (Fiscal Note)

SCS SBs 247 & 330 - Transportation

SS SCS SB 369 - Utilities Regulation

SS SCS SBs 551, 410, 539, 528 & 296 - Children, Families and Health

REFERRAL OF SENATE JOINT RESOLUTION

The following Senate Joint Resolution was referred to the Committee indicated:

SS SCS SJRs 1 & 4 - Miscellaneous Bills & Resolutions

COMMITTEE REPORT

Committee on Agriculture, Chairman Wiggins reporting:

Mr. Speaker: Your Committee on Agriculture, to which was referred **HCR 22**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE CONCURRENT RESOLUTION NO. 22

WHEREAS, in 1955, the Missouri Brucellosis Control and Eradication Law, sections 267.470 to 267.550, RSMo, was enacted by the Missouri General Assembly to suppress, control and eradicate bovine brucellosis in this state; and

WHEREAS, as part of the state's attempt to suppress, control and eradicate bovine brucellosis in this state, a certification process was established which included the herd designation of a "certified brucellosis free herd"; and

WHEREAS, more than forty-five years after the passage of the Missouri Brucellosis Control and Eradication Law, not every herd of cattle in the state of Missouri has attained the designation of a certified brucellosis free herd; and

WHEREAS, all cattle eight months of age or over must pass a negative test for brucellosis within thirty days of the transportation of such cattle within or outside the state; and

WHEREAS, the economic progress of the cattle industry in this state depends on the ability of cattle producers to buy, sell and exchange cattle both intrastate and interstate; and

WHEREAS, the department of agriculture should be aggressive in the use and utilization of the resources available to the department to reach a brucellosis free status for the entire state, without requiring new vaccinations:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-first General Assembly, First Regular Session, the Senate concurring therein, hereby direct the department of agriculture to be more aggressive in its attempts to suppress, control and eradicate bovine brucellosis in this state and reach a statewide brucellosis free status; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the director of the department of agriculture.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 13**, entitled:

An act to appropriate money for real property leases, related services, utilities, and systems furniture; and structural modifications for new FTE for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2001 and ending June 30, 2003.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 18**, entitled:

An act to appropriate money for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities, including installation, modification, and renovation of facility components, equipment or systems, and to transfer money among certain funds.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 18, Page 10, Section 18.260, Line 5, by inserting after said line two new lines to read as follows:

"From General Revenue	\$130,698
Total	\$1,396,162".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 19**, entitled:

An act to appropriate money for planning, expenses, and for capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions, and to transfer money among certain funds.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 212**, entitled:

An act to repeal sections 375.355 and 379.770, RSMo 2000, relating to policyholder notification in certain insurance contracts, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 218**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 537**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 603**, entitled:

An act to repeal section 660.050, RSMo 2000, relating to the department of health and senior services, and to enact in lieu thereof five new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 644**, entitled:

An act to repeal section 461.073, RSMo 2000, relating to nonprobate transfers, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 151**, and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon, and that the conferees be allowed to exceed the differences.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 321** and has taken up and passed **HCS SB 321**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 441** and has taken up and passed **HCS SB 441**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 521** and has taken up and passed **HCS SB 521**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 52 & 91**, entitled:

An act to repeal sections 301.010, 301.041, 301.121, 301.131, 302.130, 302.178, 304.001, 304.015, 304.022, 304.035, 304.180, 304.180, 304.200, 304.580, 307.375, 575.010 and 577.020, RSMo 2000, section 301.130 as enacted by senate bill no. 3 and senate bill no. 156 of the first regular session of the ninety-fifth general assembly and section 301.130 as enacted by senate bill no. 70 of the first regular session of the ninety-fifth general assembly, relating to traffic regulations, and to enact in lieu thereof eighteen new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS #2 SB 66**, entitled:

An act to repeal sections 568.030, 568.045 and 568.050, RSMo 2000, relating to abandonment of a child, and to enact in lieu thereof four new section relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 69 & 458**, entitled:

An act to repeal sections 191.905, 252.235, 478.610, 569.095, 569.097, 569.099, 570.020, 570.030, 570.080, 570.085, 570.120, 570.125, 570.130, 570.210, 570.300, 578.150, 578.377, 578.379, 578.381 and 578.385, RSMo 2000, relating to felony stealing limit, and to enact in lieu thereof twenty new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SBs 448 & 588**, entitled:

An act to repeal sections 208.151, 376.1209 and 376.1250, RSMo 2000, relating to cancer, and to enact in lieu thereof four new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SBs 476, 427 & 62**, entitled:

An act to repeal sections 28.160, 115.013, 115.027, 115.081, 115.083, 115.087, 115.089, 115.095, 115.097, 115.099, 115.101, 115.133, 115.135, 115.137, 115.151, 115.155, 115.157, 115.160, 115.162, 115.163, 115.179, 115.225, 115.233, 115.237, 115.277, 115.279, 115.283, 115.291, 115.349, 115.409, 115.417, 115.419, 115.429, 115.433, 115.439, 115.453, 115.493, 115.613, 115.619, 115.637, 162.481, 347.740, 351.127, 355.023, 356.233, 359.653, 400.9-508 and 417.018, RSMo 2000, relating to elections, and to enact in lieu thereof sixty-one new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Tuesday, May 1, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-third Day, Thursday, April 26, 2001, pages 1349 and 1350, roll call, by showing Representatives Hunter, Kelly (27) and Surface voting "aye" rather than "absent with leave".

Page 1351, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Page 1355, roll call, by showing Representatives Copenhaver and Kelly (27) voting "aye" rather than "absent with leave".

Page 1356, roll call, by showing Representative Williams voting "aye" rather than "no".

Pages 1357 and 1358, roll call, by showing Representative Surface voting "aye" rather than "absent with leave".

Pages 1359 and 1360, roll call, by showing Representative Surface voting "aye" rather than "absent with leave".

Pages 1361 and 1362, roll call, by showing Representative Naeger voting "no" rather than "absent with leave".

Pages 1373 and 1374, roll call, by showing Representative Kennedy voting "no" rather than "absent with leave".

Pages 1373 and 1374, roll call, by showing Representative Surface voting "aye" rather than "absent with leave".

Pages 1376 and 1377, roll call, by showing Representatives Haywood and Surface voting "aye" rather than "absent with leave".

Pages 1377 and 1378, roll call, by showing Representatives Haywood, Kennedy and Surface voting "aye" rather than "absent with leave".

Pages 1378 and 1379, roll call, by showing Representatives Haywood and Surface voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

APPROPRIATIONS - TRANSPORTATION

Thursday, May 3, 2001, 8:30 am. Hearing Room 3.

CHILDREN, FAMILIES, AND HEALTH

Tuesday, May 1, 2001. Hearing Room 4 upon morning adjournment.

Executive Session will follow.

To be considered - HCR 18, HCR 20, SB 22

COMMERCE AND ECONOMIC DEVELOPMENT

Tuesday, May 1, 2001. Hearing Room 6 upon morning adjournment.

Executive Session to follow.

To be considered - SCR 23

CONFERENCE COMMITTEE - APPROPRIATIONS

Tuesday, May 1, 2001, 8:00 am. Hearing Room 3.

House Bills 2 through 12.

CONFERENCE COMMITTEE - APPROPRIATIONS

Tuesday, May 1, 2001, 7:30 pm. Hearing Room 3.

House Bills 2 through 12.

CONFERENCE COMMITTEE - APPROPRIATIONS

Wednesday, May 2, 2001, 8:00 am. Hearing Room 3.

House Bills 2 through 12.

CONFERENCE COMMITTEE - APPROPRIATIONS

Wednesday, May 2, 2001, 7:30 pm. Hearing Room 3.

House Bills 2 through 12.

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Thursday, May 3, 2001, 1:00 pm. Senate Lounge.

Committee will meet at 1:00 pm or upon adjournment of both houses.

Rule # 13CSR 70-20.050, 20CSR 500.6.700

JUDICIARY

Tuesday, May 1, 2001. Hearing Room 5 upon morning adjournment.

Executive Session may follow.

To be considered - SB 128, SB 258

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, May 1, 2001. Hearing Room 7 upon morning adjournment.

Executive Session may follow.

To be considered - SB 347

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, May 2, 2001, 9:00 am. Hearing Room 6.

Executive Session may follow.

To be considered - HR 1668, SJR 1

RULES, JOINT RULES, BILLS PERFECTED AND PRINTED

Tuesday, May 1, 2001, 1:00 pm. Hearing Room 3.

Executive Session.

To be considered - SB 130, SB 591, SB 617

SPECIAL COMMITTEE ON REDISTRICTING

Tuesday, May 1, 2001. House Lounge (Benton Mural Room) upon morning adjournment.

AMENDED.

SPECIAL COMMITTEE ON SPORTSMANSHIP, SAFETY AND FIREARMS

Tuesday, May 1, 2001. Hearing Room 3 upon morning adjournment.

Executive Session may follow.

To be considered - SB 123

TRANSPORTATION

Wednesday, May 2, 2001. Hearing Room 6 upon morning adjournment.

Executive Session may follow.

To be considered - SB 247

UTILITIES REGULATION

Wednesday, May 2, 2001, 8:15 am. Hearing Room 5.

Executive Session may follow.

To be considered - SB 369

WAYS AND MEANS

Tuesday, May 1, 2001. Hearing Room 2 upon morning adjournment.

Executive Session.

To be considered - SB 372

HOUSE CALENDAR

SIXTY-FIFTH DAY, TUESDAY, MAY 1, 2001

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 15 & 13 - Crawford

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 457, HA 2, as amended, tabled - Kreider
- 2 HCS HB 593 - Riback Wilson (25)
- 3 HCS HB 239 - Smith
- 4 HB 802 - Ransdall
- 5 HCS HB 374 - Fraser
- 6 HCS HB 635 - Barry
- 7 HCS HB 868 - Merideth
- 8 HCS HB 253 - Ross
- 9 HB 809, HCA 1 - Carnahan
- 10 HCS HB 340, 303 & 316 - Graham
- 11 HB 640 - Johnson (90)
- 12 HCS HB 723 - Mays (50)
- 13 HCS HB 117 - Riback Wilson (25)
- 14 HCS HB 307 - Wiggins
- 15 HCS HB 921 - Curls
- 16 HB 911 - Carnahan
- 17 HCS HB 511 - Johnson (90)

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HCS HB 853 & 258 - Crump
- 3 HCS HB 186 & 172 - Troupe
- 4 HCS HB 888, 942 & 943 - Scheve
- 5 HCS HB 472 - Burton
- 6 HCS HB 293 - Kennedy
- 7 HCS HB 663 & 375 - Kennedy
- 8 HCS HB 170 - Froelker
- 9 HB 715 - Foley

HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 HCR 12, (3-29-01, page 894) - Haywood
- 2 HCR 23, (4-26-01, page 1381) - Holand
- 3 HCR 14, (4-26-01, page 1383) - Koller
- 4 HCR 22, (4-30-01) - Barnitz

HOUSE BILLS FOR THIRD READING

- 1 HS HCS HB 835, 90, 707, 373, 641, 510, 516 & 572 - Britt
- 2 HS HCS HB 280, 69, 497 & 689 - Hoppe
- 3 HB 527, (Fiscal Review 4-19-01) - Luetkenhaus
- 4 HS HB 736 - Liese

- 5 HB 366, E.C. (Fiscal Review 4-19-01) - Champion
- 6 HS HB 286, E.C. - Smith
- 7 HB 592, E.C. - Williams
- 8 HCS HB 428 - Kelly (36)
- 9 HS HB 555 - Foley
- 10 HCS HB 279, (Fiscal Review 4-30-01) - Shoemyer
- 11 HS HCS HB 981 & 665, (Fiscal Review 4-30-01) - Willoughby
- 12 HCS HB 780, (Fiscal Review 4-30-01) - Scheve

SENATE BILLS FOR SECOND READING

- 1 SCS SB 52 & 91
- 2 SCS#2 SB 66
- 3 SCS SB 69 & 458
- 4 SS SCS SB 448 & 588
- 5 SS SCS SB 476, 427 & 62

SENATE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 SCR 26, (3-29-01, page 898) - Franklin
- 2 SS SCR 6, (2-26-01, page 490) - O'Toole
- 3 SCR 10, (3-8-01, page 641) - Koller
- 4 SCR 22, (3-27-01, page 831) - Clayton
- 5 HCS SS SCR 13, (4-26-01, page 1380) - Myers
- 6 SCS SCR 14, (3-29-01, page 897) - O'Toole
- 7 SCR 20, (3-8-01, page 645) - Kreider
- 8 SCR 16, (3-8-01, page 643) - Boucher

SENATE BILLS FOR THIRD READING - CONSENT

- 1 SCS SB 514 - Hosmer
- 2 SB 353, HCA 1 - Shields
- 3 HCS SB 274 - Harlan
- 4 HCS SCS SB 568 - Davis
- 5 SB 451 - Mays (50)
- 6 SCS SB 352 - Lawson
- 7 HCS SCS SB 178 - Hoppe
- 8 HCS SB 345 - Holt
- 9 HCS SCS SB 515 - Kennedy
- 10 SCS SB 407 - Hilgemann
- 11 SB 540 - Levin
- 12 HCS SCS SB 619, E.C. - Hoppe
- 13 SB 201 - Farnen
- 14 SB 58 - Wagner
- 15 SB 303 - Relford

- 16 HCS SB 610 - Hoppe
- 17 SCS SB 13 - Ross
- 18 HCS SB 543 - Britt
- 19 SB 556 - Hoppe
- 20 SB 575 - Davis
- 21 HCS SB 304 - Monaco
- 22 SB 406 - Scott
- 23 SCS SB 197 - Luetkenhaus
- 24 SB 148 - Seigfreid
- 25 HCS SB 307 - Froelker
- 26 HCS SB 348 - Barry
- 27 HCS SB 538 - Luetkemeyer

SENATE BILLS FOR THIRD READING

- 1 SCS SB 4 - Rizzo
- 2 HCS SB 371 - O'Toole
- 3 HCS SS SCS SB 267 - Monaco
- 4 HCS SB 462, E.C.(Fiscal Review 4-30-01) - Legan
- 5 SS SCS SB 323 & 230, HCA 1 and HCA 2 - Koller
- 6 HCS SS SB 193 - Ward
- 7 HCS SB 125, (Fiscal Review 4-30-01) - Hoppe
- 8 HCS SB 86 - Scott
- 9 HCS SB 319, E.C. - Johnson (61)
- 10 HCS SB 460 - Kennedy
- 11 HCS SB 72 - Smith

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HCS HB 13 - Bonner
- 2 SCS HCS HB 18, as amended - Green (73)
- 3 SCS HCS HB 19 - Green (73)

BILLS CARRYING REQUEST MESSAGES

- 1 HCS SCS SB 151, (request House recede/grant conf/conferes exceed differences) - Gaskill
- 2 SCS HB 491, (request Senate recede/grant conference) - George

BILLS IN CONFERENCE

- 1 SCS HCS HB 2 - Green (73)
- 2 SCS HCS HB 3 - Green (73)
- 3 SCS HCS HB 4 - Green (73)
- 4 SCS HCS HB 5 - Green (73)
- 5 SCS HCS HB 6, as amended - Green (73)
- 6 SCS HCS HB 7 - Green (73)
- 7 SCS HCS HB 8 - Green (73)
- 8 SCS HCS HB 9 - Green (73)
- 9 SCS HCS HB 10, as amended - Green (73)
- 10 SCS HCS HB 11, as amended - Green (73)
- 11 SCS HCS HB 12 - Green (73)

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

SIXTY-FIFTH DAY, TUESDAY, MAY 1, 2001

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God: we pray that the people of Missouri, who have made progress in things material, will grow in things that are of the heart and soul. Bless these legislators as they lead. Keep their commitments clear. Grant them a love of justice and a willingness to care for the least among us.

To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Nick Hart, Mia McMurtry, Tammy Raymond, Teresa Brauer, Austin Nolting, Britiney Koechner, Michael McGowan, Jennifer Sepe, Adele Jackson and Jessica Redstone.

The Journal of the sixty-fourth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1743 - Representative Bowman
House Resolution No. 1744 - Representatives Lowe and Jolly
House Resolution No. 1745 - Representative Foley
House Resolution No. 1746 - Representative Crawford
House Resolution No. 1747 - Representative Ward
House Resolution No. 1748
through
House Resolution No. 1751 - Representative Britt
House Resolution No. 1752
through
House Resolution No. 1766 - Representative Henderson
House Resolution No. 1767
and
House Resolution No. 1768 - Representative Scott

HOUSE RESOLUTION

Representative Ward offered **HR 1747**, which was read.

HOUSE RESOLUTION NO. 1747

WHEREAS, the members of the Missouri House of Representatives occasionally pause in their diverse legislative endeavors in order to bid a fond farewell to Show-Me State employees whose diligent and conscientious labors down through the years have greatly assisted the functioning of state government and served as an outstanding example for their peers; and

WHEREAS, Sue Walker of House Publications, located in the foundational depths of the state capitol, retired on December 31, 2000, an achievement for which she will be honored with a festive, in-office celebration on May 1, 2001, to be hosted by her colleagues, Sharon Bertles, Terri Boyce, Bonnie Burden, Carrie Fisher, Meg Kemna, Alan Mansager, Carol Mesey, Linda Mirts, Pat Peterson, Kim Ralston, and Angie Thessen and attended by a large number of people looking for the cafeteria or the print shop; and

WHEREAS, unaware that retirement meant she did not have to come to work anymore, Sue Walker has continued to be an invaluable employee throughout the First Regular Session of the Ninety-first General Assembly in the year 2001; and

WHEREAS, Sue Walker expects to be finally caught up with all of her work sometime in June, at which time she will shift the focus of her daily attention to such attractive endeavors as camping and enticing fish to take bait; and

WHEREAS, the last of the "old-timers", Sue Walker vividly remembers when the process of cutting and pasting a document together actually involved scissors and glue instead of a mouse, keyboard, and rather small television screen; and

WHEREAS, in addition to her many endeavors as a House Publications employee, Sue Walker is very proud to be known as the mother of Kenette Walker and Kim Walker and the grandmother of wonderful Kenna Rice and Weston Rice:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, join unanimously to salute Sue Walker for the many contributions she has made over the years to the all-important pre-press composing work of House Publications and to convey to her this legislative body's heartiest congratulations and best wishes for a future filled with the special opportunities and pleasures that are traditionally associated with the golden years of retirement; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for Sue Walker, as a measure of our esteem for her and her career-long activities.

SECOND READING OF SENATE BILLS

SCS SBs 52 & 91, SCS #2 SB 66, SCS SBs 69 & 458, SS SCS SBs 448 & 588 and SS SCS SBs 476, 427 & 62 were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules, and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules, and Bills Perfected and Printed, to which was referred **HCS HB 274**, begs leave to report it has examined the foregoing bill and finds the same to be truly and correctly printed as agreed to and finally passed.

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

HCS SS SCS SB 267 - Fiscal Review and Government Reform (Fiscal Note)

ADOPTION AND THIRD READING OF SENATE CONCURRENT RESOLUTIONS

SCR 26, relating to the joint interim committee on education, was taken up by Representative Franklin.

On motion of Representative Franklin, **SCR 26** was truly agreed to and finally passed by the following vote:

AYES: 152

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Lawson	Legan	Levin
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 001

Hohulin

PRESENT: 000

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ABSENT WITH LEAVE: 007

Cierpiot	Harlan	Hunter	Koller	Reid
Scott	Wiggins			

VACANCIES: 003

Speaker Kreider declared the bill passed.

SS SCR 6, relating to Tartan Day, was taken up by Representative O'Toole.

On motion of Representative O'Toole, **SS SCR 6** was truly agreed to and finally passed by the following vote:

AYES: 151

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Ransdall
Reinhart	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 004

Hohulin	Purgason	Rector	Townley
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PRESENT: 000

ABSENT WITH LEAVE: 005

Baker	Koller	Reid	Relford	Wiggins
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VACANCIES: 003

Speaker Kreider declared the bill passed.

SCR 10, relating to railroad retirement, was taken up by Representative Koller.

On motion of Representative Koller, **SCR 10** was truly agreed to and finally passed by the following vote:

AYES: 154

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 001

Reinhart

ABSENT WITH LEAVE: 005

Cierpiot	Hohulin	Naeger	Reid	Wiggins
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VACANCIES: 003

Speaker Kreider declared the bill passed.

Representative Long assumed the Chair.

HCS SS SCR 13, relating to the Missouri River, was taken up by Representative Myers.

On motion of Representative Myers, **HCS SS SCR 13** was adopted.

On motion of Representative Myers, **HCS SS SCR 13** was read the third time and passed by the following vote:

AYES: 155

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reinhart	Relford
Reynolds	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Baker	Cierpiot	Reid	Richardson	Wiggins
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VACANCIES: 003

Representative Long declared the bill passed.

SCS SCR 14, relating to the joint interim committee to study funding system for safety net providers, was taken up by Representative O'Toole.

On motion of Representative O'Toole, **SCS SCR 14** was truly agreed to and finally passed by the following vote:

AYES: 154

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Cierpiot	Hohulin	Naeger	Robirds	Wiggins
Williams				

VACANCIES: 003

Representative Long declared the bill passed.

SCR 16, relating to military voting rights, was taken up by Representative Boucher.

On motion of Representative Boucher, **SCR 16** was truly agreed to and finally passed by the following vote:

AYES: 153

Ballard	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Abel	Baker	Berkstresser	Cierpiot	Hoppe
Naeger	Wiggins			

VACANCIES: 003

Representative Long declared the bill passed.

SCR 22, relating to acts of the General Assembly, was taken up by Representative Clayton.

On motion of Representative Clayton, **SCR 22** was truly agreed to and finally passed by the following vote:

AYES: 144

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hosmer	Jetton
Johnson 90	Jolly	Kelley 47	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Lutkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker	Ballard	Bray 84	Cierpiot	Harlan
Hoppe	Hunter	Johnson 61	Kelly 144	Levin
Naeger	Richardson	Scott	Secrest	Wagner
Wiggins				

VACANCIES: 003

Representative Long declared the bill passed.

SCR 20, relating to the national online information center, was taken up by Representative Kreider.

On motion of Representative Kreider, **SCR 20** was truly agreed to and finally passed by the following vote:

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AYES: 146

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Champion	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Ross
Scheve	Schwab	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walton
Ward	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker	Berkstresser	Bray 84	Carnahan	Cierpiot
Franklin	Harlan	Hohulin	Hoppe	Robirds
Scott	Van Zandt	Wiggins	Williams	

VACANCIES: 003

Representative Long declared the bill passed.

Speaker Kreider resumed the Chair.

THIRD READING OF HOUSE BILL

Representative Scheve assumed the Chair.

Speaker Kreider resumed the Chair.

HS HB 555, relating to life sciences and the tobacco settlement, was taken up by Representative Foley.

On motion of Representative Foley, **HS HB 555** was read the third time and passed by the following vote:

AYES: 108

Abel	Baker	Ballard	Barnett	Barry 100
Bearden	Behnen	Berkowitz	Black	Bland
Bonner	Boucher	Bowman	Boykins	Britt
Burton	Byrd	Campbell	Carnahan	Cierpiot
Clayton	Coleman	Copenhaver	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Fares
Farnen	Foley	Ford	Fraser	Gambara
Gaskill	George	Graham	Gratz	Green 73
Hagan-Harrell	Hanaway	Harding	Hartzler	Haywood
Hegeman	Hickey	Hilgemann	Holand	Hollingsworth
Hosmer	Johnson 61	Johnson 90	Jolly	Kelly 36
King	Koller	Lawson	Legan	Levin
Liese	Long	Lowe	Luetkemeyer	Luetkenhaus
Marsh	May 149	Mays 50	McKenna	Merideth
Monaco	Myers	O'Connor	O'Toole	Ostmann
Overschmidt	Ransdall	Reid	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Seigfreid	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Troupe	Van Zandt
Villa	Wagner	Walton	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 044

Barnitz	Bartelsmeyer	Bartle	Berkstresser	Boatright
Burcham	Champion	Cooper	Crawford	Crowell
Enz	Froelker	Green 15	Griesheimer	Hampton
Henderson	Hendrickson	Hohulin	Holt	Hunter
Jetton	Kelley 47	Kelly 144	Kelly 27	Linton
Marble	Mayer	Miller	Moore	Murphy
Naeger	Nordwald	Phillips	Portwood	Purgason
Rector	Reinhart	Roark	Secrest	Selby
Treadway	Vogel	Ward	Wright	

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 007

Bray 84	Franklin	Harlan	Hoppe	Kennedy
Lograsso	Wiggins			

VACANCIES: 003

Speaker Kreider declared the bill passed.

SIGNING OF HOUSE BILL

All other business of the House was suspended while **HCS HB 274** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HCS HB 274** was delivered to the Governor by the Chief Clerk of the House.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HS HCR 6**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 459**, entitled:

An act to repeal section 375.1220, RSMo 2000, relating to insurer liquidation law, and to enact in lieu thereof one new section relating to the same subject, with a termination date and an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 732**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 816**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 933**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 955**, entitled:

An act to repeal sections 208.471 and 208.480, RSMo 2000, and to enact in lieu thereof two new sections relating to the hospital federal reimbursement allowance program.

With Senate Committee Amendment No. 1.

Senate Committee Amendment No. 1

AMEND House Bill No. 955, Page 1, Section 208.471, Line 9, by deleting the period after the word "payments" and inserting in lieu thereof a comma; and

Further amend said bill, same page and section, Line 11, by deleting the words "shall be" and inserting in lieu thereof "**such payments or assessments are**".

In which the concurrence of the House is respectfully requested.

On motion of Representative Crump, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Kreider.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Dale Johnson.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1769

through

House Resolution No. 1775 - Representatives Lowe and Jolly

House Resolution No. 1776 - Representative Berkstresser

House Resolution No. 1777 - Representative Fraser

House Resolution No. 1778 - Representative Gaskill

House Resolution No. 1779 - Representatives Marble, Gratz and Copenhagen

House Resolution No. 1780 - Representative Crawford

House Resolution No. 1781 - Representative Hunter

House Resolution No. 1782 - Representative Wagner, et al

House Resolution No. 1783

through

House Resolution No. 1809 - Representative Jetton

House Resolution No. 1810

and

House Resolution No. 1811 - Representative Relford

House Resolution No. 1812 - Representative Clayton

House Resolution No. 1813

through

House Resolution No. 1826 - Representative Cierpiot

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 18, as amended, relating to appropriations, was taken up by Representative Green (73).

Representative Green (73) moved that the House refuse to adopt **SCS HCS HB 18, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 19, relating to appropriations, was taken up by Representative Green (73).

Representative Green (73) moved that the House refuse to adopt **SCS HCS HB 19** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 13, relating to appropriations, was taken up by Representative Green (73).

Representative Green (73) moved that the House refuse to adopt **SCS HCS HB 13** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SIGNING OF SENATE BILLS

All other business of the House was suspended while **SB 224**, **SCS SB 431** and **SB 443** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

Speaker Pro Tem Abel assumed the Chair.

THIRD READING OF HOUSE BILLS

HS HCS HBs 835, 90, 707, 373, 641, 510, 516 & 572, relating to the omnibus crime bill, was taken up by Representative Britt.

On motion of Representative Britt, **HS HCS HBs 835, 90, 707, 373, 641, 510, 516 & 572** was read the third time and passed by the following vote:

AYES: 122

Ballard	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boatright	Bonner	Britt	Burcham
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Froelker	Gaskill	Graham	Gratz	Green 15
Griesheimer	Hampton	Hanaway	Harding	Hartzler
Hegeman	Henderson	Hendrickson	Hickey	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	Ostmann	Overschmidt	Phillips

Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Schwab	Secrest
Seigfreid	Selby	Shields	Skaggs	Smith
St. Onge	Surface	Townley	Treadway	Troupe
Vogel	Wagner	Ward	Williams	Willoughby
Wright	Mr. Speaker			

NOES: 031

Abel	Baker	Bland	Boucher	Bowman
Boykins	Bray 84	Brooks	Coleman	Cunningham
Franklin	Fraser	Gambaro	George	Green 73
Hagan-Harrell	Harlan	Haywood	Hilgemann	Johnson 61
Kennedy	O'Toole	Reynolds	Scheve	Shelton
Thompson	Van Zandt	Villa	Walton	Wilson 25
Wilson 42				

PRESENT: 002

Byrd	Levin
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ABSENT WITH LEAVE: 005

Lograsso	Long	Scott	Shoemyer	Wiggins
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VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HS HCS HBs 280, 69, 497 & 689, relating to medical transport services, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **HS HCS HBs 280, 69, 497 & 689** was read the third time and passed by the following vote:

AYES: 127

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Berkowitz	Black	Bland
Boatright	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Copenhaver	Crump	Curls	Davis
Dolan	Fares	Farnen	Foley	Ford
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Harding	Harlan	Hartzler
Haywood	Hegeman	Hickey	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Levin	Liese
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Murphy	Myers
Naeger	Nordwald	O'Connor	Overschmidt	Phillips

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Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Ridgeway	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 028

Bartelsmeyer	Bearden	Behnen	Berkstresser	Burcham
Cooper	Crawford	Crowell	Cunningham	Dempsey
Enz	Hanaway	Henderson	Hendrickson	Hohulin
Hunter	Jetton	Kelly 144	Legan	Linton
Marble	Ostmann	Portwood	Richardson	Roark
Secrest	St. Onge	Surface		

PRESENT: 000

ABSENT WITH LEAVE: 005

Franklin	Hilgemann	Moore	O'Toole	Wiggins
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VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HS HB 736, relating to the omnibus banking bill, was taken up by Representative Liese.

On motion of Representative Liese, **HS HB 736** was read the third time and passed by the following vote:

AYES: 154

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy

Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Copenhaver	Foley	Harding	Richardson	Shoemyer
Wiggins				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HB 592, relating to the multicultural program and committee, was taken up by Representative Williams.

On motion of Representative Williams, **HB 592** was read the third time and passed by the following vote:

AYES: 154

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford

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Reynolds	Richardson	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 003

Hohulin	Nordwald	Townley
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PRESENT: 000

ABSENT WITH LEAVE: 003

Baker	Ridgeway	Wiggins
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VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 142

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burton	Campbell	Carnahan
Champion	Clayton	Coleman	Copenhaver	Crawford
Crump	Cunningham	Curls	Davis	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Rizzo	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 016

Burcham	Byrd	Cierpiot	Cooper	Crowell
Dempsey	Froelker	Hohulin	Hunter	May 149
Phillips	Portwood	Purgason	Ridgeway	Roark
Townley				

PRESENT: 000

ABSENT WITH LEAVE: 002

Lograsso Wiggins

VACANCIES: 003

HCS HB 428, relating to eluding a law enforcement official, was taken up by Representative Kelly (36).

On motion of Representative Kelly (36), **HCS HB 428** was read the third time and passed by the following vote:

AYES: 144

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bray 84	Britt	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Enz	Fares	Farnen
Foley	Ford	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Ward	Williams
Willoughby	Wilson 25	Wright	Mr. Speaker	

NOES: 008

Bowman	Boykins	Brooks	Green 73	Haywood
Johnson 61	Reynolds	Walton		

PRESENT: 000

ABSENT WITH LEAVE: 008

Dolan	Franklin	Holand	Lograsso	Long
Mayer	Wiggins	Wilson 42		

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

PERFECTION OF HOUSE BILL - INFORMAL

HB 715, relating to certificate of need, was taken up by Representative Foley.

Representative Foley offered **HS HB 715**.

Representative Monaco assumed the Chair.

Representative Crowell offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Bill No. 715, Page 18, Section 197.378.4, Line 1, by inserting after the word “renovate” the following: “, **expand**”; and

Further amend said section, Line 3, by inserting after the word “certification” the following: “**and must include in the application for review certification a plan for eliminating excess bed capacity if the facility or system is less than seventy percent occupied over the most recent twelve-month reporting period**”.

Representative Crowell moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 014

Bartle	Brooks	Crowell	Cunningham	Enz
Hendrickson	Holand	Jetton	Linton	Monaco
Phillips	Rector	Reinhart	Van Zandt	

NOES: 138

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Crawford
Crump	Curls	Davis	Dempsey	Dolan
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan

Hartzler	Haywood	Hegeman	Henderson	Hickey
Hilgemann	Hohulin	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kennedy	King
Koller	Legan	Levin	Liese	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Portwood
Purgason	Ransdall	Reid	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

PRESENT: 001

Copenhaver

ABSENT WITH LEAVE: 007

Baker	Kelly 36	Lawson	Long	Marble
Troupe	Wiggins			

VACANCIES: 003

Representative Ridgeway offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Substitute for House Bill No. 715, Page 12, Section 197.370 (5), Line 32, by deleting all of said line; and

Further amend said section, Page 13, Lines 1 through 9, by deleting all of said lines; and

Further amend said page, Section 197.370 (6), Line 13, by deleting after the word “facility”, the following words: **“or first time service”**; and

Further amend said bill, section 197.374.1, Page 16, Line 20, by deleting after the word “service” the following words: **“or a first-time service”**.

Speaker Pro Tem Abel resumed the Chair.

Representative Ridgeway moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 043

Ballard	Bartle	Boatright	Bray 84	Britt
Burcham	Burton	Byrd	Campbell	Champion
Cierpiot	Cooper	Crowell	Cunningham	Enz

Ford	Harding	Harlan	Henderson	Hendrickson
Hohulin	Holand	Hunter	Jetton	Kelley 47
King	Linton	Lograsso	Marble	Monaco
Phillips	Portwood	Purgason	Rector	Reinhart
Richardson	Ridgeway	Roark	Schwab	Surface
Townley	Van Zandt	Wright		

NOES: 111

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Bonner	Boucher	Bowman	Boykins
Brooks	Carnahan	Clayton	Coleman	Crawford
Crump	Curls	Davis	Dempsey	Dolan
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Hartzler	Haywood	Hegeman	Hickey
Hilgemann	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Kelly 144	Kelly 27
Kelly 36	Kennedy	Lawson	Legan	Levin
Liese	Lowe	Luetkemeyer	Luetkenhaus	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Ransdall	Reid	Relford	Reynolds	Rizzo
Robirds	Ross	Scheve	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Thompson	Treadway
Troupe	Villa	Vogel	Wagner	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 006

Baker	Copenhaver	Green 73	Koller	Long
Wiggins				

VACANCIES: 003

Representative Richardson offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Substitute for House Bill No. 715, Page 22, Section 197.384, Line 4 of said page, by inserting after all of said line the following:

"Section 1. 1. The department of economic development shall conduct a study on the economic impact of Missouri's certificate of need program for the period beginning January 1, 1980, and ending June 1, 2001, with an emphasis on the investigation of those projects rejected by the health facilities review committee during such period and those projects withdrawn from consideration. The study shall:

(1) Quantify the costs to Missouri health providers associated with compliance with Missouri's certificate of need program during such period, including a study of the amounts paid for certificate of need filing fees and fees to consultants, attorneys and lobbyists by applicants for projects approved by the health facilities review committee during such period;

(2) Include results of targeted focus groups and personal interviews with hospital, physician applicants to the certificate of need program to determine the impact of compliance with the certificate of need program on the private health planning process;

(3) Determine the economic impact of Missouri's certificate of need program in those areas of the state where bordering states have lesser or no certificate of need requirements, including quantifying lost jobs and revenue to the state of Missouri as a result of health care projects and facilities that located outside Missouri as a result of Missouri's certificate of need requirements; and

(4) Estimate the loss of competitive alternative health care facilities to Missouri's citizens as a result of the certificate of need program.

2. In conducting the study, the department may engage the services of consulting engineering firms, certified public accountants and health care consultants.

3. The department of economic development shall submit the completed study to the governor and general assembly by May 1, 2002."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Monaco resumed the Chair.

On motion of Representative Richardson, **House Amendment No. 3** was adopted by the following vote:

AYES: 140

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Boatright	Bonner	Boykins
Bray 84	Britt	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Enz	Fares	Farnen	Foley	Ford
Franklin	Froelker	Gambaro	Gaskill	George
Graham	Green 15	Griesheimer	Hampton	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Lawson	Legan
Levin	Liese	Linton	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Schwab	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 006

Bowman	Brooks	Fraser	Hagan-Harrell	Hanaway
Skaggs				

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PRESENT: 000

ABSENT WITH LEAVE: 014

Baker	Bland	Boucher	Dolan	Gratz
Green 73	Harlan	Hickey	Koller	Long
Scheve	Scott	Troupe	Wiggins	

VACANCIES: 003

Representative Portwood offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Substitute for House Bill No. 715, Page 3, Section 197.305 (7), Line 17, by deleting the bracket before the word “**the**”; and

Further amend said section, Line 19, by deleting the bracket after the word “**and**”.

Representative Portwood moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 056

Barnitz	Bartelsmeyer	Bartle	Black	Boatright
Bray 84	Britt	Burcham	Burton	Byrd
Campbell	Champion	Cierpiot	Cooper	Crowell
Cunningham	Enz	Froelker	Griesheimer	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Hunter	Jetton	Kelly 144	King
Legan	Linton	Luetkemeyer	Marble	May 149
Mayer	Miller	Monaco	Moore	Myers
Naeger	Phillips	Portwood	Purgason	Rector
Reinhart	Richardson	Ridgeway	Roark	Scott
Secrest	St. Onge	Surface	Townley	Van Zandt
Wright				

NOES: 093

Abel	Barnett	Barry 100	Bearden	Behnen
Berkowitz	Berkstresser	Bland	Bonner	Boucher
Bowman	Boykins	Brooks	Carnahan	Clayton
Coleman	Copenhaver	Crawford	Crump	Curls
Davis	Dempsey	Fares	Farnen	Foley
Ford	Franklin	Fraser	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Hagan-Harrell	Hampton	Harding	Haywood	Hickey
Hilgemann	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 27
Kelly 36	Kennedy	Lawson	Levin	Liese
Lowe	Luetkenhaus	Marsh	Mays 50	McKenna
Merideth	Murphy	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Ransdall	Reid	Relford
Reynolds	Rizzo	Robirds	Ross	Scheve
Seigfreid	Selby	Shelton	Shields	Shoemyer

Skaggs	Smith	Thompson	Treadway	Villa
Vogel	Wagner	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

PRESENT: 001

Walton

ABSENT WITH LEAVE: 010

Baker	Ballard	Dolan	Harlan	Koller
Lograsso	Long	Schwab	Troupe	Wiggins

VACANCIES: 003

Representative Luetkemeyer offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Bill No. 715, Page 22, Section 197.384, Line 4, by adding after said line the following:

“Section 1. Any skilled nursing facility which has a private pay resident and the resident has resided in the facility for a period in excess of 90 days prior to being eligible for Medicaid reimbursement, then the facility shall be authorized to receive Medicaid reimbursement on behalf of the resident.”.

Speaker Pro Tem Abel resumed the Chair.

Representative Foley raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Luetkemeyer, **House Amendment No. 5** was adopted.

Representative Lograsso offered **House Amendment No. 6**.

Representative Britt assumed the Chair.

House Amendment No. 6 was withdrawn.

Representative Lograsso offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for House Bill No. 715, Page 7, Section 197.310, Line 7, by deleting the words “**two years**” and inserting in lieu thereof the words “**one year. The minority legislative member of the House and Senate shall be appointed by the minority floor leader of each respective body.**”.

On motion of Representative Lograsso, **House Amendment No. 6** was adopted.

Representative Van Zandt offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Substitute for House Bill No. 715, Page 22, Section 194.384 (B), by adding at the end of said section the following: **“To be eligible for Medicaid reimbursement, the skilled nursing facility may not have less than a one (1) to three (3) nurse resident ratio.”.**

Representative Shields raised a point of order that **House Amendment No. 7** is not germane and goes beyond the scope of the bill.

Representative Britt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Van Zandt moved that **House Amendment No. 7** be adopted.

Which motion was defeated by the following vote:

AYES: 036

Bartle	Boucher	Boykins	Bray 84	Brooks
Campbell	Cierpiot	Cooper	Crowell	Cunningham
Enz	Hampton	Harding	Hendrickson	Hickey
Hollingsworth	Jetton	Johnson 61	Johnson 90	Jolly
Kelly 36	Lowe	Monaco	Moore	Nordwald
Phillips	Portwood	Reid	Reinhart	Richardson
Ridgeway	Scott	Selby	Van Zandt	Willoughby
Wilson 25				

NOES: 107

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Bowman
Britt	Burcham	Burton	Byrd	Carnahan
Champion	Clayton	Coleman	Copenhaver	Crawford
Crump	Curls	Davis	Dempsey	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hanaway	Hartzler	Haywood
Hegeman	Henderson	Hilgemann	Hohulin	Holand
Holt	Hoppe	Hunter	Kelley 47	Kelly 144
Kelly 27	Kennedy	King	Lawson	Legan
Levin	Liese	Linton	Luetkemeyer	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Murphy	Myers	Naeger
O'Toole	Ostmann	Purgason	Ransdall	Rector
Relford	Reynolds	Rizzo	Roark	Robirds
Ross	Scheve	Secrest	Seigfreid	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Treadway	Villa	Vogel
Wagner	Walton	Ward	Williams	Wilson 42
Wright	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 017

Baker	Dolan	Ford	Gaskill	George
Harlan	Hosmer	Koller	Lograsso	Long
Luetkenhaus	O'Connor	Overschmidt	Schwab	Townley
Troupe	Wiggins			

VACANCIES: 003

On motion of Representative Foley, **HS HB 715, as amended**, was adopted.

On motion of Representative Foley, **HS HB 715, as amended**, was ordered perfected and printed.

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SB 135 - Civil and Administrative Law

COMMITTEE REPORTS

Committee on Rules, Joint Rules, and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules, and Bills Perfected and Printed, to which was referred **HCS SB 130**, begs leave to report it has examined the same and pursuant to Rule 48 concurs in the report of the committee of origin to place said bill on the **House Consent Calendar for Third Reading and Final Passage**.

Mr. Speaker: Your Committee on Rules, Joint Rules, and Bills Perfected and Printed, to which was referred **HCS SB 591**, begs leave to report it has examined the same and recommends that it **be returned to the committee of origin**.

Mr. Speaker: Your Committee on Rules, Joint Rules, and Bills Perfected and Printed, to which was referred **HCS SB 617**, begs leave to report it has examined the same and recommends that it **be returned to the committee of origin**.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 33, introduced by Representative Lawson, urging the United States Department of Agriculture to grant a waiver for Agramarke Quality Grains, Inc.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 157**, entitled:

An act to repeal sections 193.185, 451.022 and 451.080, RSMo 2000, relating to marriage, and to enact in lieu thereof three new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 321**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 590**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 693**, entitled:

An act to repeal sections 407.820, 407.822, 621.053, 621.055, 621.155, 621.165, 621.175, 621.185, 621.189 and 621.198, RSMo 2000, relating to administrative procedure, and to enact in lieu thereof seven new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 808** and **HB 951**, entitled:

An act to authorize conveyance of certain property owned by the state located in Cole County.

With Senate Amendment No. 1

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Bill No. 808 and House Bill No. 951, Page 2, Section 1, Line 30 of said page, by striking “45” and inserting in lieu thereof “45”.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 825**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 180**, entitled:

An act to repeal section 451.022, RSMo 2000, relating to marriage, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 226**, entitled:

An act to amend chapter 192, RSMo, by adding thereto five new sections relating to a life sciences research program.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 337**, entitled:

An act to amend chapter 1, RSMo, by adding thereto three new sections relating to the prohibition of interference with the free exercise of religion.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 509**, entitled:

An act to repeal section 33.803, RSMo 2000, relating to performance-based budgeting for state departments, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 525**, entitled:

An act to repeal section 414.032, RSMo 2000, relating to fuel requirements, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 13** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Rohrbach, Westfall, Goode and Wiggins.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 18, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Rohrbach, Westfall, Goode and Wiggins.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 19** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Rohrbach, Westfall, Goode and Wiggins.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HB 491** and grants the House a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

SCS HCS HB 13:	Representatives Green (73), Bonner, Ford, Legan and Purgason
SCS HCS HB 18:	Representatives Green (73), Graham, Ford, Legan and Bearden
SCS HCS HB 19:	Representatives Green (73), Graham, Ford, Shields and Bearden

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, May 2, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-fourth Day, Monday, April 30, 2001, Page 1410, lines 23 and 24, be deleting all of said lines and inserting in lieu thereof the following:

On motion of Representative Johnson (90), **SCS SB 357, as amended**, was truly agreed to and finally passed by the following vote:

Page 1411, Line 26, by deleting all of said line and inserting in lieu thereof the following:

The emergency clause, as amended, was defeated by the following vote:

Page 1396, roll call, by showing Representative Wilson (42) voting "aye" rather than "absent with leave".

Page 1399, roll call, by showing Representatives Franklin and May (149) voting "aye" rather than "absent with leave".

Pages 1400 and 1401, roll call, by showing Representatives Franklin and Levin voting "aye" rather than "absent with leave".

Pages 1401 and 1402, roll call, by showing Representative Franklin voting "aye" rather than "absent with leave".

Pages 1402 and 1403, roll call, by showing Representative Franklin voting "aye" rather than "absent with leave".

Pages 1403 and 1404, roll call, by showing Representative Jetton voting "aye" rather than "absent with leave".

Pages 1406 and 1407, roll call, by showing Representatives Franklin and Jetton voting "aye" rather than "absent with leave".

Pages 1407 and 1408, roll call, by showing Representatives Burcham and Copenhaver voting "aye" rather than "absent with leave".

Pages 1409 and 1410, roll call, by showing Representative Wilson (42) voting "aye" rather than "absent with leave".

Pages 1410 and 1411, roll call, by showing Representative May (149) voting "aye" rather than "absent with leave".

Pages 1413 and 1414, roll call, by showing Representatives Copenhaver, Franklin and Hunter voting "aye" rather than "absent with leave".

Pages 1414 and 1415, roll call, by showing Representative Kennedy voting "aye" rather than "absent with leave".

Pages 1415 and 1416, roll call, by showing Representatives Franklin and May (149) voting "aye" rather than "absent with leave".

Pages 1416 and 1417, roll call, by showing Representatives Dempsey and Robirds voting "aye" rather than "absent with leave".

Pages 1417 and 1418, roll call, by showing Representatives Dempsey and Myers voting "aye" rather than "absent with leave".

Pages 1419 and 1420, roll call, by showing Representative Boatright voting "aye" rather than "absent with leave".

Page 1421, roll call, by showing Representative St. Onge voting "aye" rather than "absent with leave".

Page 1422, roll call, by showing Representative Froelker voting "aye" rather than "absent with leave".

Pages 1422 and 1423, roll call, by showing Representatives Bartle, Froelker and Reynolds voting "aye" rather than "absent with leave".

Pages 1423 and 1424, roll call, by showing Representatives Copenhaver, Froelker and Scott voting "aye" rather than "absent with leave".

Pages 1425 and 1426, roll call, by showing Representative Cooper voting "aye" rather than "absent with leave".

Pages 1426 and 1427, roll call, by showing Representative Barry voting "aye" rather than "absent with leave".

Pages 1427 and 1428, roll call, by showing Representatives Kennedy and Luetkemeyer voting "aye" rather than "absent with leave".

Pages 1429 and 1430, roll call, by showing Representatives Secrest and Shields voting "aye" rather than "absent with leave".

Pages 1431 and 1432, roll call, by showing Representatives Levin and St. Onge voting "aye" rather than "absent with leave".

Pages 1432 and 1433, roll call, by showing Representatives Barry, Franklin and George voting "aye" rather than "absent with leave".

Pages 1433 and 1434, roll call, by showing Representative George voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

APPROPRIATIONS - TRANSPORTATION

Thursday, May 3, 2001, 8:30 a.m. Hearing Room 3.

CONFERENCE COMMITTEE - APPROPRIATIONS

Wednesday, May 2, 2001, 8:00 a.m. Hearing Room 3.
House Bills 2 through 12.

CONFERENCE COMMITTEE - APPROPRIATIONS

Wednesday, May 2, 2001, 7:30 p.m. Hearing Room 3.
House Bills 2 through 12.

CRIMINAL LAW

Wednesday, May 2, 2001. Hearing Room 1 upon morning adjournment.
Executive Session may follow.
To be considered - SB 89

FISCAL REVIEW AND GOVERNMENT REFORM

Wednesday, May 2, 2001, 8:30 am. Side gallery. Fiscal Review (Fiscal Note).

AMENDED.

To be considered - HB 279, HB 366, HB 780, HB 981

FISCAL REVIEW AND GOVERNMENT REFORM

Wednesday, May 2, 2001. Hearing Room 5 upon morning adjournment.

Fiscal Review (Fiscal Note).

To be considered - SB 125, SB 267, SB 462

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Thursday, May 3, 2001, 1:00 pm. Senate Lounge.

Committee will meet at 1:00 pm or upon adjournment of both houses.

Rule # 13CSR 70-20.050, 20CSR 500.6.700

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, May 3, 2001, 9:00 am. Hearing Room 1. Second quarter meeting.

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, May 2, 2001, 9:00 am. Hearing Room 6.

Executive Session may follow.

To be considered - HR 1668, SJR 1

SPECIAL COMMITTEE ON REDISTRICTING

Wednesday, May 2, 2001. Hearing Room 7 upon morning adjournment.

To be considered - HB 1000

SPECIAL COMMITTEE ON REDISTRICTING

Thursday, May 3, 2001, 8:30 am. Hearing Room 5. Discussion of plans.

Possible Executive Session.

TRANSPORTATION

Wednesday, May 2, 2001. Hearing Room 6 upon morning adjournment.

Executive Session may follow.

To be considered - SB 247

UTILITIES REGULATION

Wednesday, May 2, 2001, 8:15 am. Hearing Room 5.

Executive Session may follow.

To be considered - SB 369

UTILITIES REGULATION

Thursday, May 3, 2001, 8:15 am. Hearing Room 6.

Executive Session may follow.

HOUSE CALENDAR

SIXTY-SIXTH DAY, WEDNESDAY, MAY 2, 2001

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 33

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 15 & 13 - Crawford

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 457, HA 2, as amended, tabled - Kreider
- 2 HCS HB 593 - Riback Wilson (25)
- 3 HCS HB 239 - Smith
- 4 HB 802 - Ransdall
- 5 HCS HB 374 - Fraser
- 6 HCS HB 635 - Barry
- 7 HCS HB 868 - Merideth
- 8 HCS HB 253 - Ross
- 9 HB 809, HCA 1 - Carnahan
- 10 HCS HB 340, 303 & 316 - Graham
- 11 HB 640 - Johnson (90)
- 12 HCS HB 723 - Mays (50)
- 13 HCS HB 117 - Riback Wilson (25)
- 14 HCS HB 307 - Wiggins
- 15 HCS HB 921 - Curls
- 16 HB 911 - Carnahan
- 17 HCS HB 511 - Johnson (90)

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HCS HB 853 & 258 - Crump
- 3 HCS HB 186 & 172 - Troupe
- 4 HCS HB 888, 942 & 943 - Scheve
- 5 HCS HB 472 - Burton
- 6 HCS HB 293 - Kennedy
- 7 HCS HB 663 & 375 - Kennedy
- 8 HCS HB 170 - Froelker

HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 HCR 12, (3-29-01, page 894) - Haywood
- 2 HCR 23, (4-26-01, page 1381) - Holand
- 3 HCR 14, (4-26-01, page 1383) - Koller
- 4 HCR 22, (4-30-01, page 1436) - Barnitz

HOUSE BILLS FOR THIRD READING

- 1 HB 527, (Fiscal Review 4-19-01) - Luetkenhaus
- 2 HB 366, E.C. (Fiscal Review 4-19-01) - Champion
- 3 HS HB 286, E.C. - Smith
- 4 HCS HB 279, (Fiscal Review 4-30-01) - Shoemyer
- 5 HS HCS HB 981 & 665, (Fiscal Review 4-30-01) - Willoughby
- 6 HCS HB 780, (Fiscal Review 4-30-01) - Scheve

SENATE BILLS FOR SECOND READING

- 1 SB 180
- 2 SS SCS SB 226
- 3 SB 337
- 4 SB 509
- 5 SS SCS SB 525

SENATE BILLS FOR THIRD READING - CONSENT

- 1 HCS SB 130 - Barry
- 2 SCS SB 514 - Hosmer
- 3 SB 353, HCA 1 - Shields
- 4 HCS SB 274 - Harlan
- 5 HCS SCS SB 568 - Davis
- 6 SB 451 - Mays (50)
- 7 SCS SB 352 - Lawson
- 8 HCS SCS SB 178 - Hoppe
- 9 HCS SB 345 - Holt
- 10 HCS SCS SB 515 - Kennedy
- 11 SCS SB 407 - Hilgemann
- 12 SB 540 - Levin
- 13 HCS SCS SB 619, E.C. - Hoppe
- 14 SB 201 - Farnen
- 15 SB 58 - Wagner
- 16 SB 303 - Relford
- 17 HCS SB 610 - Hoppe
- 18 SCS SB 13 - Ross
- 19 HCS SB 543 - Britt

- 20 SB 556 - Hoppe
- 21 SB 575 - Davis
- 22 HCS SB 304 - Monaco
- 23 SB 406 - Scott
- 24 SCS SB 197 - Luetkenhaus
- 25 SB 148 - Seigfreid
- 26 HCS SB 307 - Froelker
- 27 HCS SB 348 - Barry
- 28 HCS SB 538 - Luetkemeyer

SENATE BILLS FOR THIRD READING

- 1 SCS SB 4 - Rizzo
- 2 HCS SB 371 - O'Toole
- 3 HCS SS SCS SB 267, (Fiscal Review 5-1-01) - Monaco
- 4 HCS SB 462, E.C.(Fiscal Review 4-30-01) - Legan
- 5 SS SCS SB 323 & 230, HCA 1 and HCA 2 - Koller
- 6 HCS SS SB 193 - Ward
- 7 HCS SB 125, (Fiscal Review 4-30-01) - Hoppe
- 8 HCS SB 86 - Scott
- 9 HCS SB 319, E.C. - Johnson (61)
- 10 HCS SB 460 - Kennedy
- 11 HCS SB 72 - Smith

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HB 212 - Ward
- 2 SCS HB 603 - Hilgemann
- 3 SCS HB 644 - Burton

BILL CARRYING REQUEST MESSAGES

HCS SCS SB 151, (request House recede/grant conf/conferrees exceed differences) - Gaskill

BILLS IN CONFERENCE

- 1 SCS HCS HB 2 - Green (73)
- 2 SCS HCS HB 3 - Green (73)
- 3 SCS HCS HB 4 - Green (73)
- 4 SCS HCS HB 5 - Green (73)
- 5 SCS HCS HB 6, as amended - Green (73)
- 6 SCS HCS HB 7 - Green (73)
- 7 SCS HCS HB 8 - Green (73)
- 8 SCS HCS HB 9 - Green (73)
- 9 SCS HCS HB 10, as amended - Green (73)

- 10 SCS HCS HB 11, as amended - Green (73)
- 11 SCS HCS HB 12 - Green (73)
- 12 SCS HCS HB 13 - Green (73)
- 13 SCS HCS HB 18, as amended - Green (73)
- 14 SCS HCS HB 19 - Green (73)
- 15 SCS HB 491 - George

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

SIXTY-SIXTH DAY, WEDNESDAY, MAY 2, 2001

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Hear, Gracious God, the prayers we offer in this moment of unity before You. Help us all to discipline our speech, that we may seek clarity rather than cleverness and sincerity instead of sarcasm.

Bless the members of this House. Keep them in Your care this day and strengthen them in their best commitments. To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Alden Hunter Ward, Michael Smith, Jodi Rinke, Kayla Hylton, Bryndon Hill, Michael Wisely, Courtney Robertson, Christopher Strong, Michelle Gordon, Amanda Rosenow, Braydon Schwab, Easton Schwab, Monica Bohr, Becky Dillard, Christina Kerr and Jackie Clark.

The Journal of the sixty-fifth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1827 - Representative Rizzo

House Resolution No. 1828 - Representative Vogel

House Resolution No. 1829

through

House Resolution No. 1832 - Representative Richardson

House Resolution No. 1833 - Representative Roark

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 33 was read the second time.

SECOND READING OF SENATE BILLS

SB 180, SS SCS SB 226, SB 337, SB 509 and SS SCS SB 525 were read the second time.

COMMITTEE REPORTS

Committee on Rules, Joint Rules, and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules, and Bills Perfected and Printed, to which was referred **HS HB 715**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

Committee on Fiscal Review and Government Reform, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS HB 279 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HB 366 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Not Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS HB 780 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HB 212, relating to insurance, was taken up by Representative Ward.

On motion of Representative Ward, **SCS HB 212** was adopted by the following vote:

AYES: 151

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin

Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Selby	Shelton	Shields
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 001

Shoemyer

ABSENT WITHLEAVE: 008

Baker	Gambaro	Harlan	Hohulin	Hunter
Lograsso	Purgason	Seigfreid		

VACANCIES: 003

On motion of Representative Ward, **SCS HB 212** was truly agreed to and finally passed by the following vote:

AYES: 155

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford

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Reynolds	Richardson	Ridgeway	Rizzo	Roark
Ross	Scheve	Schwab	Scott	Secrest
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITHLEAVE: 005

Baker	Harlan	Linton	Robirds	Seigfreid
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VACANCIES: 003

Speaker Kreider declared the bill passed.

Representative Scheve assumed the Chair.

SCS HB 603, relating to Alzheimer's disease, was taken up by Representative Hilgemann.

On motion of Representative Hilgemann, **SCS HB 603** was adopted by the following vote:

AYES: 151

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Copenhaver	Crawford	Crowell	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson

Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				
NOES: 004				

Boatright	Cooper	Froelker	Hartzler
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PRESENT: 000

ABSENT WITHLEAVE: 005

Crump	Harlan	Lograsso	Long	Seigfreid
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VACANCIES: 003

On motion of Representative Hilgemann, **SCS HB 603** was truly agreed to and finally passed by the following vote:

AYES: 147

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Champion
Cierpiot	Clayton	Coleman	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curly	Davis
Dempsey	Dolan	Enz	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Legan	Levin	Liese
Linton	Lograsso	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 003

Cooper	Hartzler	Hohulin
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PRESENT: 000

ABSENT WITHLEAVE: 010

Baker	Byrd	Carnahan	Fares	Green 73
Harlan	Kennedy	Lawson	Long	Seigfreid

VACANCIES: 003

Representative Scheve declared the bill passed.

SCS HB 644, relating to nonprobate transfers, was taken up by Representative Burton.

On motion of Representative Burton, **SCS HB 644** was adopted by the following vote:

AYES: 149

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 36	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITHLEAVE: 011

Baker	Berkstresser	Foley	Harlan	Holand
Kelly 27	Kennedy	Lograsso	Long	Murphy

Seigfreid

VACANCIES: 003

On motion of Representative Burton, **SCS HB 644** was truly agreed to and finally passed by the following vote:

AYES: 149

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 36	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITHLEAVE: 011

Byrd	Crump	Foley	Harlan	Kelly 27
Kennedy	Lograsso	Long	Murphy	Reinhart
Seigfreid				

VACANCIES: 003

Representative Scheve declared the bill passed.

Speaker Pro Tem Abel assumed the Chair.

SCS HB 693, relating to the Administrative Hearing Commission, was taken up by Representative Smith.

On motion of Representative Smith, **SCS HB 693** was adopted by the following vote:

AYES: 137

Abel	Barnett	Barnitz	Barry 100	Bartle
Behnen	Berkowitz	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Copenhaver
Crawford	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Purgason	Reid	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 015

Bartelsmeyer	Bearden	Berkstresser	Byrd	Cooper
Crowell	Hohulin	Holt	Miller	Portwood
Rector	Reinhart	Roark	Secrest	St. Onge

PRESENT: 000

ABSENT WITHLEAVE: 008

Baker	Ballard	Black	Crump	Harlan
Lograsso	Ransdall	Seigfreid		

VACANCIES: 003

On motion of Representative Smith, **SCS HB 693** was truly agreed to and finally passed by the following vote:

AYES: 139

Abel	Barnett	Barnitz	Barry 100	Bartle
Behnen	Berkowitz	Berkstresser	Black	Bland
Boatright	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Copenhaver	Crawford	Crowell
Cunningham	Curls	Davis	Dolan	Enz
Fares	Farnen	Ford	Franklin	Fraser
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hollingsworth	Hoppe
Hosmer	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 010

Bartelsmeyer	Bearden	Cooper	Dempsey	Griesheimer
Holt	Hunter	Portwood	Roark	St. Onge

PRESENT: 000

ABSENT WITHLEAVE: 011

Baker	Ballard	Crump	Foley	Froelker
Harlan	Hohulin	Holand	Moore	Murphy
Seigfreid				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

THIRD READING OF HOUSE BILL

HCS HB 780, relating to economic development, was taken up by Representative Scheve.

On motion of Representative Scheve, **HCS HB 780** was read the third time and passed by the following vote:

AYES: 143

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bray 84	Britt	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	Merideth	Miller	Monaco
Moore	Murphy	Myers	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	Surface	Thompson
Townley	Treadway	Van Zandt	Villa	Vogel
Wagner	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 008

Behnen	Bowman	Boykins	Brooks	Green 73
St. Onge	Troupe	Walton		

PRESENT: 000

ABSENT WITHLEAVE: 009

Berkstresser	Crump	Harlan	Kennedy	Long
McKenna	Naeger	Seigfreid	Ward	

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

THIRD READING OF SENATE BILLS

SCS SB 4, relating to police salaries; driver's records, was taken up by Representative Rizzo.

On motion of Representative Rizzo, **SCS SB 4** was truly agreed to and finally passed by the following vote:

AYES: 140

Abel	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Burcham	Burton
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Franklin
Fraser	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Levin	Liese	Linton	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Moore	Murphy	Myers	Nordwald
O'Connor	O'Toole	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 001

Troupe

PRESENT: 000

ABSENT WITHLEAVE: 019

Baker	Barry 100	Britt	Brooks	Byrd
Foley	Ford	Froelker	Green 73	Harlan
Kennedy	Lawson	Legan	Long	Monaco
Naeger	Ostmann	Richardson	Seigfreid	

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HCS SS SB 193, relating to insurance producers, was taken up by Representative Ward.

Representative Ward offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 193, Page 6, Section 375.014, Line 57, by striking the word “**exiting**” and inserting in lieu thereof the word “**existing**”; and

Further amend said bill, Page 19, Section 375.023, Line 1, by striking the following “**375.023. 1.**” and inserting in lieu thereof the following: “**5.**”; and

Further amend said bill, Pages 20 and 21, by renumbering the subsections and amending the intersectional references accordingly; and

Further amend said bill, Page 27, Section 375.076, Line 10, by inserting immediately after the word “**person**” the word “**for**”; and

Further amend said bill by amending the title and enacting clause accordingly.

On motion of Representative Ward, **House Amendment No. 1** was adopted.

Representative Surface offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 193, Page 6, Section 375.014, Lines 56 to 59, by deleting all of said lines and inserting in lieu thereof the following:

"(9) Employees who are responding to specific requests from existing policyholders on existing policies, but who provide no counsel, advice, suggestion or opinion with respect to the coverage, terms or conditions of the insurance contract, provided that such employees do not sell, solicit or negotiate insurance and are not compensated based on the number of policy changes that may result or the volume of premiums that may be generated from these services."

On motion of Representative Surface, **House Amendment No. 2** was adopted.

On motion of Representative Surface, **HCS SS SB 193, as amended**, was adopted.

On motion of Representative Ward, **HCS SS SB 193, as amended**, was read the third time and passed by the following vote:

AYES: 145

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Ford	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hunter	Jetton

Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	Merideth
Miller	Myers	Naeger	Nordwald	O'Connor
O'Toole	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Selby	Shelton	Shields	Shoemyer
Skaggs	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITHLEAVE: 015

Baker	Brooks	Foley	Franklin	Green 73
Harlan	Hosmer	Long	McKenna	Monaco
Moore	Murphy	Ostmann	Seigfreid	Smith

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

On motion of Representative Boykins, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Kreider.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Brittney Koechner and Tommy Raymond.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1834 - Representative Davis
 House Resolution No. 1835
 through
 House Resolution No. 1838 - Representative Liese
 House Resolution No. 1839 - Representative Kelly (36)
 House Resolution No. 1840 - Representative Crawford
 House Resolution No. 1841 - Representatives Boucher, Lowe and Jolly
 House Resolution No. 1842 - Representative Willoughby
 House Resolution No. 1843

and
House Resolution No. 1844 - Representative Clayton
House Resolution No. 1845
and
House Resolution No. 1846 - Representative Berkstresser
House Resolution No. 1847
through
House Resolution No. 1849 - Representative Rector
House Resolution No. 1850 - Representatives Rector and Ross
House Resolution No. 1851 - Representative Rector
House Resolution No. 1852 - Representative Boucher

COMMITTEE REPORTS

Committee on Fiscal Review and Government Reform, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HS HCS HBs 981 & 655 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS SB 125 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS SS SCS SB 267 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS SB 462 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

ADOPTION AND THIRD READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 12, relating to the federal energy policy, was taken up by Representative Haywood.

On motion of Representative Haywood, **HCR 12** was read the third time and passed by the following vote:

AYES: 150

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham

Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Myers	Naeger	Nordwald	O'Connor
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITHLEAVE: 010

Baker	Champion	Harlan	Kennedy	Long
Moore	Murphy	O'Toole	Shields	Van Zandt

VACANCIES: 003

Speaker Kreider declared the bill passed.

HCR 23, relating to the windfall elimination provision, was taken up by Representative Holand.

Representative Holand offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Concurrent Resolution No. 23, Page 1381 of the Journal of the House, Sixty-third Day, April 26, 2001, by deleting the word “**of**” in the first line of the first “WHEREAS” clause and replacing it with the word “**or**”; and

Further amend said concurrent resolution, in the clause that begins “NOW, THEREFORE, BE IT RESOLVED” by deleting the words “rescind the Windfall Elimination Provision for teachers” and inserting in lieu thereof the following:

“(1) either simply rescind the Windfall Elimination Provision or amend it so that it does not bear disproportionately upon teachers and others who have modest salaries earned in non-Social Security-covered service; and (2) amend the government pension offset so that it will not bear disproportionately upon teachers and others whose government pensions are based on modest salaries”.

Representative Relford assumed the Chair.

On motion of Representative Holand, **House Amendment No. 1** was adopted.

On motion of Representative Holand, **HCR 23, as amended**, was read the third time and passed by the following vote:

AYES: 153

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITHLEAVE: 007

Copenhaver	Green 73	Harlan	Lograsso	Long
Monaco	Van Zandt			

VACANCIES: 003

Representative Relford declared the bill passed.

HCR 14, relating to the railroad retirement act, was taken up by Representative Koller.

On motion of Representative Koller, **HCR 14** was read the third time and passed by the following vote:

AYES: 150

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Fraser
Froelker	Gambara	Gaskill	George	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITHLEAVE: 010

Bray 84	Cunningham	Franklin	Green 73	Harlan
Hegeman	Johnson 61	Lograsso	Long	Van Zandt

VACANCIES: 003

Representative Relford declared the bill passed.

HCR 22, relating to brucellosis, was taken up by Representative Barnitz.

On motion of Representative Barnitz, **HCR 22** was read the third time and passed by the following vote:

AYES: 150

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Britt	Brooks	Burcham
Burton	Byrd	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITHLEAVE: 010

Baker	Berkstresser	Bray 84	Campbell	Green 73
Harlan	Kelley 47	Lograsso	Long	Van Zandt

VACANCIES: 003

Representative Relford declared the bill passed.

THIRD READING OF HOUSE BILL

HCS HB 279, relating to screening of newborns, was taken up by Representative Shoemyer.

On motion of Representative Shoemyer, **HCS HB 279** was read the third time and passed by the following vote:

AYES: 152

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Treadway
Troupe	Villa	Vogel	Wagner	Walton
Ward	Wiggins	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 001

Townley

PRESENT: 000

ABSENT WITHLEAVE: 007

Baker	Ballard	Bartelsmeyer	Lograsso	Scott
Van Zandt	Williams			

VACANCIES: 003

Representative Relford declared the bill passed.

THIRD READING OF SENATE BILL

HCS SS SCS SB 267, relating to court procedures, was taken up by Representative Monaco.

Speaker Kreider resumed the Chair.

Representative Monaco offered **HS HCS SS SCS SB 267**.

Representative Monaco offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 267, Section 4, Page 63, Lines 11-12, by deleting “**that has neighborhood courts and the city is**”; and

Further amend said section, Page 63, Line 13, by deleting all of said line and inserting in lieu thereof the following: “**additional court costs in an amount up to twenty dollars per**”; and

Further amend said substitute, Section 5, Page 63, Line 23, by deleting all of said line and inserting in lieu thereof the following: “**provide for additional court costs in an amount up to**”.

On motion of Representative Monaco, **House Amendment No. 1** was adopted.

Representative Byrd offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 267, Section 1, Page 60, Lines 8-11, by deleting said section from the substitute; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Byrd, **House Amendment No. 2** was adopted.

Representative Britt offered **House Amendment No. 3**.

Representative Monaco raised a point of order that **House Amendment No. 3** goes beyond the scope and is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Lograsso offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 267, Section 196.790, Pages 13-14, by deleting all of said Section from the substitute; and

Further amend said House Substitute, Section 426.220, Page 14, by deleting all of said section from the substitute; and

Further amend said House Substitute, Section 426.230, Pages 14-15, by deleting all of said section from the substitute; and

Further amend said House Substitute, Section 429.360, Page 15, by deleting all of said section from the substitute; and

Further amend said House Substitute, Section 512.180, Page 37, by deleting all of said section from the substitute; and

Further amend said House Substitute, Section 534.350, Page 38, by deleting all of said section from the substitute; and

Further amend said House Substitute, Section 534.360, Page 38, by deleting all of said section from the substitute; and

Further amend said House Substitute, Section 534.380, Pages 38-39, by deleting all of said section from the substitute; and

Further amend said House Substitute, Section 535.030, Page 39, by deleting all of said section from the substitute; and

Further amend said House Substitute, Section 535.110, Page 42, by deleting all of said section from the substitute; and

Further amend said House Substitute, Section 541.020, Page 42, by deleting all of said section from the substitute; and

Further amend said House Substitute, Section 2, Page 60, by deleting all of said section from the substitute; and

Further amend said House Substitute, Section B, Page 64, by deleting all of said section from the substitute; and

Further amend the title, enacting clause and intersectional references accordingly.

Representative Monaco offered **House Substitute Amendment No. 1 for House Amendment No. 3.**

*House Substitute Amendment No. 1
for
House Amendment No. 3*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 267, Section 196.790, Pages 13-14, by deleting all of said section from the substitute; and

Further amend said House Substitute, Section 426.220, Page 14, by deleting all of said section from the substitute; and

Further amend said House Substitute, Section 426.230, Pages 14-15, by deleting all of said section from the substitute; and

Further amend said House Substitute, Section 429.360, Page 15, by deleting all of said section from the substitute; and

Further amend said House Substitute, Section 512.180, Page 37, Lines 7-8, by deleting **“is not filed pursuant to chapter 517, RSMo, and”**; and

Further amend said section, Page 37, Line 9, by inserting brackets “[]” around “five” and inserting **“three”** before the word “thousand”; and

Further amend said House Substitute, Section 534.350, Page 38, by deleting all of said section from the substitute; and

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Further amend said House Substitute, Section 534.360, Page 38, by deleting all of said section from the substitute; and

Further amend said House Substitute, Section 534.380, Pages 38-39, by deleting all of said section from the substitute; and

Further amend said House Substitute, Section 535.030, Page 39, by deleting all of said section from the substitute; and

Further amend said House Substitute, Section 535.110, Page 42, by deleting all of said section from the substitute; and

Further amend said House Substitute, Section 541.020, Page 42, by deleting all of said section from the substitute; and

Further amend said House Substitute, Section 2, Page 60, by deleting all of said section from the substitute; and

Further amend said House Substitute, Section B, Page 64, by deleting all of said section from the substitute; and

Amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Monaco, **House Substitute Amendment No. 1 for House Amendment No. 3** was adopted.

Representative Mayer offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 267, Section 56.765, Page 10, Line 11, by inserting the following after all of said line:

“57.130. 1. The sheriffs of the several counties shall collect and account for all the fines, penalties, forfeitures and other sums of money, by whatever name designated, accruing to the state or any county by virtue of any order, judgment or decree of a court of record, provided that by court rule provision may be made for a court clerk to collect fines, penalties, forfeitures and other sums of money accruing to the state by virtue of any order, judgment or decree of the court.

2. The provisions of this section shall expire and be of no force and effect on and after July 1, [2002.] **2007.**”;
and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Mayer, **House Amendment No. 4** was adopted.

Representative Riback Wilson (25) offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 267, Page 34, Section 491.300, Line 4, by inserting after all of said line the following:

"494.425. The following persons shall be disqualified from serving as a petit or grand juror:

- (1) Any person who is less than [twenty-one] **eighteen** years of age;
- (2) Any person not a citizen of the United States;
- (3) Any person not a resident of the county or city not within a county served by the court issuing the summons;
- (4) Any person who has been convicted of a felony, unless such person has been restored to [his] **such person's** civil rights;
- (5) Any person unable to read, speak and understand the English language;
- (6) Any person on active duty in the armed forces of the United States or any member of the organized militia on active duty under order of the governor;
- (7) Any licensed attorney at law;
- (8) Any judge of a court of record;
- (9) Any person who, in the judgment of the court or the board of jury commissioners, is incapable of performing the duties of a juror because of mental or physical illness or infirmity.

494.430. Upon timely application to the court, the following persons shall be excused from service as a petit or grand juror:

- (1) Any person actually performing the duties of a clergyman;
- (2) Any person who has served on a state or federal petit or grand jury within the preceding year;
- (3) Any person whose absence from [his] **such person's** regular place of employment would, in the judgment of the court, tend materially and adversely to affect the public safety, health, welfare or interest;
- (4) Any person upon whom service as a juror would in the judgment of the court impose an extreme hardship;
- (5) Any person licensed to engage in and actively engaged in the practice of medicine, osteopathy, chiropractic, dentistry or pharmacy[.];
- (6) **Any person who is enrolled as a full-time student and is not residing within twenty miles of the city or county where the jury summons is issued."**; and

Further amend said bill, by amending the title, enacting clause and intersectional references accordingly.

Representative Ridgeway offered **House Substitute Amendment No. 1 for House Amendment No. 5.**

*House Substitute Amendment No. 1
for
House Amendment No. 5*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 267, Page 34, Section 491.300, Line 4, by inserting after all of said line the following:

- "494.425. The following persons shall be disqualified from serving as a petit or grand juror:
- (1) Any person who is less than [twenty-one] **eighteen** years of age;
 - (2) Any person not a citizen of the United States;
 - (3) Any person not a resident of the county or city not within a county served by the court issuing the summons;
 - (4) Any person who has been convicted of a felony, unless such person has been restored to [his] **such person's** civil rights;
 - (5) Any person unable to read, speak and understand the English language;
 - (6) Any person on active duty in the armed forces of the United States or any member of the organized militia on active duty under order of the governor;
 - (7) Any licensed attorney at law;
 - (8) Any judge of a court of record;
 - (9) Any person who, in the judgment of the court or the board of jury commissioners, is incapable of performing the duties of a juror because of mental or physical illness or infirmity.

494.430. Upon timely application to the court, the following persons shall be excused from service as a petit or grand juror:

- (1) Any person actually performing the duties of a clergyman;
- (2) Any person who has served on a state or federal petit or grand jury within the preceding year;

(3) Any person whose absence from [his] **such person's** regular place of employment would, in the judgment of the court, tend materially and adversely to affect the public safety, health, welfare or interest;

(4) Any person upon whom service as a juror would in the judgment of the court impose an extreme hardship;

(5) Any person licensed to engage in and actively engaged in the practice of medicine, osteopathy, chiropractic, dentistry or pharmacy [.]"; and

Further amend said bill, by amending the title, enacting clause and intersectional references accordingly.

On motion of Representative Ridgeway, **House Substitute Amendment No. 1 for House Amendment No. 5** was adopted.

Representative Lograsso offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 267, Section 494.455, Page 34, Line 5, by deleting all of said line after "**1.**"; and

Further amend said section, Page 34, Lines 6-8, by deleting all of said lines; and

Further amend said section, Page 34, Line 9, by deleting "**2.**"; and

Further amend said section, Page 35, Line 5, by inserting "**2.**" before the word "The"; and

Further amend said section, Page 36, Line 9, by inserting the following at the end of said line:

"3. The governing body of each county or a city not within a county may authorize daily compensation and mileage allowance for jurors in any amount such governing body deems reasonable, which shall be paid from the funds of the county or city not within a county."; and

Further amend said section, Page 36, Lines 10-18, by deleting all of said lines; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Lograsso, **House Amendment No. 6** was adopted.

Representative Clayton offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 267, Page 42, Section 535.110, Line 12, by inserting after all of said line the following:

"536.160. In the event a reviewing court reverses a decision of a state agency, remands the matter to the agency for further proceedings and orders the payment into court of any increase in funds authorized by said decision, and thereafter, on remand, the state agency reaches the same result, reaffirms or ratifies its prior decision, then the entity which paid such funds into court shall be entitled to a refund of such funds, including all interest accrued thereon. This provision is enacted in part to clarify and specify the law in existence prior to August 28, 2001."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Clayton, **House Amendment No. 7** was adopted.

Representative Bartle offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 267, Pages 50-52, Section 610.040, by striking all of said section.

On motion of Representative Bartle, **House Amendment No. 8** was adopted by the following vote:

AYES: 088

Baker	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkstresser	Black
Boatright	Boucher	Burcham	Burton	Byrd
Champion	Cierpiot	Cooper	Crawford	Crowell
Cunningham	Dempsey	Dolan	Enz	Fares
Froelker	Gaskill	Gratz	Griesheimer	Hampton
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Hunter	Jetton	Kelley 47
Kelly 144	Kelly 36	King	Koller	Legan
Levin	Linton	Lograsso	Long	Luetkemeyer
Marble	Marsh	May 149	Mayer	Merideth
Miller	Moore	Murphy	Myers	Naeger
Nordwald	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Richardson	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Secrest	Seigfreid
Shields	St. Onge	Surface	Townley	Vogel
Wagner	Willoughby	Wright		

NOES: 070

Abel	Barry 100	Berkowitz	Bland	Bonner
Bowman	Boykins	Bray 84	Britt	Brooks
Campbell	Carnahan	Clayton	Coleman	Copenhaver
Crump	Curls	Davis	Farnen	Foley
Ford	Franklin	Fraser	Gambaro	George
Graham	Green 15	Green 73	Hagan-Harrell	Harding
Haywood	Hickey	Hilgemann	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Kelly 27	Kennedy	Liese	Lowe	Luetkenhaus
Mays 50	McKenna	Monaco	O'Connor	O'Toole
Reynolds	Rizzo	Scheve	Selby	Shelton
Shoemyer	Skaggs	Smith	Thompson	Treadway
Troupe	Van Zandt	Villa	Walton	Ward
Wiggins	Williams	Wilson 25	Wilson 42	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 002

Harlan

Lawson

VACANCIES: 003

Representative Crump offered **House Amendment No. 9**.

Representative Monaco raised a point of order that **House Amendment No. 9** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Ward offered **House Amendment No. 9**.

Representative Wright raised a point of order that **House Amendment No. 9** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Kelly (27) offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 267, Section 565.030, Page 50, Line 7, by inserting the following after all of said line:

“595.030. 1. No compensation shall be paid unless the claimant has incurred an out-of-pocket loss of at least fifty dollars or has lost two continuous weeks of earnings or support from gainful employment. "Out-of-pocket loss" shall mean unreimbursed or unreimbursable expenses or indebtedness reasonably incurred for medical care or other services, including psychiatric, psychological or counseling expenses, necessary as a result of the crime upon which the claim is based, except that the amount paid for psychiatric, psychological or counseling expenses per eligible claim shall not exceed two thousand five hundred dollars. [Fifty dollars shall be deducted from any award granted under sections 595.010 to 595.075, except that an award to a person sixty-five years of age or older is not subject to any deduction.]

2. No compensation shall be paid unless the division of workers' compensation finds that a crime was committed, that such crime directly resulted in personal physical injury to, or the death of, the victim, and that police records show that such crime was promptly reported to the proper authorities. In no case may compensation be paid if the police records show that such report was made more than forty-eight hours after the occurrence of such crime, unless the division of workers' compensation finds that the report to the police was delayed for good cause. If the victim is under eighteen years of age such report may be made by the victim's parent, guardian or custodian; by a physician, a nurse, or hospital emergency room personnel; by the division of family services personnel; or by any other member of the victim's family.

3. No compensation shall be paid for medical care if the service provider is not a medical provider as that term is defined in section 595.027, and the individual providing the medical care is not licensed by the state of Missouri or the state in which the medical care is provided.

4. No compensation shall be paid for psychiatric treatment or other counseling services, including psychotherapy, unless the service provider is a:

(1) Physician licensed pursuant to chapter 334, RSMo, or licensed to practice medicine in the state in which the service is provided;

(2) Psychologist licensed pursuant to chapter 337, RSMo, or licensed to practice psychology in the state in which the service is provided;

(3) Clinical social worker licensed pursuant to chapter 337, RSMo; or

(4) Professional counselor licensed pursuant to chapter 337, RSMo.

5. Any compensation paid [under] **pursuant to** sections 595.010 to 595.075 for death or personal injury shall be in an amount not exceeding out-of-pocket loss, together with loss of earnings or support from gainful employment, not to exceed two hundred dollars per week, resulting from such injury or death. In the event of death of the victim, an award may be made for reasonable and necessary expenses actually incurred for preparation and burial not to exceed five thousand dollars.

6. Any compensation for loss of earnings or support from gainful employment shall be in an amount equal to the actual loss sustained not to exceed two hundred dollars per week; provided, however, that no award [under] **pursuant to** sections 595.010 to 595.075 shall exceed [fifteen] **twenty-five** thousand dollars. If two or more persons are entitled to compensation as a result of the death of a person which is the direct result of a crime or in the case of a sexual assault, the compensation shall be apportioned by the division of workers' compensation among the claimants in proportion to their loss.

7. The method and timing of the payment of any compensation [under] **pursuant to** sections 595.010 to 595.075 shall be determined by the division.

595.035. 1. For the purpose of determining the amount of compensation payable pursuant to sections 595.010 to 595.075, the division of workers' compensation shall, insofar as practicable, formulate standards for the uniform application of sections 595.010 to 595.075, taking into consideration the provisions of sections 595.010 to 595.075, the rates and amounts of compensation payable for injuries and death [under] **pursuant to** other laws of this state and of the United States, excluding pain and suffering, and the availability of funds appropriated for the purpose of sections 595.010 to 595.075. All decisions of the division of workers' compensation on claims heard [under] **pursuant to** sections 595.010 to 595.075 shall be in writing, setting forth the name of the claimant, the amount of compensation and the reasons for the decision. The division of workers' compensation shall immediately notify the claimant in writing of the decision and shall forward to the state treasurer a certified copy of the decision and a warrant for the amount of the claim. The state treasurer, upon certification by the commissioner of administration, shall, if there are sufficient funds in the crime victims' compensation fund, pay to or on behalf of the claimant the amount determined by the division.

2. The crime victims' compensation fund is not a state health program and is not intended to be used as a primary payor to other health care assistance programs, but is a public, quasi-charitable fund whose fundamental purpose is to assist victims of violent crimes through a period of financial hardship, as a payor of last resort. Accordingly, any compensation paid pursuant to sections 595.010 to 595.075 shall be reduced by the amount of any payments, benefits or awards received or to be received as a result of the injury or death:

(1) From or on behalf of the offender;

(2) Under private or public insurance programs, including champus, medicare, medicaid and other state or federal programs, **but not including any life insurance proceeds**; or

(3) From any other public or private funds, including an award payable [under] **pursuant to** the workers' compensation laws of this state.

3. In determining the amount of compensation payable, the division of workers' compensation shall determine whether, because of the victim's consent, provocation, incitement or negligence, the victim contributed to the infliction of the victim's injury or death, and shall reduce the amount of the compensation or deny the claim altogether, in accordance with such determination; provided, however, that the division of workers' compensation may disregard the responsibility of the victim for his **or her** own injury where such responsibility was attributable to efforts by the victim to aid a victim, or to prevent a crime or an attempted crime from occurring in his **or her** presence, or to apprehend a person who had committed a crime in his **or her** presence or had in fact committed a felony.

4. In determining the amount of compensation payable pursuant to sections 595.010 to 595.070, monthly social security disability or retirement benefits received by the victim shall not be considered by the division as a factor for reduction of benefits.

5. The division shall not be liable for payment of compensation for any out-of-pocket expenses incurred more than three years following the date of the occurrence of the crime upon which the claim is based.”; and

Amend the title, enacting clause and intersectional references accordingly.

Representative Monaco raised a point of order that **House Amendment No. 9** goes beyond

the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Kelly (27), **House Amendment No. 9** was adopted.

Representative Richardson offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 267, Page 60, Section 3, Line 18, by adding after the word “annexed” the words “**or divided.**”.

Representative Lograsso offered **House Substitute Amendment No. 1 for House Amendment No. 10**.

*House Substitute Amendment No. 1
for
House Amendment No. 10*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 267, Page 60, Section 3, Line 18, by adding after the word “annexed” the words “**or acquired.**”.

On motion of Representative Lograsso, **House Substitute Amendment No. 1 for House Amendment No. 10** was adopted.

Representative Gambaro offered **House Amendment No. 11**.

Representative Ridgeway raised a point of order that **House Amendment No. 11** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Luetkemeyer offered **House Amendment No. 11**.

Representative Monaco raised a point of order that **House Amendment No. 11** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Boucher offered **House Amendment No. 11**.

Representative Monaco raised a point of order that **House Amendment No. 11** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Clayton offered **House Amendment No. 11.**

Representative Wright raised a point of order that **House Amendment No. 11** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Phillips offered **House Amendment No. 11.**

Representative Monaco raised a point of order that **House Amendment No. 11** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Ridgeway offered **House Amendment No. 11.**

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 267, Page 14, Section 196.790, Line 8, by adding after said line the following:

“386.515. Prior to August 28, 2001, in proceedings before the Missouri Public Service Commission, consistent with the decision of the Supreme Court of Missouri **State ex rel. Anderson Motor Service Co., Inc. v. Public Service Commission**, 97 S.W. 2d 116 (Mo. banc 1936) the review procedure provided for in Section 386.510 is exclusive to any other procedure. An application for rehearing is required to be served on all parties and is a prerequisite to the filing of an application for writ of review. The application for rehearing puts the parties to the proceeding before the Commission on notice that a writ of review can follow and any such review may proceed without formal notification or summons to said parties. On and after August 28, 2001, the review procedure provided for in Section 386.510 continues to be exclusive except that a copy of any such writ of review shall be provided to each party to the proceeding before the Commission, or his attorney of record, by hand delivery or by registered mail, and proof of such delivery or mailing shall be filed in the case as provided by Section 536.110.2.”.

On motion of Representative Ridgeway, **House Amendment No. 11** was adopted.

Representative Smith offered **House Amendment No. 12.**

House Amendment No. 12

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 267, Section 455.040, Page 18, Line 3, by inserting the following after all of said line:

"473.767. 1. In counties operating under fee retention, the public administrator shall before the first court day after the expiration of one year after their successor in office has qualified, file a final settlement as required by section 473.540 for all estates in their charge as public administrator in which final settlement can be made. On the first court day after the expiration of one year after the election of a successor to the public administrator, the judge of the probate division, upon the judge's own motion, shall order the public administrator to account for and deliver all money, property, or papers belonging to all estates in his or her hands in which final settlement cannot be made, to the successor in office, or to the heirs of any estate, or to any executor or administrator regularly appointed, and such accounting and delivery shall be accomplished during the sixty days next thereafter.

2. In counties where the public administrator is paid a salary, the public administrator shall deliver property and make necessary filings as required in this section prior to leaving his or her term of office.

[3. Notwithstanding the provisions of subsection 1 of this section, the former public administrator or their legal representative, upon approval and order of the judge of the probate division of the circuit court having jurisdiction over the estates in which the former public administrator has been appointed personal representative, guardian or conservator, shall turn over the administration of the estates to the successor public administrator. A copy of the annual account of each estate in part covering the term of the former public administrator shall be filed with the probate division by the successor public administrator and the successor public administrator shall be charged with the assets and liabilities shown thereby.]"; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Smith, **House Amendment No. 12** was adopted.

Representative Byrd offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 267, Page 27, Section 488.429, Lines 5-7, by striking the phrase "**and for the acquisition of necessary equipment and maintenance of court facilities approved by order of the judges of the circuit court, en banc;**".

On motion of Representative Byrd, **House Amendment No. 13** was adopted.

Representative Carnahan offered **House Amendment No. 14**.

House Amendment No. 14

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 267, Page 50, Section 565.030, Line 7, by inserting after all of said line the following:

"595.045. 1. There is established in the state treasury the "Crime Victims' Compensation Fund". A surcharge of [five] **ten** dollars shall be assessed as costs in each court proceeding filed in any court in the state in all criminal cases including violations of any county ordinance or any violation of criminal or traffic laws of the state, including an infraction and violation of a municipal ordinance; except that no such fee shall be collected in any proceeding in any court when the proceeding or the defendant has been dismissed by the court or when costs are to be paid by the state, county, or municipality. A surcharge of [five] **ten** dollars shall be assessed as costs in a juvenile court proceeding in which a child is found by the court to come within the applicable provisions of subdivision (3) of subsection 1 of section 211.031, RSMo.

2. Notwithstanding any other provision of law to the contrary, the moneys collected by clerks of the courts pursuant to the provisions of subsection 1 of this section shall be collected and disbursed in accordance with sections 488.010 to 488.020, RSMo, and shall be payable to the director of the department of revenue.

3. The director of revenue shall deposit annually the amount of two hundred fifty thousand dollars to the state forensic laboratory account administered by the department of public safety to provide financial assistance to defray expenses of crime laboratories if such analytical laboratories are registered with the federal Drug Enforcement Agency or the Missouri department of health. Subject to appropriations made therefor, such funds shall be distributed by the department of public safety to the crime laboratories serving the courts of this state making analysis of a controlled substance or analysis of blood, breath or urine in relation to a court proceeding.

[3.] **4.** The remaining funds collected under subsection 1 of this section **shall be denoted to the payment of an annual appropriation for the administrative and operational costs of the office for victims of crime and, if a**

statewide automated crime victim notification system is established pursuant to section 650.310, RSMo, to the monthly payment of expenditures actually incurred in the operation of such system. Additional remaining funds shall be subject to the following provisions:

(1) On the first of every month, the director of revenue or the director's designee shall determine the balance of the funds in the crime victims' compensation fund available to satisfy the amount of compensation payable pursuant to sections 595.010 to 595.075, excluding sections 595.050 and 595.055;

(2) Beginning on October 1, 1996, and on the first of each month, if the balance of the funds available exceeds one million dollars plus one hundred percent of the previous twelve months' actual expenditures, excluding the immediate past calendar month's expenditures, paid pursuant to sections 595.010 to 595.075, excluding sections 595.050 and 595.055, then the director of revenue or the director's designee shall deposit fifty percent to the credit of the crime victims' compensation fund and fifty percent to the services to victims' fund established in section 595.100;

(3) Beginning on October 1, 1996, and on the first of each month, if the balance of the funds available is less than one million dollars plus one hundred percent of the previous twelve months' actual expenditures, excluding the immediate past calendar month's expenditures, paid pursuant to sections 595.010 to 595.075, excluding sections 595.050 and 595.055, then the director of revenue or the director's designee shall deposit seventy-five percent to the credit of the crime victims' compensation fund and twenty-five percent to the services to victims' fund established in section 595.100.

[4.] 5. The director of revenue or such director's designee shall at least monthly report the moneys paid pursuant to this section into the crime victims' compensation fund and the services to victims fund to the division of workers' compensation and the department of public safety, respectively.

[5.] 6. The moneys collected by clerks of municipal courts pursuant to subsection 1 of this section shall be collected and disbursed as provided by sections 488.010 to 488.020, RSMo. Five percent of such moneys shall be payable to the city treasury of the city from which such funds were collected. The remaining ninety-five percent of such moneys shall be payable to the director of revenue. The funds received by the director of revenue pursuant to this subsection shall be distributed as follows:

(1) On the first of every month, the director of revenue or the director's designee shall determine the balance of the funds in the crime victims' compensation fund available to satisfy the amount of compensation payable pursuant to sections 595.010 to 595.075, excluding sections 595.050 and 595.055;

(2) Beginning on October 1, 1996, and on the first of each month, if the balance of the funds available exceeds one million dollars plus one hundred percent of the previous twelve months' actual expenditures, excluding the immediate past calendar month's expenditures, paid pursuant to sections 595.010 to 595.075, excluding sections 595.050 and 595.055, then the director of revenue or the director's designee shall deposit fifty percent to the credit of the crime victims' compensation fund and fifty percent to the services to victims' fund established in section 595.100;

(3) Beginning on October 1, 1996, and on the first of each month, if the balance of the funds available is less than one million dollars plus one hundred percent of the previous twelve months' actual expenditures, excluding the immediate past calendar month's expenditures, paid pursuant to sections 595.010 to 595.075, excluding sections 595.050 and 595.055, then the director of revenue or the director's designee shall deposit seventy-five percent to the credit of the crime victims' compensation fund and twenty-five percent to the services to victims' fund established in section 595.100.

[6.] 7. These funds shall be subject to a biennial audit by the Missouri state auditor. Such audit shall include all records associated with crime victims' compensation funds collected, held or disbursed by any state agency.

[7.] 8. In addition to the moneys collected pursuant to subsection 1 of this section, the court shall enter a judgment in favor of the state of Missouri, payable to the crime victims' compensation fund, of sixty-eight dollars if the conviction is for a class A or B felony; forty-six dollars if the conviction is for a class C or D felony; and ten dollars if the conviction is for any misdemeanor under the following Missouri laws:

- (1) Chapter 195, RSMo, relating to drug regulations;
- (2) Chapter 311, RSMo, but relating only to felony violations of this chapter committed by persons not duly licensed by the supervisor of liquor control;
- (3) Chapter 491, RSMo, relating to witnesses;
- (4) Chapter 565, RSMo, relating to offenses against the person;
- (5) Chapter 566, RSMo, relating to sexual offenses;
- (6) Chapter 567, RSMo, relating to prostitution;
- (7) Chapter 568, RSMo, relating to offenses against the family;
- (8) Chapter 569, RSMo, relating to robbery, arson, burglary and related offenses;

- (9) Chapter 570, RSMo, relating to stealing and related offenses;
- (10) Chapter 571, RSMo, relating to weapons offenses;
- (11) Chapter 572, RSMo, relating to gambling;
- (12) Chapter 573, RSMo, relating to pornography and related offenses;
- (13) Chapter 574, RSMo, relating to offenses against public order;
- (14) Chapter 575, RSMo, relating to offenses against the administration of justice;
- (15) Chapter 577, RSMo, relating to public safety offenses.

Any clerk of the court receiving moneys pursuant to such judgments shall collect and disburse such crime victims' compensation judgments in the manner provided by sections 488.010 to 488.020, RSMo. Such funds shall be payable to the state treasury and deposited to the credit of the crime victims' compensation fund.

[8.] **9.** The clerk of the court processing such funds shall maintain records of all dispositions described in subsection 1 of this section and all dispositions where a judgment has been entered against a defendant in favor of the state of Missouri in accordance with this section; all payments made on judgments for alcohol-related traffic offenses; and any judgment or portion of a judgment entered but not collected. These records shall be subject to audit by the state auditor. The clerk of each court transmitting such funds shall report separately the amount of dollars collected on judgments entered for alcohol-related traffic offenses from other crime victims' compensation collections or services to victims collections.

[9.] **10.** The clerks of the court shall report all delinquent payments to the department of revenue by October first of each year for the preceding fiscal year, and such sums may be withheld pursuant to subsection [14] **15** of this section.

[10.] **11.** The department of revenue shall maintain records of funds transmitted to the crime victims' compensation fund by each reporting court and collections pursuant to subsection [17] **18** of this section and shall maintain separate records of collection for alcohol-related offenses.

[11.] **12.** Notwithstanding any other provision of law to the contrary, the provisions of subsections [8 and 9] **9 and 10** of this section shall expire and be of no force and effect upon the effective date of the supreme court rule adopted pursuant to sections 488.010 to 488.020, RSMo.

[12.] **13.** The state courts administrator shall include in the annual report required by section 476.350, RSMo, the circuit court caseloads and the number of crime victims' compensation judgments entered.

[13.] **14.** All awards made to injured victims under sections 595.010 to 595.105 and all appropriations for administration of sections 595.010 to 595.105, except sections 595.050 and 595.055, shall be made from the crime victims' compensation fund. Any unexpended balance remaining in the crime victims' compensation fund at the end of each biennium shall not be subject to the provision of section 33.080, RSMo, requiring the transfer of such unexpended balance to the ordinary revenue fund of the state, but shall remain in the crime victims' compensation fund. In the event that there are insufficient funds in the crime victims' compensation fund to pay all claims in full, all claims shall be paid on a pro rata basis. If there are no funds in the crime victims' compensation fund, then no claim shall be paid until funds have again accumulated in the crime victims' compensation fund. When sufficient funds become available from the fund, awards which have not been paid shall be paid in chronological order with the oldest paid first. In the event an award was to be paid in installments and some remaining installments have not been paid due to a lack of funds, then when funds do become available that award shall be paid in full. All such awards on which installments remain due shall be paid in full in chronological order before any other postdated award shall be paid. Any award pursuant to this subsection is specifically not a claim against the state, if it cannot be paid due to a lack of funds in the crime victims' compensation fund.

[14.] **15.** When judgment is entered against a defendant as provided in this section and such sum, or any part thereof, remains unpaid, there shall be withheld from any disbursement, payment, benefit, compensation, salary, or other transfer of money from the state of Missouri to such defendant an amount equal to the unpaid amount of such judgment. Such amount shall be paid forthwith to the crime victims' compensation fund and satisfaction of such judgment shall be entered on the court record. Under no circumstances shall the general revenue fund be used to reimburse court costs or pay for such judgment. The director of the department of corrections shall have the authority to pay into the crime victims' compensation fund from an offender's compensation or account the amount owed by the offender to the crime victims' compensation fund, provided that the offender has failed to pay the amount owed to the fund prior to entering a correctional facility of the department of corrections.

[15.] **16.** All interest earned as a result of investing funds in the crime victims' compensation fund shall be paid

into the crime victims' compensation fund and not into the general revenue of this state.

[16.] **17.** Any person who knowingly makes a fraudulent claim or false statement in connection with any claim hereunder is guilty of a class A misdemeanor.

[17.] **18.** Any gifts, contributions, grants or federal funds specifically given to the division for the benefit of victims of crime shall be credited to the crime victims' compensation fund. Payment or expenditure of moneys in such funds shall comply with any applicable federal crime victims' compensation laws, rules, regulations or other applicable federal guidelines.”; and

Further amend said bill, Page 60, Section 634.495, Line 7, by inserting after all of said line the following:

“650.300. As used in sections 650.300 to 650.310, the following terms shall mean:

- (1) “Catastrophic crime”, a violation of section 569.070, RSMo;**
- (2) “Office”, the office for victims of crime;**
- (3) “Private agency”, a private agency as defined in section 595.010, RSMo;**
- (4) “Public agency”, a public agency as defined in section 595.010, RSMo;**
- (5) “Victim of crime”, a person afforded rights as a victim or entitled to compensation or services as a victim pursuant to chapter 595, RSMo.**

650.310.1. The office of victims of crime is hereby established within the department of public safety, for the purpose of promoting the fair and just treatment of victims of crime. The office shall coordinate and promote the state’s program for victims of crime and shall provide channels of communication among public and private agencies and in exercising the rights afforded to victims of crime pursuant to chapter 595, RSMo, and the Missouri Constitution. In the event of a catastrophic crime the office shall, or upon the receipt of a specific request the office may, work closely with other state and local agencies to coordinate a response to meet the needs of any resulting victims of crime.

2. The office for victims of crime shall coordinate efforts with statewide coalitions or organizations that are involved in efforts to provide assistance to victims of crime and to reduce the incidence of domestic violence, sexual assault or other crime victimization. The office shall consult with such coalitions or organizations as to more efficient and effective coordination and delivery of services to victims of crime.

3. The office for victims of crime shall assess and report to the governor the costs and benefits of establishing a statewide automated crime victim notification system within the criminal justice system and shall serve as the coordinating agency for the development, implementation and maintenance of any such system.

4. The department of public safety may promulgate administrative rules to implement this section, and any such rule that is wholly procedural and without fiscal impact shall be deemed to satisfy the requirements of section 536.016, RSMo.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Carnahan, **House Amendment No. 14** was adopted.

Representative Phillips offered **House Amendment No. 15.**

Representative Monaco raised a point of order that **House Amendment No. 15** goes beyond the scope and is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Hosmer offered **House Amendment No. 15.**

House Amendment No. 15

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for

Senate Bill No. 267, Page 11, Section 67.133, Line 9, by inserting after all of said line the following:

"193.185. 1. A report of each marriage performed in this state shall be filed with the department and shall be registered if it has been completed and filed in accordance with this section.

2. The official who issues the marriage license shall prepare the report on the form prescribed and furnished by the state registrar upon the basis of information obtained from one of the parties to be married.

3. Each person who performs a marriage shall certify the fact of marriage and return the license to the official who issued the license within [ten] **fifteen** days after the ceremony. This license shall be signed by the witnesses to the ceremony. A marriage certificate shall be given to the parties.

4. Every official issuing marriage licenses shall complete and forward to the department on or before the fifteenth day of each calendar month the reports of marriages returned to such official during the preceding calendar month."; and

Further amend said bill, Page 15, Line 15, by inserting after said line the following:

"451.080. 1. The recorders of the several counties of this state, and the recorder of the city of St. Louis, shall, when applied to by any person legally entitled to a marriage license, issue the same which may be in the following form: State of Missouri)

) ss.

) County of)

This license authorizes any judge, associate circuit judge, licensed or ordained preacher of the gospel, or other person authorized under the laws of this state, to solemnize marriage between A B of, county of and state of, who is the age of eighteen years, and C D of, in the county of, state of, who is the age of eighteen years.

2. If the man is under eighteen or the woman under eighteen, add the following:

The custodial parent or guardian, as the case may be, of the said A B or C D (A B or C D, as the case may require), has given his or her assent to the said marriage.

Witness my hand as recorder, with the seal of office hereto affixed, at my office, in, the day of, [19] 20..., recorder.

3. On which such license the person solemnizing the marriage shall, within [ninety] **fifteen** days after the issuing thereof, make as near as may be the following return, and return such license to the officer issuing the same: State of Missouri)

) ss.

) County of)

This is to certify that the undersigned did at, in said county, on the day of A. D. [19] 20..., unite in marriage the above-named persons.

451.040. 1. Previous to any marriage in this state, a license for that purpose shall be obtained from the officer authorized to issue the same, and no marriage contracted shall be recognized as valid unless the license has been previously obtained, and unless the marriage is solemnized by a person authorized by law to solemnize marriages.

2. Before applicants for a marriage license shall receive a license, and before the recorder of deeds shall be authorized to issue a license, the parties to the marriage shall present an application for the license, duly executed and signed in the presence of the recorder of deeds or their deputy. Each application for a license shall contain the Social Security number of the applicant, **provided that the applicant in fact has a Social Security number, or the applicant shall sign a statement provided by the recorder that the applicant does not have a Social Security number.** The Social Security number contained in an application for a marriage license shall be exempt from examination and copying pursuant to section 610.024, RSMo. Upon the expiration of three days after the receipt of the application the recorder of deeds shall issue the license, unless one of the parties withdraws the application. The license shall be void after thirty days from the date of issuance.

3. Provided, however, that such license may be issued on order of a circuit or associate circuit judge of the county in which the license is applied for, without waiting three days, such license being issued only for good cause shown and by reason of such unusual conditions as to make such marriage advisable.

4. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor.

5. Common-law marriages shall be null and void.

6. Provided, however, that no marriage shall be deemed or adjudged invalid, nor shall the validity be in any way

affected for want of authority in any person so solemnizing the marriage pursuant to section 451.100, if consummated with the full belief on the part of the persons, so married, or either of them, that they were lawfully joined in marriage.

451.130. 1. If any recorder willfully neglect or refuse to issue a license to any person legally entitled thereto on application, on payment or tender of the fee provided for in section 451.150, or shall fail to refuse to record such license, with the return thereon, as herein provided, he shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than five nor more than one hundred dollars.

2. Every officer or person who shall fail to return a license within [ninety] **fifteen** days after the ceremony, or who shall make a false return thereon, or any recorder who shall willfully make a false record of any marriage license or return thereon, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished as provided in the preceding part of this section."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Shields raised a point of order that **House Amendment No. 15** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Hosmer, **House Amendment No. 15** was adopted.

Representative Ross offered **House Amendment No. 16**.

House Amendment No. 16

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 267, Page 14, Section 196.790, Line 8, by inserting after all of said line the following:

"374.695. No court in this state shall approve any bail bondsman or bail bond agent unless licensed pursuant to sections 374.698 to 374.775.

[374.700. As used in sections 374.700 to 374.775, the following terms shall mean:

(1) "Bail bond agent", a surety agent or an agent of a property bail bondsman who is duly licensed under the provisions of sections 374.700 to 374.775, is employed by and is working under the authority of a licensed general bail bond agent;

(2) "Department", the department of insurance of the state of Missouri;

(3) "Director", the director of the department of insurance;

(4) "General bail bond agent", a surety agent or a property bail bondsman, as defined in sections 374.700 to 374.775, who is licensed in accordance with sections 374.700 to 374.775 and who devotes at least fifty percent of his working time to the bail bond business in this state;

(5) "Property bail bondsman", a person who pledges United States currency, United States postal money orders or cashier's checks or other property as security for a bail bond in connection with a judicial proceeding, and who receives or is promised therefor money or other things of value;

(6) "Surety bail bond agent", any person appointed by an insurer by power of attorney to execute or countersign bail bonds in connection with judicial proceedings, and who receives or is promised money or other things of value therefor.]

374.700. For the purposes of sections 374.700 to 374.775, the following terms mean:

(1) "Admission to bail", an order from a competent court that the defendant be discharged from actual custody on bail and fixing the amount of the bail;

(2) "Bail bond agent", a surety agent or an agent of a property bail bondsman who is duly licensed pursuant to the provisions of sections 374.700 to 374.775, is employed by or is working under the authority of a licensed general bail bond agent;

(3) "Bail bond or appearance bond", a bond for a specified monetary amount which is executed by the defendant and a qualified licensee pursuant to sections 374.700 to 374.775 and which is issued to a court or

authorized officer as security for the subsequent court appearance of the defendant upon the defendant's release from actual custody pending the appearance;

- (4) "Department", the department of insurance of the state of Missouri;
- (5) "General bail bond agent", a surety agent or a property bail bondsman who is licensed in accordance with sections 374.700 to 374.775 and who devotes at least fifty percent of his or her working time to the bail bond business in this state;
- (6) "Insurer", any surety insurance company which is qualified by the department to transact surety business in Missouri;
- (7) "Licensee", a bail bond agent or a general bail bond agent;
- (8) "Property bail bondsman", a person who pledges United States currency, United States postal money orders or cashier's checks or other property as security for a bail bond in connection with a judicial proceeding, and who receives or is promised therefor money or other things of value;
- (9) "Surety", a bail bond agent acting through a general bail bond agent, or a resident of the state and an owner of visible property, over and above that exempt from execution to the value of the sum in which bail is required which shall be worth that amount after the payment of debts and liabilities;
- (10) "Surety bail bond agent", any person appointed by an insurer by power of attorney to execute or countersign bail bonds in connection with judicial proceedings, and who receives or is promised money or other things of value therefor;
- (11) "Taking of bail" or "take bail", the acceptance by a person authorized to take bail of the undertaking of a sufficient surety for the appearance of the defendant according to the terms of the undertaking or that the surety will pay to the court the sum specified. Taking of bail or take bail does not include the fixing of the amount of bail and no person other than a competent court shall fix the amount of bail.

374.702. 1. No person shall engage in the bail bond business without being licensed as provided in sections 374.700 to 374.775.

2. No judge, attorney, court official, law enforcement officer, state, county or municipal employee, who is either elected or appointed, shall be licensed as a bail bond agent or a general bail bond agent.

3. A bail bond agent shall not execute or issue an appearance bond in this state without holding a valid appointment from a general bail bond agent and without attaching to the appearance bond an executed and prenumbered power of attorney referencing the general bail bond agent or insurer. A person licensed as a bail bond agent shall hold the license for at least two years prior to owning or being an officer of a licensed general bail bond agent.

4. A general bail bond agent shall not engage in the bail bond business:

- (1) Without having been licensed as a general bail bond agent pursuant to sections 374.700 to 374.775;
- (2) Except through an agent licensed as a bail bond agent pursuant to sections 374.700 to 374.775.

5. A general bail bond agent shall not permit any unlicensed person to solicit or engage in the bail bond business in the general bail bond agent's behalf, except for individuals who are employed solely for the performance of clerical, stenographic, investigative or other administrative duties which do not require a license pursuant to sections 374.700 to 374.775.

6. Any person who is convicted of a provision of this section is guilty of a class A misdemeanor. For any subsequent convictions, a person who is convicted of a provision of this section is guilty of a class D felony.

374.704. 1. Every applicant for a bail bond agent license or a general bail bond agent license shall apply on forms furnished by the department.

2. The application of a bail bond agent shall be accompanied by a duly executed general power of attorney issued by the general bail bond agent or insurer for whom the bail bond agent will be acting. Upon issuance of the license, a bail bond agent shall not issue an appearance bond exceeding the monetary amount for each recognizance which is specified in and authorized by the general power of attorney filed with the department until the department receives a duly executed qualifying power of attorney from the general bail bond agent or insurer evidencing or authorizing increased monetary limits or amounts for the recognizance.

3. An application for a general bail bond agent license shall be accompanied by proof that the applicant is a Missouri partnership, firm or corporation, or an individual who is a resident of the state. A corporation shall file proof that its most recent annual franchise tax has been paid to the department of revenue as provided in chapter 147, RSMo.

4. No license shall be granted without a showing that the applicant or applicant's insurer has proof of a three hundred thousand dollar bond or liability policy insuring against any damage to persons or property caused

by the applicant.

374.715. Applications for examination and licensure as a bail bond agent or general bail bond agent shall be in writing and on forms prescribed and furnished by the department, and shall contain such information as the department requires. Each application shall be accompanied by proof satisfactory to the department that the applicant is a citizen of the United States, is at least twenty-one years of age, is of good moral character, and meets the qualifications for surety on bail bonds as provided by supreme court rule. Each application shall be accompanied by the examination and application fee set by the department. In addition, each applicant for licensure as a general bail bond agent shall furnish proof satisfactory to the department that the applicant, or, if the applicant is a corporation or partnership, that each officer or partner thereof has completed at least two years as a bail bond agent, as defined in sections 374.700 to 374.775, and that the applicant possesses liquid assets [of at least ten thousand dollars] **according to the following schedule**, along with a duly executed assignment [of ten thousand dollars] to the state of Missouri[, which] **in the same amount:**

- (1) **If the general bail bond agent employs three or less bail bond agents, at least fifteen thousand dollars;**
- (2) **If the general bail bond agent employs four to ten bail bond agents, at least twenty-five thousand dollars;**
- (3) **If the general bail bond agent employs eleven to fifteen bail bond agents, at least forty-five thousand dollars;**
- (4) **If the general bail bond agent employs sixteen to twenty bail bond agents, at least sixty-five thousand dollars;**
- (5) **If the general bail bond agent employs twenty-one to twenty-five bail bond agents, at least eighty-five thousand dollars;**
- (6) **If the general bail bond agent employs twenty-six to fifty bail bond agents, at least one hundred thousand dollars;**
- (7) **If the general bail bond agent employs over fifty bail bond agents, at least two hundred thousand dollars; provided, that all bail bonds or appearance bonds written by a general bail bond agent employing over fifty employees and having at least two hundred thousand dollars on deposit with the department of insurance, shall be accepted throughout the state of Missouri provided that the general bail bond agent is in good standing with the department of insurance.**

The assignment shall become effective upon the applicant's violating any provision of sections 374.700 to 374.775. The assignment required by this section shall be in the form, and executed in the manner, prescribed by the department.

374.717. No insurer or licensee, court or law enforcement officer shall:

- (1) **Pay a fee or rebate or give or promise anything of value in order to secure a settlement, compromise, remission or reduction of the amount of any bail bond to:**
 - (a) **A jailer, policeman, peace officer, committing judge or any other person who has power to arrest or to hold in custody any person; or**
 - (b) **Any public official or public employee;**
- (2) **Pay a fee or rebate or give anything of value to an attorney in bail bond matters, except in defense of any action on a bond;**
- (3) **Pay a fee or rebate or give promise of anything of value to the principal or anyone in the principal's behalf;**
- (4) **Accept anything of value from a principal except the premium and expenses incurred; provided that, the licensee shall be permitted to accept collateral security or other indemnity from the principal which shall be returned upon final termination of liability on the bond. If a forfeiture has occurred, the collateral security or other indemnity from the principal may be used to reimburse the licensee for any costs and expenses incurred associated with the forfeiture. The collateral security or other indemnity required by the licensee shall be reasonable in relation to the amount of the bond. Collateral may not be sold or otherwise transferred until the termination of liability on the bond. When a licensee accepts collateral, the licensee shall provide a prenumbered written receipt, which shall include in detail a full account of the collateral received by the licensee.**

374.755. 1. The department may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621, RSMo, against any holder of any license required by sections 374.700 to 374.775 or any person who has failed to renew or has surrendered his license for any one or any combination of the following causes:

- (1) **Use of any controlled substance, as defined in chapter 195, RSMo, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of the profession licensed under sections 374.700 to 374.775;**

- (2) Having entered a plea of guilty or having been found guilty of a felony **or crime involving moral turpitude;**
 - (3) Use of fraud, deception, misrepresentation or bribery in securing any license [issued pursuant to sections 374.700 to 374.775] or in obtaining permission to take any examination [given or] required pursuant to sections 374.700 to 374.775;
 - (4) Obtaining or attempting to obtain any compensation as a member of the profession licensed by sections 374.700 to 374.775 by means of fraud, deception or misrepresentation;
 - (5) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of the profession licensed or regulated by sections 374.700 to 374.775;
 - (6) Violation of[, or assisting or enabling any other person to violate, any provision of sections 374.700 to 374.775 or of any lawful rule or regulation promulgated pursuant to sections 374.700 to 374.775] **any provisions of, or any obligations imposed by, the laws of this state, department of insurance rules and regulations or aiding or abetting other persons to violate such laws, orders, rules or regulations;**
 - (7) Transferring a license or permitting another person to use a license of the licensee;
 - (8) Disciplinary action against the holder of a license or other right to practice the profession regulated by sections 374.700 to 374.775 granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;
 - (9) Being finally adjudged insane or incompetent by a court of competent jurisdiction;
 - (10) Assisting or enabling any person to practice or offer to practice the profession licensed or regulated by sections 374.700 to 374.775 who is not currently licensed and eligible to practice [under] **pursuant to** sections 374.700 to 374.775;
 - (11) [Paying a fee or rebate, or giving or promising anything of value, to a jailer, policeman, peace officer, judge or any other person who has the power to arrest or to hold another person in custody, or to any public official or employee, in order to secure a settlement, compromise, remission or reduction of the amount of any bail bond or estreatment thereof;
 - (12) Paying a fee or rebate, or giving anything of value to an attorney in bail bond matters, except in defense of any action on a bond;
 - (13) Paying a fee or rebate, or giving or promising anything of value, to the principal or anyone in his behalf;
 - (14)] Participating in the capacity of an attorney at a trial or hearing of one on whose bond he is surety.
2. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621, RSMo. Upon a finding by the administrative hearing commission that one or more of the causes stated in subsection 1 of this section have been met, the department may [do any or all of the following:
- (1) Censure the person involved;
 - (2) Place the person involved on probation on such terms and conditions as the department deems appropriate for a period not to exceed ten years;
 - (3) Suspend, for a period not to exceed three years, the license of the person involved;
 - (4) Revoke the license of the person involved.] **admonish or censure a licensee, or suspend or revoke the license or enter into an agreement for a monetary or other penalty pursuant to section 374.280.**
- 3. In lieu of filing a complaint at the administrative hearing commission, the department and the bail bond agent or general bail bond agent may enter into an agreement for a monetary or other penalty pursuant to section 374.280.**
- 4. In addition to any other remedies available, the department may issue a cease and desist order or may seek an injunction in a court of law pursuant to the provisions of section 374.046 whenever it appears that any person is acting as a bail bond agent or general bail bond agent without a license.**
- 374.757. 1. Any agent licensed by sections 374.700 to 374.775 who intends to apprehend any person in this state shall inform law enforcement authorities in the city or county in which such agent intends such apprehension, before attempting such apprehension. Such agent shall present to the local law enforcement authorities a certified copy of the bond and all other appropriate paperwork identifying the principal and the person to be apprehended. Local law enforcement may accompany the agent. Failure of any agent to whom this section applies to comply with the provisions of this section shall be a class A misdemeanor for the first violation and a class D felony for subsequent violations; and shall also be a violation of section 374.755 and may in addition be punished pursuant to that section.**
- 2. Any agent licensed by sections 374.700 to 374.775 who wrongfully causes damages to any person or property, including but not limited to trespass, unlawful arrest, unlawful detainment or assault, shall be liable for such damages and may be liable for punitive damages.**

374.764. 1. The director shall examine and inquire into all violations of the bail bond law of the state, and inquire into and investigate the bail bond business transacted in this state by any bail bond agent, general bail bond agent or surety recovery agent.

2. The director or any of his duly appointed agents may compel the attendance before him, and may examine, under oath, the directors, officers, bail bond agents, general bail bond agents, surety recovery agents, employees or any other person, in reference to the condition, affairs, management of the bail bond or surety recovery business or any matters relating thereto. He may administer oaths or affirmations and shall have power to summon and compel the attendance of witnesses and to require and compel the production of records, books, papers, contracts or other documents, if necessary.

3. The director may make and conduct the investigation in person, or he may appoint one or more persons to make and conduct the same for him. If made by a person other than the director, the person duly appointed by the director shall have the same powers as granted to the director pursuant to this section. A certificate of appointment, under the official seal of the director, shall be sufficient authority and evidence thereof for the person to act. For the purpose of making the investigations, or having the same made, the director may employ the necessary clerical, actuarial and other assistance.

374.782. 1. Sections 374.782 to 374.789 shall be known as "The Surety Recovery Agent Licensure Act".

2. As used in sections 374.782 to 374.789, the following terms mean:

- (1) "Department", the department of insurance of the state of Missouri;
- (2) "Fugitive recovery", the tracking down, recapturing and surrendering to the custody of a court a fugitive who has violated a bail bond agreement;
- (3) "Surety recovery agent", a person not performing the duties of a sworn peace officer who tracks down, captures and surrenders to the custody of a court a fugitive who has violated a bail bond agreement, excluding a bail bond agent or general bail bond agent.

374.783. 1. No person shall hold himself or herself out as being a surety recovery agent in this state, unless such person is licensed in accordance with the provisions of sections 374.782 to 374.789.

2. The department shall have authority to license all surety recovery agents in this state. The department shall have control and supervision over the licensing of such agents and the enforcement of the terms and provisions of sections 374.782 to 374.789.

3. The department shall have power to:

- (1) Set and determine the amount of the fees which sections 374.782 to 374.789 authorize and require. The fees shall be set at a level sufficient to produce revenue which shall not substantially exceed the cost and expense of administering sections 374.782 to 374.789; and
- (2) Determine the sufficiency of the qualifications of applicants for licensure.

4. The department shall license all surety recovery agents in this state who meet the requirements of sections 374.782 to 374.789.

374.784. 1. A candidate for a surety recovery agent's license shall be at least twenty-one years of age. A candidate shall furnish evidence of such person's qualifications by completing an approved licensed surety recovery agent course with at least forty hours of minimum training at an institution of higher education or any institution approved by the department.

2. The basic course of training shall consist of at least forty hours of training, be taught by personnel with qualifications approved by the department and may include instruction in:

- (1) The following areas of the law:
 - (a) Constitutional law;
 - (b) Procedures for arresting defendants and surrendering defendants into custody;
 - (c) Civil liability;
 - (d) The civil rights of persons who are detained in custody;
 - (e) The use of force;
- (2) Procedures for field operations, including, without limitation:
 - (a) Safety and survival techniques;
 - (b) Searching buildings;
 - (c) Handling persons who are mentally ill or under the influence of alcohol or a controlled substance; and
 - (d) The care and custody of prisoners;
- (3) The skills required regarding:
 - (a) Writing reports, completing forms and procedures for exoneration;

- (b) Methods of arrest;
- (c) Nonlethal weapons;
- (d) The retention of weapons;
- (e) Qualifications for the use of firearms;
- (f) Defensive tactics; and
- (g) Principles of investigation, including, without limitation, the basic principles of locating defendants who have not complied with the terms and conditions established by a court for their release from custody or the terms and conditions of a contract entered into with a surety;

(4) The following subjects:

- (a) Demeanor in a courtroom;
- (b) First aid used in emergencies; and
- (c) Cardiopulmonary resuscitation.

3. No license shall be granted unless the candidate has proof of a one million dollar bond or liability policy insuring against any damages to persons or property caused by the candidate.

374.785. 1. The department shall issue a license to any surety recovery agent who is licensed in another jurisdiction and who has had no violations, suspensions or revocations of a license to engage in fugitive recovery in any jurisdiction, provided that such person is licensed in a jurisdiction whose requirements are substantially equal to, or greater than, the requirements for licensure of surety recovery agents in Missouri at the time the applicant applies for licensure, the applicant has proof of a one million dollar bond or liability policy and such general bail bond agent employs a surety recovery agent holding a valid Missouri surety recovery license.

2. For the purpose of surrender of the defendant, a surety may apprehend the defendant, anywhere within the state of Missouri, before or after the forfeiture of the undertaking without personal liability for false imprisonment or may empower any recovery agent to make apprehension by providing written authority endorsed on a certified copy of the undertaking and paying the lawful fees.

3. The surety or recovery agent shall inform the local law enforcement in the county or city where such agent is planning to enter a residence. Such agent shall have a certified copy of the bond and all appropriate paperwork to identify the principal. Local law enforcement, when notified, may accompany the surety or recovery agent to that location to keep the peace if an active warrant is effective for a felony or misdemeanor. If a warrant is not active, the local law enforcement officers may accompany the surety or recovery agent to such location. Failure to report to the local law enforcement agency is a class A misdemeanor. For any subsequent violations, failure to report to the local law enforcement agency is a class D felony.

4. Every applicant for a license pursuant to this section, upon making application and showing the necessary qualifications as provided in this section, shall be required to pay the same fee as the fee required to be paid by resident applicants. Within the limits provided in this section, the department may negotiate reciprocal compacts with licensing entities of other states for the admission of licensed surety recovery agents from Missouri in other states.

374.786. 1. Every person licensed pursuant to sections 374.782 to 374.789 shall, on or before the license renewal date, apply to the department for a licensure renewal for the ensuing licensing period. The application shall be made on a form furnished to the applicant and shall state the applicant's full name, the applicant's business address, the address at which the applicant resides, the date the applicant first received a license and the applicant's surety recovery agent identification number, if any.

2. A blank form for the application for licensure renewal shall be mailed to each person licensed in this state at the person's last known address. The failure to mail the form of application or the failure of a person to receive it does not, however, relieve any person of the duty to be licensed and to pay the license fee required nor exempt such person from the penalties provided for failure to be licensed.

3. Each applicant for licensure renewal shall accompany such application with a licensure renewal fee to be paid to the department for the licensing period for which licensure renewal is sought.

4. The department may refuse to issue or renew any license required pursuant to sections 374.782 to 374.789 for any one or any combination of causes stated in section 374.787. The department shall notify the applicant in writing of the reasons for refusal and shall advise the applicant of his or her right to file a complaint with the administrative hearing commission as provided by chapter 621, RSMo.

374.787. 1. The department may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621, RSMo, against any surety recovery agent or any person who has failed to renew or has surrendered his or her license for any one or any combinations of the following causes:

(1) Violation of any provisions of, or any obligations imposed by, the laws of this state, department of insurance rules and regulations, or aiding or abetting other persons to violate such laws, orders, rules or regulations;

(2) Having been convicted of a felony or crime involving moral turpitude;

(3) Using fraud, deception, misrepresentation or bribery in securing a license or in obtaining permission to take any examination required by sections 374.782 to 374.789;

(4) Obtaining or attempting to obtain any compensation as a surety recovery agent by means of fraud, deception or misrepresentation;

(5) Acting as a surety recovery agent or aiding or abetting another in acting as a surety recovery agent without a license;

(6) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions of duties of a surety recovery agent;

(7) Having revoked or suspended any license by another state.

2. After the filing of the complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621, RSM o. Upon a finding by the administrative hearing commission that one or more of the causes stated in subsection 1 of this section have been met, the department may suspend or revoke the license or enter into an agreement for a monetary or other penalty pursuant to section 374.280.

3. In lieu of filing a complaint with the administrative hearing commission, the department and the surety recovery agent may enter into an agreement for a monetary or other penalty pursuant to section 374.280.

4. In addition to any other remedies available, the department may issue a cease and desist order or may seek an injunction in a court of law pursuant to section 374.046 whenever it appears that any person is acting as a surety recovery agent without a license.

374.788. A surety recovery agent having probable grounds to believe a subject, free on his or her bond, has failed to appear as directed by a court, has breached the terms of the subject's surety agreement or has taken a substantial step toward absconding, may utilize all lawful means to arrest the subject. To surrender a subject to a court a licensed surety recovery agent, having probable grounds to believe the subject is free on their bond, may:

(1) Detain a subject in a reasonable manner, for a reasonable time not to exceed seventy-two hours;

(2) Transport a subject in a reasonable manner from state to state and county to county to a place of authorized surrender; and

(3) Enter upon private or public property in a reasonable manner to execute an arrest of a subject.

374.789. 1. A person is guilty of a class D felony if he or she does not hold a valid surety recovery agent's license or a bail bondsman's license and commits any of the following acts:

(1) Holds himself or herself out to be a licensed surety recovery agent within this state;

(2) Claims that he or she can render surety recovery agent services; or

(3) Engages in fugitive recovery in this state.

2. Any person who engages in fugitive recovery in this state and wrongfully causes damage to any person or property, including, but not limited to, trespass, unlawful arrest, unlawful detainment or assault, shall be liable for such damages and may be liable for punitive damages."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Ross, **House Amendment No. 16** was adopted.

Representative Johnson (90) offered **House Amendment No. 17**.

Representative Wright raised a point of order that **House Amendment No. 17** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Ridgeway offered **House Amendment No. 17**.

House Amendment No. 17

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 267, Page 64, Line 15, by inserting immediately after said line the following:

"Section 1. 1. In order to establish consistent and reliable guidelines for judicial review of certain court determinations, there is hereby created within the office of the governor a "Child Abuse and Neglect Commission" which shall evaluate the laws and rules relating to child abuse, neglect, child custody and visitation and termination of parental rights and shall make recommendations on further action or legislative remedies, if any, to be taken as necessary. The commission shall review and recommend standardized guidelines for judicial review of what constitutes the best interest of the child.

2. The child abuse and neglect commission shall be composed of twelve members to be appointed by the governor, including a county prosecutor, a law enforcement officer, a juvenile officer, a member of the clergy, a psychologist, a pediatrician, and educator, the chairman of the children's services commission, a division of family services designee, and three citizens of the state of Missouri, chosen to reflect the racial composition of the state, to serve four-year terms and of the members first appointed, four shall serve for a term of two years, four shall serve for a term of three years, and four shall serve for a term of four years.

3. The commission shall make its first report to the governor and the general assembly by February 1, 2002, and any subsequent reports shall be made to the governor, the chief justice of the supreme court and the general assembly as necessary.

4. All members shall serve without compensation but shall be reimbursed for all actual and necessary expenses incurred in the performance of their official duties for the commission.

5. The office of the governor shall provide funding, administrative support, and staff for the effective operation of the commission.

6. This section shall expire on August 28, 2004."; and

Further amend the title and enacting clause accordingly.

Representative Ridgeway moved that **House Amendment No. 17** be adopted.

Which motion was defeated.

On motion of Representative Monaco, **HS HCS SS SCS SB 267, as amended**, was adopted.

Representative Marble moved that **HS HCS SS SCS SB 267, as amended**, be re-referred to the Committee on Fiscal Review and Government Reform pursuant to Rule 28, Subsection 20, paragraph (a).

Which motion was defeated.

Representative Smith assumed the Chair.

On motion of Representative Monaco, **HS HCS SS SCS SB 267, as amended**, was read the third time and passed by the following vote:

AYES: 117

Abel
Berkowitz

Baker
Black

Barnett
Bland

Bartle
Bonner

Behnen
Boucher

Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Coleman	Copenhaver	Crowell
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Ford	Fraser
Froelker	Gaskill	George	Graham	Green 15
Green 73	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 27	Kelly 36	Kennedy	Koller
Legan	Levin	Liese	Linton	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marsh	May 149
Mayer	Mays 50	Merideth	Monaco	Moore
Murphy	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Portwood	Reid	Reinhart
Relford	Reynolds	Richardson	Ross	Schwab
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Smith	St. Onge	Thompson	Treadway
Troupe	Villa	Vogel	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 031

Barnitz	Bartelsmeyer	Bearden	Berkstresser	Boatright
Cooper	Crawford	Gambara	Gratz	Griesheimer
Henderson	Hohulin	Hunter	Kelly 144	King
Long	Marble	Miller	Nordwald	Phillips
Purgason	Ransdall	Rector	Roark	Robirds
Scott	Skaggs	Surface	Townley	Van Zandt
Wagner				

PRESENT: 001

Clayton

ABSENT WITH LEAVE: 011

Ballard	Barry 100	Crump	Foley	Franklin
Harlan	Lawson	McKenna	Ridgeway	Rizzo
Scheve				

VACANCIES: 003

Representative Smith declared the bill passed.

MOTION

Representative Green (73) moved that Rule 26 be suspended in order to grant leave to the members of the Budget Committee allowing them to meet while the House is in session.

Which motion was adopted by the following vote:

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AYES: 131

Abel	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Crawford	Crump	Curls	Davis
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Green 15	Green 73
Hagan-Harrell	Hampton	Harding	Hartzler	Haywood
Hegeman	Henderson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Moore	Murphy	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Rizzo	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Wiggins	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 019

Boatright	Burcham	Cooper	Crowell	Cunningham
Dempsey	Gratz	Griesheimer	Hanaway	Hendrickson
Kelly 144	Linton	Nordwald	Phillips	Portwood
Rector	Roark	Secrest	Wright	

PRESENT: 000

ABSENT WITHLEAVE: 010

Baker	Ballard	Barry 100	Copenhaver	Harlan
Hohulin	Kelly 27	Monaco	Ridgeway	Williams

VACANCIES: 003

Speaker Pro Tem Abel resumed the Chair.

THIRD READING OF HOUSE BILL

HS HCS HBs 981 & 665, relating to immunities, was taken up by Representative Willoughby.

On motion of Representative Willoughby, **HS HCS HBs 981 & 665** was read the third time and passed by the following vote:

AYES: 144

Abel	Baker	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Britt	Brooks	Burcham	Byrd
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambara	Gaskill
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 36	Kennedy
King	Koller	Legan	Levin	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITHLEAVE: 016

Ballard	Barry 100	Black	Bray 84	Burton
Campbell	Green 73	Harlan	Hickey	Kelly 27
Lawson	Lograsso	McKenna	O'Toole	Troupe
Williams				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

THIRD READING OF SENATE BILLS

SS SCS SBs 323 & 230, with House Committee Amendment No. 1 and House Committee Amendment No. 2, relating to sales taxes, was taken up by Representative Koller.

Representative Koller offered **HS SS SCS SBs 323 & 230**.

Representative Johnson (90) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 323 & 230, Page 45, Section 210.861, Line 13 of said page, by inserting after all of said line the following:

"321.242. 1. The governing body of any fire protection district which operates within and has boundaries identical to a city with a population of at least thirty thousand but not more than thirty-five thousand inhabitants which is located in a county of the first classification, excluding a county of the first classification having a population in excess of nine hundred thousand, **or the governing body of any fire protection district which has an assessed valuation greater than seven hundred fifty million but less than eight hundred million and which is located in a county of the first classification with a charter form of government with a population greater than nine hundred thousand**, or the governing body of any municipality having a municipal fire department may impose a sales tax in an amount of up to one-fourth of one percent on all retail sales made in such fire protection district or municipality which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525, RSMo. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no sales tax imposed pursuant to the provisions of this section shall be effective unless the governing body of the fire protection district or municipality submits to the voters of such fire protection district or municipality, at a county or state general, primary or special election, a proposal to authorize the governing body of the fire protection district or municipality to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall (insert name of district or municipality) impose a sales tax of (insert rate of tax) for the purpose of providing revenues for the operation of the (insert fire protection district or municipal fire department)?

☐ Yes

☐ No

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the sales tax authorized in this section shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the fire protection district or municipality shall not impose the sales tax authorized in this section unless and until the governing body of such fire protection district or municipality resubmits a proposal to authorize the governing body of the fire protection district or municipality to impose the sales tax authorized by this section and such proposal is approved by a majority of the qualified voters voting thereon.

3. All revenue received by a fire protection district or municipality from the tax authorized pursuant to the provisions of this section shall be deposited in a special trust fund and shall be used solely for the operation of the fire protection district or the municipal fire department.

4. All sales taxes collected by the director of revenue pursuant to this section on behalf of any fire protection district or municipality, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, RSMo, shall be deposited in a special trust fund, which is hereby created, to be known as the "Fire Protection Sales Tax Trust Fund". Any moneys in the fire protection district sales tax trust fund created prior to August 28, 1999, shall be transferred to the fire protection sales tax trust fund. The moneys in the fire protection sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund and of the amounts which were collected in each fire protection district or municipality imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the fire protection district or municipality and the public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the fire protection district or municipality which levied the tax. Such funds shall be deposited with the treasurer of each such fire protection district or municipality, and all expenditures of funds arising from the fire protection sales tax trust fund shall be for the operation of the fire protection district or the municipal fire department and for no other purpose.

5. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any fire protection district or municipality for erroneous payments and overpayments made and may redeem dishonored checks and drafts deposited to the credit of such fire protection districts or municipalities. If any fire protection district or municipality abolishes the tax, the fire protection district or municipality shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of

such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such fire protection district or municipality, the director of revenue shall remit the balance in the account to the fire protection district or municipality and close the account of that fire protection district or municipality. The director of revenue shall notify each fire protection district or municipality of each instance of any amount refunded or any check redeemed from receipts due the fire protection district or municipality. In the event a tax within a fire protection district is approved pursuant to this section, and such fire protection district is dissolved, if the boundaries of the fire protection district are identical to that of the city, the tax shall continue and proceeds shall be distributed to the governing body of the city formerly containing the fire protection district and the proceeds of the tax shall be used for fire protection services within such city.

6. Except as modified in this section, all provisions of sections 32.085 and 32.087, RSMo, shall apply to the tax imposed pursuant to this section."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Koller raised a point of order that **House Amendment No. 1** is improperly drafted.

The Chair ruled the point of order not well taken.

On motion of Representative Johnson (90), **House Amendment No. 1** was adopted.

Representative Overschmidt offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 323 & 230, Page 27, Section 67.1950, Line 13, by striking the word "excluding" and replacing with the word "**including**".

On motion of Representative Overschmidt, **House Amendment No. 2** was adopted.

Representative O'Connor offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 323 & 230, Page 32, Section 67.1959, Line 4, by striking the following: "**including leases of motor vehicles**".

On motion of Representative O'Connor, **House Amendment No. 3** was adopted.

Representative Relford offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 323 & 230, Page 12, Section 67.1005, Line 9 of said page, by inserting after all of said line the following:

"67.1300. 1. The governing body of any of the contiguous counties of the third classification without a township form of government enumerated in subdivisions (1) to (5) of this subsection or in any county of the fourth classification acting as a county of the second classification, having a population of at least forty thousand but less than forty-five

thousand with a state university, and adjoining a county of the first classification with part of a city with a population of three hundred fifty thousand or more inhabitants **or a county of the third classification with a township form of government and with a population of at least eight thousand but less than eight thousand four hundred inhabitants** or a county of the third classification with more than fifteen townships having a population of at least twenty-one thousand inhabitants or a county of the third classification without a township form of government and with a population of at least seven thousand four hundred but less than eight thousand inhabitants or any county of the third classification with a population greater than three thousand but less than four thousand or any county of the third classification with a population greater than six thousand one hundred but less than six thousand four hundred or any county of the third classification with a population greater than six thousand eight hundred but less than seven thousand or any county of the third classification with a population greater than seven thousand eight hundred but less than seven thousand nine hundred or any county of the third classification with a population greater than eight thousand four hundred sixty but less than eight thousand five hundred or any county of the third classification with a population greater than nine thousand but less than nine thousand two hundred or any county of the third classification with a population greater than ten thousand five hundred but less than ten thousand six hundred or any county of the third classification with a population greater than twenty-three thousand five hundred but less than twenty-three thousand seven hundred or a county of the third classification with a population greater than thirty-three thousand but less than thirty-four thousand or a county of the third classification with a population greater than twenty thousand eight hundred but less than twenty-one thousand or a county of the third classification with a population greater than fourteen thousand one hundred but less than fourteen thousand five hundred or a county of the third classification with a population greater than twenty thousand eight hundred fifty but less than twenty-two thousand or a county of the third classification with a population greater than thirty-nine thousand but less than forty thousand or a county of the third classification with a township form of organization and a population greater than twenty-eight thousand but less than twenty-nine thousand or a county of the third classification with a population greater than fifteen thousand but less than fifteen thousand five hundred or a county of the third classification with a population greater than eighteen thousand but less than nineteen thousand seventy or a county of the third classification with a population greater than thirteen thousand nine hundred but less than fourteen thousand four hundred or a county of the third classification with a population greater than twenty-seven thousand but less than twenty-seven thousand five hundred or a county of the first classification without a charter form of government and a population of at least eighty thousand but not greater than eighty-three thousand or a county of the third classification with a population greater than fifteen thousand but less than fifteen thousand nine hundred without a township form of government which does not adjoin any county of the first, second or fourth classification or a county of the third classification with a population greater than twenty-three thousand but less than twenty-five thousand without a township form of government which does not adjoin any county of the second or fourth classification and does adjoin a county of the first classification with a population greater than one hundred twenty thousand but less than one hundred fifty thousand or in any county of the fourth classification acting as a county of the second classification, having a population of at least forty-eight thousand or any governing body of a municipality located in any of such counties may impose, by ordinance or order, a sales tax on all retail sales made in such county or municipality which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525, RSMo:

(1) A county with a population of at least four thousand two hundred inhabitants but not more than four thousand five hundred inhabitants;

(2) A county with a population of at least four thousand seven hundred inhabitants but not more than four thousand nine hundred inhabitants;

(3) A county with a population of at least seven thousand three hundred inhabitants but not more than seven thousand six hundred inhabitants;

(4) A county with a population of at least ten thousand one hundred inhabitants but not more than ten thousand three hundred inhabitants; and

(5) A county with a population of at least four thousand three hundred inhabitants but not more than four thousand five hundred inhabitants.

2. The maximum rate for a sales tax pursuant to this section shall be one percent for municipalities and one-half of one percent for counties.

3. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax pursuant to the provisions of this section shall be effective unless the governing body of the county or municipality submits to the voters of the county or municipality, at a regularly scheduled county, municipal or state general or primary election, a proposal to authorize the governing body of the county or municipality to impose a tax. Any sales tax imposed pursuant to this section shall not be authorized for a

period of more than five years.

4. Such proposal shall be submitted in substantially the following form :

Shall the (city, town, village or county) of impose a sales tax of (insert amount) for the purpose of economic development in the (city, town, village or county)?

☐ YES ☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second quarter after the director of revenue receives notice of adoption of the tax. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the county or municipality shall not impose the sales tax authorized in this section until the governing body of the county or municipality resubmits another proposal to authorize the governing body of the county or municipality to impose the sales tax authorized by this section and such proposal is approved by a majority of the qualified voters voting thereon; however no such proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last such proposal.

5. All revenue received by a county or municipality from the tax authorized pursuant to the provisions of this section shall be deposited in a special trust fund and shall be used solely for economic development purposes within such county or municipality for so long as the tax shall remain in effect.

6. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the special trust fund shall be used solely for economic development purposes within the county or municipality. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other county or municipal funds.

7. All sales taxes collected by the director of revenue pursuant to this section on behalf of any county or municipality, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, RSMo, shall be deposited in a special trust fund, which is hereby created, to be known as the "Local Economic Development Sales Tax Trust Fund".

8. The moneys in the localeconomic development sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund and which was collected in each county or municipality imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the county or municipality and the public.

9. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county or municipality which levied the tax. Such funds shall be deposited with the county treasurer of each such county or the appropriate municipal officer in the case of a municipal tax, and all expenditures of funds arising from the localeconomic development sales tax trust fund shall be by an appropriation act to be enacted by the governing body of each such county or municipality. Expenditures may be made from the fund for any economic development purposes authorized in the ordinance or order adopted by the governing body submitting the tax to the voters.

10. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county or municipality for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties and municipalities.

11. If any county or municipality abolishes the tax, the county or municipality shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county or municipality, the director of revenue shall remit the balance in the account to the county or municipality and close the account of that county or municipality. The director of revenue shall notify each county or municipality of each instance of any amount refunded or any check redeemed from receipts due the county or municipality.

12. Except as modified in this section, all provisions of sections 32.085 and 32.087, RSMo, shall apply to the tax imposed pursuant to this section.

13. For purposes of this section, the term "economic development" is limited to the following:

- (1) Operations of economic development or community development offices, including the salaries of employees;
- (2) Provision of training for job creation or retention;
- (3) Provision of infrastructure and sites for industrial development or for public infrastructure projects; and
- (4) Refurbishing of existing structures and property relating to community development.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Relford, **House Amendment No. 4** was adopted.

Representative Hanaway offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 323 & 230, Page 25, Section 67.1934, Line 16, by deleting the word “twenty” and inserting in lieu thereof the word “**five**”.

Representative Robirds offered **House Substitute Amendment No. 1 for House Amendment No. 5**.

*House Substitute Amendment No. 1
for
House Amendment No. 5*

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 323 & 230, Page 25, Section 67.1934, Line 16, by deleting the word “twenty” and inserting in lieu thereof the word “**ten**”.

On motion of Representative Robirds, **House Substitute Amendment No. 1 for House Amendment No. 5** was adopted.

Representative Harding offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 323 & 230, Page 15, Section 67.1360, Line 11, by deleting all of said line and inserting in lieu thereof the following: “**two thousand three hundred but less than two thousand five hundred**”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Harding, **House Amendment No. 6** was adopted.

Representative Foley assumed the Chair.

Representative Hanaway offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 323 & 230, Page 45, Section 1, Line 19-21, by striking all of Line 19 after the comma (,) following the word “county” on Line 19, and by striking all of Line 20, and by striking the word “basis” on Line 21, and substituting in lieu thereof the following:

“**require each contract covering the rental of a motor vehicle which is rented within such county on a short-term basis to provide a box which the renter may use to indicate that a one dollar fee may be added to the contract**”.

On motion of Representative Hanaway, **House Amendment No. 7** was adopted.

Representative Dolan offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 323 & 230, Page 46, Section 1, Line 10, by inserting after said line the following:

“Section 2. Notwithstanding section 144.020, in all first class charter counties with a population of less than 350,000 and having enacted a tourism sales tax, all memberships in recreational personal fitness or health club facilities shall be exempt from state and local sales and use taxes.”; and

Further amend the title, enacting clause and intersectional references accordingly.

Representative Cooper offered **House Substitute Amendment No. 1 for House Amendment No. 8**.

*House Substitute Amendment No. 1
for
House Amendment No. 8*

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 323 & 230, Page 46, Section 1, Line 10, by inserting after said line the following:

“Section 2. Notwithstanding section 144.020, all memberships in recreational personal fitness or health club facilities shall be exempt from state and local sales and use taxes.”; and

Further amend the title, enacting clause and intersectional references accordingly.

Representative Cooper moved that **House Substitute Amendment No. 1 for House Amendment No. 8** be adopted.

Which motion was defeated.

Speaker Pro Tem Abel resumed the Chair.

Representative Shields offered **House Substitute Amendment No. 2 for House Amendment No. 8**.

*House Substitute Amendment No. 2
for
House Amendment No. 8*

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 323 & 230, Page

46, Section 1, Line 10, by inserting after said line the following:

“Section 2. Notwithstanding section 144.020, all memberships in recreational personal fitness or health club facilities and golf clubs shall be exempt from state and local sales and use taxes.”; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Shields, **House Substitute Amendment No. 2 for House Amendment No. 8** was adopted.

Representative Byrd offered **House Amendment No. 9.**

Representative Koller raised a point of order that **House Amendment No. 9** goes beyond the scope and is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Marble offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 323 & 230, Page 15, Section 67.1360, Line 22, by inserting at the end of said line the following:

**“; or
(19) Any county of the second classification with a population of more than forty-four thousand but less than fifty-thousand inhabitants;”.**

On motion of Representative Marble, **House Amendment No. 9** was adopted.

Representative Bearden offered **House Amendment No. 10.**

House Amendment No. 10

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 323 & 230, Page 41, Section 67.1977, Line 21, by inserting the following after Line 20:

“67.1978. The board of directors shall have an annual audit performed by a certified professional accountant or accounting firm. The board of directors shall provide a copy of the annual audit to the governing bodies within the district.

67.1979. Members of the board of directors may be removed by two-thirds vote of the appointing governing body.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Foley resumed the Chair.

On motion of Representative Bearden, **House Amendment No. 10** was adopted.

Representative Shields offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 323 & 230, Page 3, Section 67.571, Line 22, by deleting the word “five” in said line and replacing with the word “**six**”; and

Further amend said bill, same section, Line 23, by adding after the word “county” the following:

“from a list of candidates supplied by the chairman of each of the two major political parties of the county. The board shall be comprised of three members from each of the two political parties.”; and

Further amend said bill, same section, Page 4, Line 2, by deleting the first word “two” in said line and replacing with the word “**three**”.

On motion of Representative Shields, **House Amendment No. 11** was adopted.

On motion of Representative Koller, **HS SS SCS SBs 323 & 230, as amended**, was adopted.

On motion of Representative Koller, **HS SS SCS SBs 323 & 230, as amended**, was read the third time and passed by the following vote:

AYES: 109

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Berkowitz	Berkstresser	Black	Bland
Bonner	Boucher	Bowman	Boykins	Britt
Carnahan	Clayton	Coleman	Cooper	Copenhaver
Crump	Curls	Davis	Dolan	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	George	Graham	Gratz	Griesheimer
Hagan-Harrell	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Liese	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marsh	May 149	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Ransdall	Relford	Richardson	Rizzo
Robirds	Ross	Scheve	Schwab	Scott
Seigfreid	Shelton	Shields	Shoemyer	Skaggs
Smith	Thompson	Townley	Treadway	Van Zandt
Villa	Vogel	Wagner	Ward	Wiggins
Williams	Willoughby	Wilson 25	Mr. Speaker	

NOES: 044

Ballard	Bartle	Bearden	Behnen	Boatright
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Burcham	Burton	Byrd	Champion	Cierpiot
Crawford	Crowell	Cunningham	Dempsey	Enz
Fares	Gaskill	Green 15	Hampton	Hanaway
Hohulin	Holt	Hunter	Jetton	Levin
Linton	Marble	Mayer	Murphy	Phillips
Portwood	Purgason	Rector	Reid	Reinhart
Reynolds	Ridgeway	Roark	Secrest	Selby
St. Onge	Surface	Walton	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 007

Bray 84	Brooks	Campbell	Green 73	Harlan
Troupe	Wilson 42			

VACANCIES: 003

Representative Foley declared the bill passed.

HCS SB 462, relating to agriculture, was taken up by Representative Legan.

Representative Merideth offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 462, Pages 26 and 27, Section 414.433, Lines 2 to 8, by deleting all of said lines and inserting in lieu thereof the following:

"(1) "B-20", a blend of two fuels of twenty percent by volume biodiesel and eighty percent by volume petroleum-based diesel fuel;

(2) "Biodiesel", as defined in ASTM Standard PS121;

(3) "Eligible new generation cooperative", a nonprofit farmer-owned cooperative association formed pursuant to chapter 274, RSMo, or incorporated pursuant to chapter 357, RSMo, for the purpose of operating a development facility or a renewable fuel production facility, as defined in section 348.430, RSMo."; and

Further amend said bill, Page 2, Section 252.303, Line 27, by deleting all of said line and inserting in lieu thereof the following:

"(9) "Forested-riparian buffers", a combination of trees and other vegetation"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Merideth, **House Amendment No. 1** was adopted.

Representative Lawson offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 462, Page 26, Section 409.401, Line 134, by inserting after all of said line the following:

"414.032. 1. All kerosene, diesel fuel, heating oil, aviation turbine fuel, gasoline, gasoline-alcohol blends and other motor fuels shall meet the requirements in the annual book of ASTM standards and supplements thereto. The director may promulgate rules and regulations on the labeling, standards for, and identity of motor fuels and heating oils.

2. All sellers of motor fuel which has been blended with an alcohol additive shall notify the buyer of same.

3. All sellers of motor fuel which has been blended with at least one percent oxygenate by weight shall notify the buyer at the pump of the type of oxygenate.

4. The director may inspect gasoline, gasoline-alcohol blends or other motor fuels to insure that these fuels conform to advertised grade and octane."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Smith resumed the Chair.

Representative Gambaro raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Lawson, **House Amendment No. 2** was adopted.

Representative Merideth offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 462, Page 27, Section 414.433, Lines 16 and 17, by deleting all of said lines and inserting in lieu thereof the following:

"biodiesel will not exceed the rack price of regular diesel. If there is no incremental cost difference between biodiesel above the rack price of regular diesel, then the state school aid program will not make payment for biodiesel purchased during the period where no incremental cost exists. The payment shall be made based on the incremental cost difference incrementally up to seven-tenths percent of the entitlement authorized by section 163.161, RSMo,"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Merideth, **House Amendment No. 3** was adopted.

Representative Gratz offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 462, Page 27, Section 578.008, Line 5, by inserting after all of said line the following:

"578.029. 1. A person commits the crime of intentionally releasing or confiscating an animal if that person, acting without the consent of the owner or custodian of an animal, intentionally releases or confiscates any animal that is lawfully confined for the purpose of companionship or protection of persons or property or for recreation, exhibition or educational purposes.

2. As used in this section "animal" means every living creature, domesticated or wild, but not including *Homo sapiens*.

3. The provisions of this section shall not apply to or affect any of the following:

(1) Any person acting with lawful authority to release or confiscate an animal;

(2) Any employee or agent of the Missouri department of agriculture acting within the scope of his or her duties;

(3) Any public health official, animal welfare officer, animal control officer, law enforcement officer or other governmental employee or individual required to assist or requested to assist a person acting with lawful authority to release or confiscate an animal.

4. Intentionally releasing or confiscating an animal is a class A misdemeanor except that the second or any subsequent offense is a class D felony."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Gratz, **House Amendment No. 4** was adopted.

Representative Myers offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 462, Page 27, Section 414.433, Line 27, by inserting after all of said line the following:

"537.353. 1. Any person or entity who knowingly damages or destroys any field crop product that is grown for personal or commercial purposes, or for testing or research purposes in the context of a product development program in conjunction or coordination with a private research facility, a university, or any federal, state or local government agency, shall be liable for double damages pursuant to this section.

2. In awarding damages pursuant to this section, the courts shall consider the following:

(1) The market value of the crop prior to damage or destruction; and

(2) The actual damages involving production, research, testing replacement and crop development costs directly related to the crop that has been damaged or destroyed."; and

Further amend said bill Page 27, Section 578.008, Line 5, by inserting after all of said line the following:

"578.414. 1. Sections 578.414 to 578.420 shall be known and may be cited as "The Crop Protection Act". As used in sections 578.414 to 578.420, the term "director" shall mean the director of the department of agriculture.

578.416. No person shall:

(1) Intentionally cause the loss of any crop;

(2) Damage, vandalize, or steal any property in or on a crop;

(3) Obtain access to a crop by false pretenses for the purpose of performing acts not authorized by the landowner;

(4) Enter or otherwise interfere with a crop with the intent to destroy, alter, duplicate or obtain unauthorized possession of such crop;

(5) Knowingly obtain, by theft or deception, control over a crop for the purpose of depriving the rightful owner of such crop, or for the purpose of destroying such crop;

(6) Enter or remain on land on which a crop is located with the intent to commit an act prohibited by this section.

578.418. 1. Any person who violates section 578.416:

(1) Shall be guilty of a misdemeanor for each such violation unless the loss or damage to the crop exceeds three hundred dollars in value;

(2) Shall be guilty of a class D felony if the loss or damage to the crop exceeds three hundred dollars in value but does not exceed ten thousand dollars in value;

(3) Shall be guilty of a class C felony if the loss or damage to the crop exceeds ten thousand dollars in value but does not exceed one hundred thousand dollars in value;

(4) Shall be guilty of a class B felony if the loss or damage to the crop exceeds one hundred thousand dollars in value.

2. Any person who intentionally agrees with another person to violate section 578.416 and commits an act in furtherance of such violation shall be guilty of the same class of violation as provided in subsection 1 of this section.

3. In the determination of the value of the loss or damage to a crop, the court shall conduct a hearing to determine the reasonable cost of replacement of the property or crops that were damaged, destroyed, lost, or cannot be returned, as well as the reasonable cost of lost income and repeating experimentation that may have been disrupted or invalidated as a result of the violation of section 578.416.

4. Any persons found guilty of a violation of section 578.416 shall be ordered by the court to make restitution, jointly and severally, to the owner, operator, or both, of the land on which the crop is located, in the full amount of the reasonable cost as determined under subsection 3 of this section.

5. Any person who has been damaged by a violation of section 578.416 may recover all actual and consequential damages, punitive damages, and court costs, including reasonable attorneys' fees, from the person causing such damage.

6. Nothing in sections 578.414 to 578.420 shall preclude any owner or operator injured in his or her business or property by a violation of section 578.416 from seeking appropriate relief under any other provision of law or remedy including the issuance of an injunction against any person who violates section 578.416. The owner or operator of the business may petition the court to permanently enjoin such persons from violating sections 578.414 to 578.420 and the court shall provide such relief.

578.420. 1. The director shall have the authority to investigate any alleged violation of sections 578.414 to 578.420, along with any other law enforcement agency, and may take any action within the director's authority necessary for the enforcement of sections 578.414 to 578.420. The attorney general, the highway patrol, and other law enforcement officials shall provide assistance required in the conduct of an investigation.

2. The director may promulgate rules and regulations necessary for the enforcement of sections 578.414 to 578.420. No rule or portion of a rule promulgated under the authority of sections 578.414 to 578.420 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Myers, **House Amendment No. 5** was adopted.

Representative Townley offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 462, Page 8, Section 262.810, Line 3, by inserting after all of said line the following:

"272.010. All fields and enclosures **where animals are kept** shall be enclosed by [hedge, or with a fence sufficiently close, composed of posts and rails, posts and palings, posts and planks, posts and wires, palisades or rails alone, laid up in a manner commonly called a worm fence, or of turf, with ditches on each side, or of stone or brick] **a lawful fence as defined in section 272.020.**

272.020. [All hedges shall be at least four feet high, and all fences composed of posts and rails, posts and palings, posts and wire, posts and boards or palisades, shall be at least four and one-half feet high, with posts set firmly in the ground, not more than eight feet apart, and with rails, palings, wire, boards or palisades securely fastened thereto, and placed at proper distances apart, so as to resist horses, cattle, swine and like stock; and fences composed of woven wire, wire netting or wire mesh shall be at least four and one-half feet high, securely fastened to posts, such posts to be set firmly in the ground, and not more than sixteen feet apart, and such woven wire, wire netting or wire mesh to be of sufficient closeness and strength as to resist horses, cattle, swine and like stock; those composed of turf shall be at least

four feet high and with ditches on either side at least three feet wide at the top and three feet deep; and what is known as a worm fence shall be at least five feet high to the top of the rider, or if not ridered, shall be five feet to the top rail or pole, and shall be locked with strong rails or poles or stakes; those composed of stone or brick shall be at least four and one-half feet high; provided, that in counties in this state in which swine are restrained from running at large, all fences built of posts set firmly in the ground, not more than sixteen feet apart, and three barbed wires tensely stretched and securely fastened thereto, and the upper wire being substantially four feet from the ground, and the two remaining wires placed at proper distances below to resist horses, cattle and like stock, and all fences built of posts and rails, or posts and slats, with posts set firmly in the ground, not more than ten feet apart, and with three rails or slats securely fastened thereto, and the upper rail or slat being placed substantially four and one-half feet from the ground, and the two remaining rails or slats to each panel being placed at proper distances below to resist horses, cattle and like stock, and all fences built of posts and boards, with posts set firmly in the ground, not more than eight feet apart, and board substantially one inch thick and six inches wide, securely fastened thereto, and the upper board being at least four and one-half feet high, and the remaining boards placed at proper distances below, to resist horses, cattle and like stock, shall be deemed and held to be a good and lawful fence; provided, that nothing contained in this section shall be so construed as to relieve any railroad company from the obligation of fencing the right-of-way of said company against hogs, sheep, cattle, horses and like stock.] **1. Any fence consisting of posts and wire or boards at least four feet high which is mutually agreed upon by adjoining landowners or decided upon by the associate circuit court of the county is a lawful fence.**

2. All posts shall be set firmly in the ground not more than twelve feet apart with wire or boards securely fastened to such posts and placed at proper distances apart to resist horses, cattle and other similar livestock.

272.040. Upon complaint of [the party injured to any circuit or associate circuit judge of the county, such circuit or] **either party claiming to be injured because of the trespass or taking up of livestock as described in section 272.030, the associate circuit judge shall, without delay, issue an order to three disinterested householders of the neighborhood, not of kin to either party, reciting the complaint, and requiring them to view the [hedge or] fence where the trespass is complained of, and take memoranda of the same, and appear before the [judge] court on the day set for trial; and their evidence shall determine the lawfulness of such fence. The persons appointed by the associate circuit judge shall be paid twenty-five dollars each per day for the time actually employed which shall be taxed as costs in the case equally against the parties and collected accordingly.**

272.050. If any person [damnified for want of such] **who does not maintain a sufficient [hedge or] fence, shall hurt, wound, lame, kill or destroy, or cause the same to be done by shooting, worrying with dogs, or otherwise, any of the animals in this chapter mentioned, such [persons] person shall satisfy the owner in double damages with costs.**

272.060. [Whenever the fence of any owner of real estate, now erected or constructed, or which shall hereafter be erected or constructed, the same being a lawful fence, as defined by sections 272.010 and 272.020, serves to enclose the land of another, or which shall become a part of the fence enclosing the lands of another, on demand made by the person owning such fence, such other person shall pay the owner one-half the value of so much thereof as serves to enclose his land, and upon such payment shall own an undivided half of such fence.] **1. Whenever the owner of real estate desires to construct or repair a lawful fence, as defined by section 272.020, which divides his or her land from that of another, such owner shall give written notice of such intention to the adjoining landowner. The landowners shall meet and each shall construct or repair that portion of the division fence which is on the right of each owner as the owners face the fence line while standing at the center of their common property line on their own property. If the owners cannot agree as to the part each shall construct or keep in repair, either of them may apply to an associate circuit judge of the county who shall forthwith summon three disinterested householders of the township or county to appear on the premises, giving three days' notice to each of the parties of the time and place where such viewers shall meet, and such viewers shall, under oath, designate the portion to be constructed or kept in repair by each of the parties interested and notify them in writing of the same. Such viewers shall receive twenty-five dollars each per day for the time actually employed, which shall be taxed as court costs.**

2. Existing agreements not consistent with the procedure prescribed by subsection 1 of this section shall be in writing, signed by the agreeing parties, and shall be recorded in the office of the recorder of deeds in the county or counties where the fence line is located. The agreement shall describe the land and the portion of partition fences between their lands which shall be erected and maintained by each party. The agreement shall bind the makers, their heirs and assigns.

272.070. [If the parties interested shall fail to agree as to the value of one-half of such fence, the owner of the fence may apply to a circuit or associate circuit judge of the county, who shall without delay, issue an order to three

disinterested house holders of the township, not of kin to either party, reciting the complaint, and requiring them to view the fence, estimate the value thereof, and make return under oath to the associate circuit judge on the day named in the order.] **If either party fails to construct or repair his or her portion of the fence in accordance with the provisions of section 272.060 within a reasonable time, the other may petition the associate circuit court of the county to authorize the petitioner to build or repair the fence in a manner to be directed by the court. If the court authorizes such action, the petitioner shall be given a judgment for that portion of the total cost of the fence which is chargeable as the other party's portion of the fence, court costs and reasonable attorney's fees. Any such judgment shall be a lien on the real estate of the party against whom the judgment may be given.**

272.100. The persons appointed by the associate circuit judge [under sections 272.070 and 272.090] **pursuant to section 272.040** to discharge the duties therein specified, shall receive [one dollar] **twenty-five dollars** each per day for the time actually employed, which[, together with the fees of the associate circuit judge and sheriff,] shall be taxed as costs in the case against the parties [in proportion to their respective interests,] and collected accordingly.

272.110. Every person owning a part of a division fence shall keep **his or her portion of** the same in good repair according to the requirements of this chapter, and [when said division fence is a hedge, shall properly trim the same at least once a year, to a height not greater than four and one-half feet, and to a breadth not greater than three feet, and for the purpose of trimming said hedge as aforesaid, he shall have the right to] **may** enter upon any land lying adjacent thereto **for such purpose**. [Either party owning land adjoining a division fence or hedge may, upon the failure of any of the other parties, have all that part of such division fence belonging to such other parties repaired, upon the failure of such other party to do so, such repairing or trimming to be at the cost of the party so failing to repair or trim his part of such fence; and the party so repairing or trimming such hedge shall always throw the brush trimmed off on his own side of such hedge; and upon neglect or refusal to keep said fence in repair, or to keep said hedge trimmed as provided in this section, such owner shall be liable in double damages to the party injured thereby, and such injured party may enforce the collection of such damages by restraining any cattle or other stock that may break in or come upon his enclosure by reason of the failure of such other party to keep his portion of such division fence in repair and proceeding therewith under the provisions of sections 270.010 to 270.200, RSMo.]

272.130. Any person aggrieved by any order or judgment of the associate circuit judge made or entered [under] **pursuant to** the provisions of [sections 272.040, 272.070 and 272.090] **section 272.040 or 272.070** may have the same reviewed in the same manner as other civil actions.

272.132. If either of two adjoining landowners does not need a fence, the landowner that needs a fence may build the entire fence and report the total cost to the associate circuit judge who shall authorize the cost to be recorded on each deed. Should the landowner that claimed no need for a fence subsequently place livestock against the fence, the landowner that built the fence shall be reimbursed for one-half the construction costs share to be determined as provided in section 272.060.

272.134. Nothing in this chapter shall prevent adjoining landowners from agreeing that no fence is needed between their property.

272.136. Nothing in this chapter shall prevent either of adjoining landowners from building the landowner or the landowner's neighbor's portion of a fence in excess of the lawful fence requirements prescribed by this chapter.

[272.150. The owners and occupiers of saltpeter works within this state shall keep the same enclosed with a good and lawful fence, so as to prevent horses, cattle and other stock that may receive injury thereby from having access thereto.]

[272.160. Every person, owner or occupier of any saltpeter works within this state, failing to secure the same, with a good and lawful fence, from horses, cattle and any kind of stock that may be injured by drinking the saltpeter water, shall be liable to an action by the party injured by such neglect for double the value of such horses, cattle or other stock injured or killed by drinking such water, to be recovered in any court having competent jurisdiction to try the same.]

[272.170. Hereafter all persons owning or running cotton gins in the state of Missouri shall keep them enclosed with a sufficient fence to keep out hogs.]

[272.180. They shall not allow the cotton seed from their gin to be scattered or thrown outside of the enclosure.]

[272.190. Any person violating the provisions of sections 272.170 and 272.180 shall be liable for all damage accruing therefrom.]

[272.200. All lands, within this state, upon which sorghum or other poisonous crops are planted shall be enclosed by the owners and occupiers with a good and lawful fence so as to prevent horses, cattle or other stock that may receive injury thereby from having access thereto; provided, that a lawful fence as used in this section shall be construed to

mean such fences as are described elsewhere in this chapter and that the same penalties for damages as provided in section 272.160 shall be recoverable under this section; provided further, that this law shall not apply to counties and townships that have or may hereafter adopt a stock law.]

[272.210. As used in sections 272.210 to 272.370 the following words and terms have the following meanings:

(1) "Lawful fence", a fence with not less than four boards per four feet of height; said boards to be spaced no farther apart than twice the width of the boards used fastened in or to substantial posts not more than twelve feet apart with one stay, or a fence of four barbed wires supported by posts not more than fifteen feet apart with one stay or twelve feet apart with no stays, or any fence which is at least equivalent to the types of fences described herein;

(2) "Stay", a vertical member attached to each board or wire comprising the horizontal members of the fence.]

[272.220. All fields and enclosures in which livestock are kept or placed shall be enclosed by a lawful fence.]

[272.230. If any horses, cattle or other stock trespass upon the premises of an owner, the owner of the animal shall for the first trespass make reparation to the party injured for the true value of the damages sustained, to be recovered with costs before an associate circuit judge, or in any court of competent jurisdiction, and for any subsequent trespass the party injured may put up the animal or animals and take good care of them and immediately notify the owner, who shall pay to the taker-up the amount of the damages sustained, and such compensation as shall be reasonable for the taking up and keeping of the animals, before he shall be allowed to remove them, and if the owner and taker-up cannot agree upon the amount of the damages and compensation either party may make complaint to an associate circuit judge of the county, setting forth the fact of the disagreement, and the associate circuit judge shall be possessed of the cause, and shall issue a summons to the adverse party and proceed with the cause as in other civil cases. If the owner recovers, he shall recover his costs and any damages he may have sustained, and the associate circuit judge shall issue an order requiring the taker-up to deliver to him the animals. If the taker-up recovers, the judgment shall be a lien upon the animals taken up, and, in addition to a general judgment and execution, he shall have a special execution against the animals to pay the judgment rendered and costs.]

[272.235. If there is a need for a fence by either of two adjoining landowners both shall be obligated to build and maintain a fence under the provisions of sections 272.210 to 272.370. Nothing in sections 272.210 to 272.370 shall prevent adjoining landowners from agreeing that no fence is needed between their property.]

[272.240. Whenever the owner of real estate desires to erect or construct a lawful fence which wholly or partially borders the land of another, he shall notify the other owner that he desires a division fence. If within ninety days after receiving the notice, the other landowner has not erected or constructed one-half of the division fence, the owner desiring the fence may apply to the associate division of the circuit court for an order to proceed with the construction and ordering the other landowner to pay one-half the value of so much thereof, as borders his land, and upon the payment shall own an undivided one-half of the fence; except that no owner shall be required to pay more than one-half the value of a lawful fence of four barbed wires, regardless of the type fence constructed. The associate division of the circuit court costs shall be taxed against the other landowner.]

[272.250. If the parties interested fail to agree as to the value of one-half of the fence, the owner of the fence may apply to a circuit or associate circuit judge of the county, who shall without delay issue an order to three disinterested householders of the township, not of kin to either party, reciting the complaint, and requiring them to view the fence, estimate the value thereof, and make return under oath to the judge on the day named in the order.]

[272.260. If the person thus assessed or charged with the value of one-half of any fence, under the provisions of sections 272.210 to 272.370 shall neglect or refuse to pay over to the owner of the fence the amount so awarded, the same may be recovered before a court of competent jurisdiction.]

[272.270. 1. The several owners may, in writing, agree upon the portion of partition fences between their lands which shall be erected and maintained by each, which writing shall describe the lands and the parts of the fences so assigned, be signed and acknowledged by them, and filed and recorded in the office of the recorder of deeds of the county or counties in which they are situated. Any such agreement shall bind the makers, their heirs and assigns.

2. When one owner desires to make a division of the fence between his land and an adjoining landowner refuses to agree to a division, then the provisions of section 272.280 may be used to effect a division which shall be recorded in the office of the recorder of deeds in the county in which most of the fence is located.]

[272.280. If the parties cannot agree as to the part each shall have and keep in repair, either of them may apply to a circuit or associate circuit judge of the county who shall forthwith summon three disinterested householders of the township to appear on the premises, giving three days' notice to each of the parties of the time and place where said viewers shall meet, and the viewers shall, under oath, designate the portion to be kept in repair by each of the parties interested, and notify them in writing of the same.]

[272.290. Whenever the fence of any owner of real estate now erected or constructed, or which shall hereafter

be erected, constructed or rebuilt, the same being thereafter a fence designed to restrain swine, sheep or other animals requiring special fences, borders the land of another or which becomes a part of the fence bordering the land of another and is used to enclose such animals owned by the other person, on demand made by the person owning the fence, the other person shall pay the owner one-half of the value of so much thereof as borders his land, and upon the payment shall own an undivided half of the fence; except that no owner shall be required to pay more than the amount which would have been required to erect, construct or rebuild a lawful fence of four barbed wires on his one-half of the fence.]

[272.300. The persons appointed by the judge under sections 272.250 and 272.280 to discharge the duties therein specified, shall receive five dollars each per day for the time actually employed, which, together with the fees of the judge and sheriff, shall be taxed as costs in the case against the parties in proportion to their respective interests, and collected accordingly.]

[272.310. Every person owning a part of a division fence shall keep the same in good repair according to the requirements of sections 272.210 to 272.370. Either party owning land adjoining a division fence may, upon the failure of any of the other parties, have all that part of the division fence belonging to the other parties repaired, upon the failure of the other party to do so, the repairing to be at the cost of the party so failing to repair his part of the fence.]

[272.330. 1. The provisions of sections 272.240 to 272.350 shall apply to any division fence even though it may stand wholly upon one side of the division line.

2. The provisions of sections 272.210 to 272.370 shall not apply to counties which have all or partial open range.]

[272.340. Any person aggrieved by any order or judgment of the judge made or entered under the provisions of sections 272.250 and 272.280 may have the same reviewed by a petition in the circuit court of the county wherein the proceedings were had, verified by affidavit. A copy of the petition shall be delivered to the adverse party at least fifteen days before the commencement of the next term of the court, and the original filed in the office of the clerk; provided, that the petition may be filed within thirty days after the order or judgment was made or rendered, and not afterward.]

[272.350. The petition shall set forth the grounds of objection, and upon the filing thereof the circuit court shall be possessed of the cause, and proceed to hear and determine the objections, and make such order or judgment as may be right and just in the premises.]

[272.360. The provisions of sections 272.210 to 272.370 are hereby suspended in the several counties of this state until a majority of the legal voters of any county voting on the question at any general or special election called for that purpose shall decide to enforce the same in the county.]

[272.370. The county commission may on its own motion and shall upon the petition of one hundred real estate owners of ten acres or more of the county submit to the voters at a general or special election the proposition for the adoption by the county of the provisions of sections 272.210 to 272.370. The commission shall cause notice of the election to be published in a newspaper published within the county, or if no newspaper is published within the county, in a newspaper published in an adjoining county, for three weeks consecutively, the last insertion of which shall be at least ten days before the day of the election, and by posting printed notices thereof at three of the most public places in each township in the county. If a majority of the voters voting on the proposition vote in favor of the adoption of the provisions of sections 272.210 to 272.370 the county commission shall issue an order declaring the adoption. From and after the issuance of the order the provisions of sections 272.210 to 272.370 shall be in full force and effect in the county and the provisions of sections 272.010 to 272.140 shall be suspended in the county.]; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Townley, **House Amendment No. 6** was adopted.

Representative Cooper offered **House Amendment No. 7**.

House Amendment No. 7 was withdrawn.

Representative Barnitz offered **House Amendment No. 7**.

AMEND House Committee Substitute for Senate Bill No. 462, Page 27, Section 578.008, Line 2, by striking the word "intentionally" and replacing it with the word "**purposely**".

Representative Reid offered **House Substitute Amendment No. 1 for House Amendment No. 7**.

*House Substitute Amendment No. 1
for
House Amendment No. 7*

AMEND House Committee Substitute for Senate Bill No. 462, Page 27, Section 578.008, Lines 2 to 5, by deleting all of said lines and inserting in lieu thereof the following:

"if that person purposely spreads any type of contagious, communicable or infectious disease among livestock as defined in section 267.565, RSMo, or other animals.

2. Spreading disease to livestock or animals is a class D felony unless the damage to the livestock or animals is ten million dollars or more in which case it is a class B felony."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Reid, **House Substitute Amendment No. 1 for House Amendment No. 7** was adopted.

Representative Shoemyer offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Bill No. 462, Page 17, Section 278.300, Line 9, by inserting after all of said line the following:

"281.215. 1. There is hereby created in the state treasury the "Pesticide Project Fund". The annual registration fees imposed in section 281.260 shall be credited to the pesticide project fund. The moneys in the fund shall be used for the following purposes:

- (1) Up to ten percent for the administration of the fund;**
- (2) Up to ten percent for the pesticide education through the pesticide applicator training (PAT) program at the University of Missouri;**
- (3) Up to fifteen percent for the integrated pest management (IPM) practices through the integrated pest management program in the department of agriculture;**
- (4) Up to forty percent for the sustainable agriculture program in the department of agriculture and marketing of products carrying the AgriMissouri or successor trademark pursuant to sections 261.230 to 261.239, RSMo;**
- (5) Up to ten percent for the agriculture awareness program in the department of agriculture;**
- (6) Up to fifteen percent for pesticide and water quality monitoring projects; and**
- (7) Any remaining moneys may be used to fund other pest related issues as determined by the director.**

2. To be eligible for moneys in the pesticide project fund, the entities listed in subsection 1 of this section shall submit a proposed project plan to the director by March thirty-first prior to the fiscal year in which the moneys are to be allocated. Allocation of project moneys will be dependent upon an executed memorandum of understanding between the entity receiving the moneys and the director.

3. Within thirty days of the end of the state fiscal year in which moneys are allocated, the entities listed in subsection 1 of this section shall submit to the director a report which shall contain an accounting of all moneys expended from the pesticide project fund during such fiscal year and a report of the project or projects for which the moneys were utilized.

4. Any unobligated or unexpended project moneys allocated to an entity shall revert to the pesticide project fund within sixty days of the close of the project.

5. If an entity fails to complete a project as outlined in the project plan and memorandum of understanding, the entity shall submit partial or full payment of the allocated moneys to the pesticide project fund as determined by the director.

6. No moneys, except moneys for pesticide project fund administration, shall be withdrawn from the fund prior to July 1, 2002.

7. The maximum balance allowable in the pesticide project fund shall be two million dollars. Any moneys in excess of two million dollars shall revert to the general revenue fund at the end of the fiscal year.

8. The pesticide project fund shall be administered by the plant industries division within the department of agriculture.

281.260. 1. Every pesticide which is distributed, sold, offered for sale or held for sale within this state, or which is delivered for transportation or transported in intrastate commerce or between points within this state through any point outside of this state, shall be registered in the office of the director, and the registration shall be renewed annually.

2. The registrant shall file with the director a statement including:

(1) The name and address of the registrant and the name and address of the person whose name will appear on the label, if other than the registrant;

(2) The name of the pesticide;

(3) Classification of the pesticide; and

(4) A complete copy of the labeling accompanying the pesticide and a statement of all claims to be made for it, including directions for use.

3. The registrant shall pay an annual fee of [fifteen] **one hundred** dollars for each product registered in any calendar year or part thereof. The fee shall be deposited in the state treasury to the credit of the [general revenue fund] **pesticide project fund established in section 281.215**. All such registrations shall expire on December thirty-first of any one year, unless sooner canceled. A registration for a special local need pursuant to subsection 6 of this section, which is disapproved by the federal government, shall expire on the effective date of the disapproval.

4. Any registration approved by the director and in effect on the thirty-first day of December for which a renewal application has been made and the proper fee paid shall continue in full force and effect until such time as the director notifies the applicant that the registration has been renewed, or otherwise denied, in accord with the provisions of subsection 8 of this section. Forms for reregistration shall be mailed to registrants at least ninety days prior to the expiration date.

5. If the renewal of a pesticide registration is not filed prior to January first of any one year, an additional fee of [five dollars] **twenty-five percent** shall be assessed and added to the original fee and shall be paid by the applicant before the registration renewal for that pesticide shall be issued; provided, that, such additional fee shall not apply if the applicant furnishes an affidavit certifying that he **or she** did not distribute such unregistered pesticide during the period of nonregistration. The payment of such additional fee is not a bar to any prosecution for doing business without proper registry.

6. Provided the state complies with requirements of the federal government to register pesticides to meet special local needs, the director shall require that registrants comply with sections 281.210 to 281.310 and pertinent federal laws and regulations. Where two or more pesticides meet the requirements of this subsection, one shall not be registered in preference to the other.

7. The director may require the submission of the complete formula of any pesticide to approve or deny product registration. If it appears to the director that the composition and efficacy of the pesticide is such as to warrant the proposed claims for it and if the pesticide and its labeling and other material required to be submitted comply with the requirements of sections 281.210 to 281.310, [he] **the director** shall register the pesticide.

8. Provided the state is authorized to issue experimental use permits, the director may:

(1) Issue an experimental use permit to any person applying for an experimental use permit if [he] **the director** determines that the applicant needs such permit in order to accumulate information necessary to register a pesticide [under] **pursuant to** sections 263.269 to 263.380. An application for an experimental use permit may be filed at the time of or before or after an application for registration is filed;

(2) Prescribe terms, conditions, and period of time for the experimental permit which shall be under the supervision of the director;

(3) Revoke any experimental permit, at any time, if [he] **the director** finds that its terms or conditions are being violated, or that its terms and conditions are inadequate to avoid unreasonable adverse effects on the environment.

9. If it does not appear to the director that the pesticide is such as to warrant the proposed claims for it or if the pesticide and its labeling and other material required to be submitted do not comply with the provisions of sections 281.210 to 281.310 or with federal laws, [he] **the director** shall notify the registrant of the manner in which the pesticide, labeling, or other material required to be submitted fail to comply with sections 281.210 to 281.310 or with federal laws so as to afford the registrant an opportunity to make the necessary corrections. If, upon receipt of such notice, the registrant insists that such corrections are not necessary and requests in writing that the pesticide be registered or, in the case of a pesticide that is already registered, that it not be canceled, the director, within ninety days, shall hold a public hearing to determine if the pesticide in question should be registered or canceled. If, after such hearing, it is determined that the pesticide should not be registered or that its registration should be canceled, the director may refuse registration or cancel an existing registration until the required label changes are accomplished. If the pesticide is shown to be in compliance with sections 281.210 to 281.310 and federal laws, the pesticide will be registered. Any appeals resulting from administrative decisions by the director will be taken in accordance with sections 536.100 to 536.140, RSMo.

10. Notwithstanding any other provision of sections 281.210 to 281.310, registration is not required in the case of a pesticide shipped from one plant or warehouse within this state to another plant or warehouse within this state when such plants are operated by the same persons.

11. The director shall not make any lack of essentiality a criterion for denying registration of a pesticide except where none of the labeled uses are present in the state. Where two or more pesticides meet the requirements of sections 281.210 to 281.310, one shall not be registered in preference to the other."; and

Further amend said title, enacting clause and intersectional references accordingly.

HCS SB 462, as amended, with House Amendment No. 8, pending, was laid over.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HS HB 715 - Fiscal Review and Government Reform (Fiscal Note)

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 33 - Environment & Energy

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SCS SB 236 - Fiscal Review and Government Reform (Fiscal Note)

SCS SBs 52 & 91 - Motor Vehicle and Traffic Regulations

SCS #2 SB 66 - Children, Families and Health

SCS SBs 69 & 458 - Criminal Law

SB 180 - Civil and Administrative Law

SS SCS SB 226 - Miscellaneous Bills & Resolutions

SCS SBs 448 & 588 - Children, Families and Health
SB 509 - Fiscal Review and Government Reform
SS SCS SB 525 - Miscellaneous Bills & Resolutions

COMMITTEE REPORTS

Committee on Civil and Administrative Law, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **SB 370**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**.

House Committee Amendment No. 1

AMEND Senate Bill No. 370, Page 7, Section 469.409(2)(b), Line 26, by adding the phrase “**provided that there is no conflict of interest between that person and the qualified beneficiary that person is representing.**” after the word “address”.

Committee on Commerce and Economic Development, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce and Economic Development, to which was referred **SCR 23**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Commerce and Economic Development, to which was referred **SCS SB 617**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Education-Elementary and Secondary, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **SCR 3**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Labor, Chairman Hickey reporting:

Mr. Speaker: Your Committee on Labor, to which was referred **SB 500**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Local Government and Related Matters, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SCS SB 486 & SB 422**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SCS SB 591**, begs leave to report it has examined the same and recommends that the **House**

Committee Substitute Do Pass.

Committee on Miscellaneous Bills & Resolutions, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HR 229**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE RESOLUTION NO. 229

WHEREAS, the General Assembly has a tradition of granting the use of the House of Representatives and Senate Chambers for mock legislative workshops conducted by civic organizations; and

WHEREAS, the University Extension 4-H Development Program is an educational experience in state government for youth by allowing such youth, with the aid and supervision of extension staff and legislators, to participate in mock legislative hearings and floor discussions of current bills that are of interest to youth:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, hereby grant the 4-H Citizenship Youth Forum permission to use the House Chamber on Thursday, June 28, 2001, from 9:00 a.m. until 11:30 a.m. to conduct a mock legislative session.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **SS SCS SJRs 1 & 4**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **SCS SBs 5 & 21**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **SB 416**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Retirement, Chairman Hagan-Harrell reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **SCR 27**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Social Services, Medicaid and the Elderly, Chairman Ladd Baker reporting:

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **SCS SB 236**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Sportsmanship, Safety and Firearms, Chairman Crump reporting:

Mr. Speaker: Your Committee on Sportsmanship, Safety and Firearms, to which was referred **SB 123**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Transportation, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **SS SB 244**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Urban Affairs, Chairman Curls reporting:

Mr. Speaker: Your Committee on Urban Affairs, to which was referred **SCS SB 290**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Utilities Regulation, Chairman Mays (50) reporting:

Mr. Speaker: Your Committee on Utilities Regulation, to which was referred **SCR 18**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 34, introduced by Representative Boucher, to create a Joint Interim Committee of the General Assembly to conduct a study and make appropriate recommendations concerning the allocation of the excursion gambling boat admission fees to the Veterans' Commission Capital Improvement Trust Fund and the Early Childhood Development, Education and Care Fund.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HB 491**: Senators Goode, Gibbons, Schneider, Sims and Yeckel.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 596**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 600**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 742**, entitled:

An act to authorize the conveyance of property owned by the state in Platte County to Kansas City International Airport.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 779**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 909**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 922**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 408**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 410**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 502**, entitled:

An act to authorize the governor to convey certain property in St. Francois County which is part of the Southeast Missouri Mental Health Center to the American Legion.

With Senate Amendment No. 1

Senate Amendment No. 1

AMEND House Bill No. 502, Page 1, Section 1, Lines 5-11, by striking all of said lines and inserting in lieu thereof the following:

"Part of Lots 75, 76 and Wm. Alexander 300 Acre Tract of F.W. Rohlands Subdivision of U.S. Survey 2969, Township 35 North, Range 5 East, St. Francois County, Missouri.

Commencing at an old iron pin marking the Northwest corner of Lot 62 of F.W. Rohlands subdivision of U.S. Survey 2969, Township 35 North, Range 5 East, thence South 27°55'00" West 1,469.86' feet to a found R/W marker on the South right-of-way (ROW) of Missouri Route "W" being the point of beginning of the following described tract; said point of beginning also being the point of beginning of a (.68) Acre tract conveyed to the American Legion Post 416; thence South 24°50'24" East 300.00' along the east line of said tract to a point marking the eastern most corner of said tract; thence South 51°03'24" West 102.36' feet to a point marking the southern most corner of said tract and being on the east line of a tract N/F USAR C TRAINING CENTER; thence South 24°50'24" East 75.00' feet along the east line of said training center to a point; thence departing said east line of said tract North 51°03'24" East 207.72' feet to a point; thence North 20°45'47" West 350.75' to a point on the south right-of-way of said Route "W"; thence South 65°11'39" West 125.00' feet along said right-of-way line to the point of beginning, and containing 1.11 acres more or less."; and

Further amend by renumbering the remaining subsection accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 788**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SBs 510, 512 & 133**, entitled:

An act to repeal sections 160.400, 160.405, 160.410, 160.415, 160.420 and 167.349, RSMo 2000, relating to charter schools, and to enact in lieu thereof fourteen new sections relating to the same subject, with an emergency clause for a certain section.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 578**, entitled:

An act to repeal sections 208.471 and 208.480, RSMo 2000, and to enact in lieu thereof two new sections relating to the hospital federal reimbursement allowance program, with an expiration date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 207**, entitled:

An act to repeal sections 34.115 and 313.835, and to enact in lieu thereof two new sections relating to the veterans' commission capital improvement trust fund, with an emergency clause.

With Senate Committee Amendment No. 1, Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Committee Amendment No. 1

AMEND House Committee Substitute for House Bill No. 207, Page 3, Section 313.835, Line 42, by deleting the word "and"; and

Further amend said bill, Page 3, Section 313.835, Line 51, by inserting after the word commission, as it appears the second time on said line, the following:

“; and

(f) For payment of Missouri National Guard and Missouri Veterans' Commission expenses associated with

providing medals, medallions and certificates in recognition of service in the armed forces of the United States during World War II pursuant to Sections 42.170 to 42.190, RSMo”.

Senate Amendment No. 1

AMEND House Committee Substitute for House Bill No. 207, Page 3, Section 313.835, Line 44, by inserting immediately after the word “organization” the following: “, **or municipal government agency**”.

Senate Amendment No. 2

AMEND House Committee Substitute for House Bill No. 207, Page 3, Section 313.835, Line 51 of said page, by inserting at the end of said line the following:

“(f) For payment of Missouri national guard and Missouri veterans' commission expenses associated with providing medals, medallions and certificates in recognition of service in the armed forces of the United States during World War II pursuant to sections 42.170 to 42.190, RSMo. Any funds remaining from the medals, medallions and certificates shall be used to pay for the buglers at veteran burials; and

(g) Fund transfers totaling ten million dollars to any municipality with a population greater than three hundred fifty thousand inhabitants and located in part in a county with a population greater than six hundred thousand inhabitants and with a charter form of government, for the sole purpose of the construction, restoration, renovation and maintenance of a memorial or museum or both dedicated to World War I.”.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HBs 302 & 38**, entitled:

An act to repeal sections 302.130, 302.178, 302.302, 302.304, 302.309, 302.505, 302.510, 302.520, 302.540, 302.541, 577.012, 577.021, 577.023, 577.037, 577.041, 577.600 and 577.602, RSMo 2000, relating to traffic offenses, and to enact in lieu thereof nineteen new sections relating to the same subject, with penalty provisions, an effective date for certain sections and an emergency clause for certain sections.

With Senate Amendment No. 1 and Senate Amendment No. 3

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bills Nos. 302 & 38, Page 19, Section 302.540, Line 49, by inserting after all “mental health” the following: “**may create a treatment demonstration project within existing appropriations and**”.

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Committee Substitute for House Bills Nos. 302 & 38, Page 18, Section 302.520, Line 28, by inserting after all of said line the following:

“302.535. 1. Any person aggrieved by a decision of the department may file a petition for trial de novo by the circuit court. The burden of proof shall be on the state to adduce the evidence. Such trial shall be conducted pursuant to the Missouri rules of civil procedure and not as an appeal of an administrative decision pursuant to chapter 536, RSMo. The petition shall be filed in the circuit court of the county where the arrest occurred. The case shall be decided

by the judge sitting without a jury. The presiding judge of the circuit court may assign a [traffic judge, pursuant to section 479.500, RSMo 1994, a] circuit judge or an associate circuit judge to hear such petition.

2. The filing of a petition for trial de novo shall not result in a stay of the suspension or revocation order. But upon the filing of such petition, a restricted driving privilege for the limited purpose of driving in connection with the petitioner's business, occupation, employment, or formal program of secondary, postsecondary or higher education shall be issued by the department if the person's driving record shows no prior alcohol related enforcement contact during the immediately preceding five years. Such limited driving privilege shall terminate on the date of the disposition of the petition for trial de novo.

3. In addition to the limited driving privilege as permitted in subsection 2 of this section, the department may upon the filing of a petition for trial de novo issue a restricted driving privilege for the limited purpose of driving in connection with the petitioner's business, occupation, employment, or formal program of secondary, postsecondary or higher education. In determining whether to issue such a restrictive driving privilege, the department shall consider the number and the seriousness of prior convictions and the entire driving record of the driver.

4. Such time of restricted driving privilege pending disposition of trial de novo shall be counted toward any time of restricted driving privilege imposed pursuant to section 302.525. Nothing in this subsection shall be construed to prevent a person from maintaining his restricted driving privilege for an additional sixty days in order to meet the conditions imposed by section 302.540 for reinstating a person's driver's license.”; and

Further amend said bill, Page 21, Section 304.028, Line 26, by inserting after all of said line the following:

“479.500. 1. In the twenty-first judicial circuit, a majority of the circuit judges, en banc, may establish a traffic court, which shall be a division of the circuit court, and may authorize the appointment of not more than three municipal judges who shall be known as traffic judges. The traffic judges shall be appointed by a traffic court judicial commission consisting of the presiding judge of the circuit, who shall be the chair, one circuit judge elected by the circuit judges, one associate circuit judge elected by the associate circuit judges of the circuit, and two members appointed by the county executive of St. Louis County, each of whom shall represent one of the two political parties casting the highest number of votes at the next preceding gubernatorial election. The procedures and operations of the traffic court judicial commission shall be established by circuit court rule.

2. Traffic judges may be authorized to act as commissioners to hear in the first instance nonfelony violations of state law involving motor vehicles, and such other offenses as may be provided by circuit court rule. Traffic judges may also be authorized to hear in the first instance violations of county and municipal ordinances involving motor vehicles, and other county ordinance violations, as provided by circuit court rule.

3. In the event that a county municipal court is established pursuant to section 66.010, RSMo, which takes jurisdiction of county ordinance violations the circuit court may then authorize the appointment of no more than two traffic judges authorized to hear municipal ordinance violations other than county ordinance violations, and to act as commissioner to hear in the first instance nonfelony violations of state law involving motor vehicles, and such other offenses as may be provided by rule. [These traffic court judges also may be authorized to act as commissioners to hear in the first instance petitions to review decisions of the department of revenue or the director of revenue filed pursuant to sections 302.309, 302.311, 302.535 and 302.750, RSMo.]

4. In establishing a traffic court, the circuit may be divided into such sectors as may be established by a majority of the circuit and associate circuit judges, en banc. The traffic court in each sector shall hear those cases arising within the territorial limits of the sector unless a case arising within another sector is transferred as provided by operating procedures.

5. Traffic judges shall be licensed to practice law in this state and shall serve at the pleasure of a majority of the circuit and associate circuit judges, en banc, and shall be residents of St. Louis County, and shall receive from the state as annual compensation an amount equal to one-third of the annual compensation of an associate circuit judge. Each judge shall devote approximately one-third of his working time to the performance of his duties as a traffic judge. Traffic judges shall not accept or handle cases in their practice of law which are inconsistent with their duties as a traffic judge and shall not be a judge or prosecutor for any other court. Traffic judges shall not be considered state employees and shall not be members of the state employees' or judicial retirement system or be eligible to receive any other employment benefit accorded state employees or judges.

6. A majority of the judges, en banc, shall establish operating procedures for the traffic court which shall provide for regular sessions in the evenings after 6:00 p.m. and for Saturday or other sessions as efficient operation and convenience to the public may require. Proceedings in the traffic court, except when a judge is acting as a commissioner

pursuant to this section, shall be conducted as provided in supreme court rule 37. The hearing shall be before a traffic judge without jury, and the judge shall assume an affirmative duty to determine the merits of the evidence presented and the defenses of the defendant and may question parties and witnesses. No term of imprisonment or confinement may be assessed by a traffic judge. In the event a jury trial is requested, the cause shall be certified to the circuit court for trial by jury as otherwise provided by law. Clerks and computer personnel shall be assigned as needed for the efficient operation of the court.

7. In establishing operating procedure, provisions shall be made for appropriate circumstances whereby defendants may enter not guilty pleas and obtain trial dates by telephone or written communication without personal appearance, or to plead guilty and deliver by mail or electronic transfer or other approved method the specified amount of the fine and costs as otherwise provided by law, within a specified period of time.

8. Operating procedures shall be provided for electronic recording of proceedings, except that if adequate recording equipment is not provided at county expense, then, in that event, a person aggrieved by a judgment of a traffic judge or commissioner shall have the right of a trial de novo. The procedures for perfecting the right of a trial de novo shall be the same as that provided under sections 512.180 to 512.320, RSMo, except that the provisions of subsection 2 of section 512.180, RSMo, shall not apply to such cases.

9. The circuit court shall only have the authority to appoint two commissioners with the jurisdiction provided in subsection 3 of this section.

10. All costs to establish and operate a county municipal court under section 66.010, RSMo, and this section shall be borne by such county.”; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 27**, entitled:

An act to repeal sections 273.325, 273.327, 273.329, 273.342, 273.352, 273.357, 322.010, 578.012 and 578.023, RSMo 2000, relating to animals, and to enact in lieu thereof eleven new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 42 & 108**, entitled:

An act to repeal section 160.261, RSMo 2000, relating to public education, and to enact in lieu thereof nine new sections relating to the same subject, with penalty provisions and an emergency clause for a certain section.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 375**, entitled:

An act to repeal sections 58.451, 58.740, 188.015, 188.052, 188.055, 188.070, 610.010, 610.015, 610.021, 610.022, 610.026, 610.027, 610.100, 610.105 and 610.200, RSMo 2000, relating to public records, and to enact in lieu thereof seventeen new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 387**, entitled:

An act to amend chapter 393, RSMo, by adding thereto two new sections relating to allowing certain electrical corporations to recover certain costs, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to request the House of Representatives to return **SS SCS SBs 476, 427 & 62** to the Senate for correction and re-passage.

ADJOURNMENT

On motion of Representative Clayton, the House adjourned until 10:00 a.m., Thursday, May 3, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-fifth Day, Tuesday, May 1, 2001, pages 1449 and 1450, roll call, by showing Representatives Hunter and Scott voting "aye" rather than "absent with leave".

Pages 1451 and 1452, roll call, by showing Representative Naeger voting "aye" rather than "absent with leave".

Page 1453, roll call, by showing Representatives Naeger and Robirds voting "aye" rather than "absent with leave".

Page 1454, roll call, by showing Representative Naeger voting "aye" rather than "absent with leave".

Page 1455, roll call, by showing Representatives Hunter, Kelly (144), Levin, Naeger, Scott and Secrest voting "aye" rather than "absent with leave".

Pages 1455 and 1456, roll call, by showing Representatives Franklin, Robirds and Scott voting "aye" rather than "absent with leave".

Page 1457, roll call, by showing Representative Franklin voting "aye" rather than "absent with

leave".

Pages 1460 and 1461, roll call, by showing Representative Scott voting "aye" rather than "absent with leave".

Pages 1461 and 1462, roll call, by showing Representative Franklin voting "aye" rather than "absent with leave".

Pages 1461 and 1462, roll call, by showing Representative Moore voting "no" rather than "absent with leave".

Pages 1462 and 1463, roll call, by showing Representatives Copenhaver and Harding voting "aye" rather than "absent with leave".

Pages 1465 and 1466, roll call, by showing Representatives Franklin and Wilson (42) voting "aye" rather than "absent with leave".

Pages 1467 and 1468, roll call, by showing Representative Copenhaver voting "no" rather than "absent with leave".

Pages 1469 and 1470, roll call, by showing Representatives Boucher and Scott voting "aye" rather than "absent with leave".

Pages 1472 and 1473, roll call, by showing Representative George voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

APPROPRIATIONS - TRANSPORTATION

Thursday, May 3, 2001, 8:30 am. Hearing Room 3.
CANCELLED.

APPROPRIATIONS - TRANSPORTATION

Wednesday, May 9, 2001, 8:30 am. Hearing Room 7.
MODOT presentation.

CHILDREN, FAMILIES, AND HEALTH

Thursday, May 3, 2001, 8:30 am. Hearing Room 2.
Executive Session.

COMMERCE AND ECONOMIC DEVELOPMENT

Thursday, May 3, 2001. Side gallery upon adjournment.
Executive Session.
CANCELLED.

To be considered - SB 617

CONFERENCE COMMITTEE - APPROPRIATIONS

Thursday, May 3, 2001, 8:00 am. Hearing Room 3.

House Bills 2 through 12.

CONFERENCE COMMITTEE - APPROPRIATIONS

Thursday, May 3, 2001. Hearing Room 3 upon adjournment.

House Bills 2 through 12.

ENVIRONMENT AND ENERGY

Thursday, May 3, 2001, 9:00 am. Hearing Room 7.

Executive Session may follow.

To be considered - HCR 33, SCR 28

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Thursday, May 3, 2001, 1:00 pm. Senate Lounge.

Committee will meet at 1:00 pm or upon adjournment of both houses.

Rule # 13CSR 70-20.050, 20CSR 500.6.700

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Monday, May 14, 2001, 9:30 am. Hearing Room 1.

Time subject to change with legislative schedule.

Quarterly business release of Oversight reports.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Tuesday, May 8, 2001, 9:00 am. Hearing Room 1.

Second quarter meeting. AMENDED.

JUDICIARY

Tuesday, May 8, 2001. Hearing Room 5 upon morning adjournment.

Executive Session to follow.

To be considered - SB 128, SB 258

LOCAL GOVERNMENT AND RELATED MATTERS

Thursday, May 3, 2001, 9:30 am. Side gallery.

Executive Session.

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, May 8, 2001. Side gallery upon morning adjournment.

Executive Session.

SPECIAL COMMITTEE ON REDISTRICTING

Thursday, May 3, 2001, 8:30 am. Hearing Room 5.

Discussion of plans.

Possible Executive Session.

URBAN AFFAIRS

Tuesday, May 8, 2001. Side gallery upon morning adjournment.

Executive Session. Reconsideration.

To be considered - HB 963

UTILITIES REGULATION

Thursday, May 3, 2001, 8:15 am. Hearing Room 6.

Executive Session may follow.

HOUSE CALENDAR

SIXTY-SEVENTH DAY, THURSDAY, MAY 3, 2001

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 34

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 15 & 13 - Crawford

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 457, HA 2, as amended, tabled - Kreider
- 2 HCS HB 593 - Riback Wilson (25)
- 3 HCS HB 239 - Smith
- 4 HB 802 - Ransdall
- 5 HCS HB 374 - Fraser
- 6 HCS HB 635 - Barry
- 7 HCS HB 868 - Merideth
- 8 HCS HB 253 - Ross
- 9 HB 809, HCA 1 - Carnahan
- 10 HCS HB 340, 303 & 316 - Graham
- 11 HB 640 - Johnson (90)
- 12 HCS HB 723 - Mays (50)
- 13 HCS HB 117 - Riback Wilson (25)
- 14 HCS HB 307 - Wiggins
- 15 HCS HB 921 - Curls
- 16 HB 911 - Carnahan
- 17 HCS HB 511 - Johnson (90)

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HCS HB 853 & 258 - Crump
- 3 HCS HB 186 & 172 - Troupe
- 4 HCS HB 888, 942 & 943 - Scheve
- 5 HCS HB 472 - Burton
- 6 HCS HB 293 - Kennedy
- 7 HCS HB 663 & 375 - Kennedy
- 8 HCS HB 170 - Froelker

HOUSE BILLS FOR THIRD READING

- 1 HB 527, (Fiscal Review 4-19-01) - Luetkenhaus
- 2 HS HB 286, E.C. - Smith
- 3 HS HB 715, (Fiscal Review 5-2-01) - Foley

SENATE BILLS FOR SECOND READING

- 1 SS SCS SB 27
- 2 SCS SB 42 & 108
- 3 SS SCS SB 375
- 4 SCS SB 387
- 5 SS SCS SB 510, 512 & 133
- 6 SCS SB 578

SENATE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 SCR 23 - Bonner
- 2 SCR 27 - Hagan-Harrell
- 3 SCR 3 - Dempsey
- 4 SCR 18 - Mays (50)

SENATE JOINT RESOLUTION FOR THIRD READING

SS SCS SJR 1 & 4, (Fiscal Review 5-2-01) - O'Toole

SENATE BILLS FOR THIRD READING - CONSENT

- 1 HCS SB 130 - Barry
- 2 SCS SB 514 - Hosmer
- 3 SB 353, HCA 1 - Shields
- 4 HCS SB 274 - Harlan
- 5 HCS SCS SB 568 - Davis
- 6 SB 451 - Mays (50)

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- 7 SCS SB 352 - Lawson
- 8 HCS SCS SB 178 - Hoppe
- 9 HCS SB 345 - Holt
- 10 HCS SCS SB 515 - Kennedy
- 11 SCS SB 407 - Hilgemann
- 12 SB 540 - Levin
- 13 HCS SCS SB 619, E.C. - Hoppe
- 14 SB 201 - Farnen
- 15 SB 58 - Wagner
- 16 SB 303 - Relford
- 17 HCS SB 610 - Hoppe
- 18 SCS SB 13 - Ross
- 19 HCS SB 543 - Britt
- 20 SB 556 - Hoppe
- 21 SB 575 - Davis
- 22 HCS SB 304 - Monaco
- 23 SB 406 - Scott
- 24 SCS SB 197 - Luetkenhaus
- 25 SB 148 - Seigfreid
- 26 HCS SB 307 - Froelker
- 27 HCS SB 348 - Barry
- 28 HCS SB 538 - Luetkemeyer

SENATE BILLS FOR THIRD READING

- 1 HCS SB 371 - O'Toole
- 2 HCS SB 462, as amended, HA 8, pending, E.C. - Legan
- 3 HCS SB 125 - Hoppe
- 4 HCS SB 86 - Scott
- 5 HCS SB 319, E.C. - Johnson (61)
- 6 HCS SB 460 - Kennedy
- 7 HCS SB 72 - Smith
- 8 HCS SCS SB 5 & 21 - Kreider
- 9 HCS SCS SB 236, E.C.(Fiscal Review 5-2-01) - Ladd Baker
- 10 SB 123 - Hampton
- 11 SB 416 - Wagner
- 12 SB 500 - Rizzo
- 13 SB 370, HCA 1 - Smith
- 14 SCS SB 290 - Rizzo
- 15 HCS SCS SB 486 & SB 422 - Hoppe
- 16 HCS SS SB 244 - Koller
- 17 HCS SB 365 - Overschmidt

- 18 HCS SCS SB 591 - Hoppe
- 19 HCS SCS SB 617 - Rizzo

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HB 459, E.C. - Liese
- 2 HB 955, SCA 1 - Green (73)
- 3 SCS HB 808 & HB 951, as amended - Smith

BILLS CARRYING REQUEST MESSAGES

- 1 HCS SCS SB 151, (request House recede/grant conf/conferees exceed differences) - Gaskill
- 2 SS SCS SB 476, 427 & 62, (request House to return to Senate) -

BILLS IN CONFERENCE

- 1 SCS HCS HB 2 - Green (73)
- 2 SCS HCS HB 3 - Green (73)
- 3 SCS HCS HB 4 - Green (73)
- 4 SCS HCS HB 5 - Green (73)
- 5 SCS HCS HB 6, as amended - Green (73)
- 6 SCS HCS HB 7 - Green (73)
- 7 SCS HCS HB 8 - Green (73)
- 8 SCS HCS HB 9 - Green (73)
- 9 SCS HCS HB 10, as amended - Green (73)
- 10 SCS HCS HB 11, as amended - Green (73)
- 11 SCS HCS HB 12 - Green (73)
- 12 SCS HCS HB 13 - Green (73)
- 13 SCS HCS HB 18, as amended - Green (73)
- 14 SCS HCS HB 19 - Green (73)
- 15 SCS HB 491 - George

HOUSE RESOLUTION

HR 229 - Crawford

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

SIXTY-SEVENTH DAY, THURSDAY, MAY 3, 2001

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

O Lord, we pray for Your wisdom and guidance upon the members of this House and those who lead it. They carry heavy responsibilities for insuring justice and fair play in our state, for all our people.

Keep their conscience strong and forceful; keep their respect for their calling alive; and keep their patience in good working order.

To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Charlie Garber, Destinee Parris, Bonnie Cohee and Ben King.

The Journal of the sixty-sixth day was approved as corrected.

RESOLUTION

Representative Davis offered House Resolution No. 1868.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1853	-	Representative Luetkemeyer
House Resolution No. 1854		
through		
House Resolution No. 1859	-	Representative Secrest
House Resolution No. 1860	-	Representative Burton
House Resolution No. 1861	-	Representatives Burton and Secrest
House Resolution No. 1862		
and		
House Resolution No. 1863	-	Representative Davis
House Resolution No. 1864	-	Representatives Johnson (90) and Skaggs
House Resolution No. 1865	-	Representative Johnson (90)

House Resolution No. 1866
and
House Resolution No. 1867 - Representative Miller
House Resolution No. 1869
and
House Resolution No. 1870 - Representative Behnen
House Resolution No. 1871 - Representative Cooper
House Resolution No. 1872
through
House Resolution No. 1877 - Representative Wiggins
House Resolution No. 1878
and
House Resolution No. 1879 - Representative Abel
House Resolution No. 1880 - Representative Black
House Resolution No. 1881 - Representative Bartelsmeyer
House Resolution No. 1882
and
House Resolution No. 1883 - Representative Haywood
House Resolution No. 1884 - Representative Murphy
House Resolution No. 1885 - Representative Boatright
House Resolution No. 1886 - Representative Berkowitz
House Resolution No. 1887 - Representative Berkstresser
House Resolution No. 1888 - Representative Legan
House Resolution No. 1889 - Representative Kreider
House Resolution No. 1890 - Representative Barnitz
House Resolution No. 1891
and
House Resolution No. 1892 - Representative Barry
House Resolution No. 1893 - Representative Scott

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 34 was read the second time.

SECOND READING OF SENATE BILLS

SS SCS SB 27, SCS SBs 42 & 108, SS SCS SB 375, SCS SB 387, SS SCS SBs 510, 512 & 133 and SCS SB 578 were read the second time.

BILL CARRYING REQUEST MESSAGE

Representative Crump moved that the House return **SS SCS SBs 476, 427 & 62** to the Senate for correction and repassage.

Which motion was adopted.

HOUSE BILL WITH SENATE AMENDMENTS

SCS HB 808 & HB 951, as amended, relating to conveyance in Cole County, was taken up by Representative Gratz.

On motion of Representative Gratz, **SCS HB 808 & HB 951, as amended**, was adopted by the following vote:

AYES: 147

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kennedy	King
Koller	Legan	Levin	Liese	Linton
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Boykins	Byrd	Harlan	Haywood	Hohulin
Kelly 36	Lawson	Lograsso	Long	Naeger
Shields	Townley	Wiggins		

VACANCIES: 003

On motion of Representative Gratz, **SCS HB 808 & HB 951, as amended**, was truly agreed to and finally passed by the following vote:

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AYES: 148

Abel	Baker	Ballard	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Barnett	Berkstresser	Boykins	Franklin	Harlan
Hohulin	Lograsso	Long	Miller	Townley
Wiggins	Williams			

VACANCIES: 003

Speaker Kreider declared the bill passed.

THIRD READING OF SENATE BILL

HCS SB 462, as amended, with House Amendment No. 8, pending, relating to agriculture, was taken up by Representative Legan.

Representative Smith assumed the Chair.

Representative Marble offered **House Amendment No. 1 to House Amendment No. 8.**

House Amendment No. 1
to
House Amendment No. 8

AMEND House Amendment No. 8 to House Committee Substitute for Senate Bill No. 462, Page 1, Section 281.260, Line 12, by removing the bracket around the word “fifteen” and removing the new language of one-hundred.

Representative Marble moved that **House Amendment No. 1 to House Amendment No. 8** be adopted.

Which motion was defeated by the following vote:

AYES: 072

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Champion	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Dolan	Enz
Fares	Froelker	Gaskill	Griesheimer	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Holt	Hunter	Kelley 47	Kelly 144
King	Legan	Levin	Linton	Lograsso
Long	Luetkemeyer	Marble	Marsh	May 149
Mayer	Miller	Moore	Murphy	Naeger
Nordwald	Ostmann	Phillips	Portwood	Purgason
Rector	Reid	Reinhart	Richardson	Ridgeway
Roark	Robirds	Ross	Schwab	Scott
Secrest	Shields	St. Onge	Surface	Townley
Vogel	Wright			

NOES: 085

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Haywood	Hickey	Hilgemann	Hollingsworth	Hoppe
Hosmer	Jetton	Johnson 90	Jolly	Kelly 27
Kelly 36	Kennedy	Koller	Lawson	Liese
Lowe	Luetkenhaus	Mays 50	McKenna	Merideth
Monaco	Myers	O'Connor	O'Toole	Overschmidt
Ransdall	Relford	Reynolds	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Thompson	Treadway	Troupe	Van Zandt
Villa	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

PRESENT: 002

Byrd Johnson 61

ABSENT WITH LEAVE: 001

Harlan

VACANCIES: 003

On motion of Representative Shoemyer, **House Amendment No. 8** was adopted.

Representative Crump offered **House Amendment No. 9**.

Representative Hohulin raised a point of order that **House Amendment No. 9** is not germane to the bill.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Richardson offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Bill No. 462, Page 27, Section 578.008, Line 5, by inserting after all of said line the following:

"Section 1. Notwithstanding any law to the contrary, all Missouri landowners retain the right to have, use, and own private water systems and ground source systems anytime and anywhere including land within city limits, unless prohibited by city ordinance, on their own property so long as all applicable rules and regulations established by the Missouri department of natural resources are satisfied. All Missouri landowners who choose to use their own private water system shall not be forced to purchase water from any other water source system servicing their community."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Richardson, **House Amendment No. 9** was adopted.

Representative Ransdall offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Bill No. 462, Page 17, Section 278.300, Line 9, by inserting immediately after said line the following:

"322.010. For the purpose of sections 322.010 to [322.080] **322.145**, the following words and following phrases shall be considered and held to mean the following:

(1) "Affected with rabies" [shall mean when manifesting the principal characteristic symptoms of rabies as described in the standard textbooks treating upon the diseases of domestic animals], **infected with the rabies virus as determined by standard laboratory testing;**

(2) "Exposed to rabies" [shall mean], when bitten by, or fought with, or has come in close contact with a dog [showing symptoms of rabies] **or other animal shown to be infected with the rabies virus as determined by standard laboratory testing;**

(3) "Immunized" [shall mean], immunized against rabies at the expense of the owner or custodian by the administration of antirabic virus by a licensed veterinarian; [and]

(4) "Rabies" [shall mean], hydrophobia; **and**

(5) **"Zoonotic disease", a dangerous disease communicable from animals to humans as determined by**

the department of health.

322.140. 1. If a county does not adopt rules and regulations pursuant to sections 322.090 to 322.130, whenever an animal bites or otherwise possibly transmits rabies or any zoonotic disease, the incident shall be immediately reported to the county health department. The county health department shall immediately report the incident to the department of health and shall cooperate fully with the department of health in its investigation.

2. Upon receipt of an incident report where an animal bites or otherwise possibly transmits rabies or any zoonotic disease, the department of health shall investigate the incident and shall have discretion to order the animal quarantined, isolated, impounded, tested, immunized or disposed of to prevent and control rabies or zoonotic disease.

3. With regard to exposure to rabies or zoonotic disease the department of health shall, in its investigation and issuance of its order, consider the following:

- (1) Prior vaccinations for rabies or zoonotic disease;
- (2) The degree of exposure to rabies or zoonotic disease;
- (3) The history and prior behavior of the animal prior to exposure;
- (4) The availability and effectiveness of human post-exposure immunization for rabies or zoonotic disease;

- (5) The willingness of the individual so exposed to submit to post-exposure immunization for rabies or zoonotic disease; and

- (6) Any other relevant information.

4. It shall be unlawful for the owner of an animal that bites or otherwise possibly transmits rabies or any zoonotic disease to knowingly fail or refuse to comply with a lawful order of the department of health declaring a quarantine, isolation, impounding, testing, immunization or disposal of an animal. It shall also be unlawful for an owner of an animal that bites or otherwise possibly transmits rabies or any zoonotic disease to sell, give away, transfer, transport to another area or otherwise dispose of an animal until the animal has been released by the department of health. A violation of this subsection shall be a class A misdemeanor.

5. The owner of an animal that bites or otherwise possibly transmits rabies or any zoonotic disease shall be responsible for all costs associated with the department of health's investigation of the incident, including but not limited to:

- (1) The cost to quarantine, isolate, impound, immunize or dispose of the animal;
- (2) The cost to test the animal for rabies or zoonotic disease;
- (3) The cost to test the exposed person for rabies or zoonotic disease; and
- (4) The cost to treat the person exposed to rabies or zoonotic disease.

6. The department of health shall have authority to promulgate rules and regulations concerning the classification of disease as a zoonotic disease pursuant to subdivision (5) of section 322.010 and concerning the payment of costs associated with the department of health's investigation of the incident pursuant to subsection 5 of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void.

7. Any moneys collected pursuant to subsection 5 of this section for costs associated with the department of health's investigation of the incident shall be collected by the department of health, who shall transmit them to the department of revenue for deposit in the state treasury to the credit of the Missouri public health services fund.

322.145. The owner of an animal that is known to have bitten or otherwise possibly transmitted rabies or any zoonotic disease shall be liable to an injured party for all damages done by the animal."; and

Further amend said bill, page 27, section 578.008, line 5, by inserting immediately after said line the following:

"578.012. 1. A person is guilty of animal abuse when a person:

- (1) Intentionally or purposely kills an animal in any manner not allowed by or expressly exempted from the

provisions of sections 578.005 to 578.023 and 273.030, RSMo;

(2) Purposely or intentionally causes injury or suffering to an animal; or

(3) Having ownership or custody of an animal knowingly fails to provide adequate care or adequate control.

2. Animal abuse is a class A misdemeanor, unless the defendant has previously plead guilty to or has been found guilty of animal abuse or the suffering involved in subdivision (2) of subsection 1 of this section is the result of torture or mutilation, or both, consciously inflicted while the animal was alive, in which case it is a class D felony.

[3. For purposes of this section, "animal" shall be defined as a mammal.]

578.023. 1. No person may keep any lion, tiger, leopard, ocelot, jaguar, cheetah, margay, mountain lion, Canada lynx, bobcat, jaguarundi, hyena, wolf, **bear, nonhuman primate**, [or] coyote, [or] any deadly, dangerous, or poisonous reptile, **or any deadly or dangerous reptile over eight feet long**, in any place other than a properly maintained zoological park, circus, scientific, or educational institution, research laboratory, veterinary hospital, or animal refuge, unless such person has registered such animals with the local law enforcement agency in the county in which the animal is kept.

2. Any person violating the provisions of this section shall be guilty of a class C misdemeanor."; and

Further amend the title and enacting clause accordingly.

On motion of Representative Ransdall, **House Amendment No. 10** was adopted.

Representative Ridgeway offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute for Senate Bill No. 462, Page 7, Section 262.800, Line 73, by deleting Lines 73, 74 and 75, and inserting in lieu thereof the following:

"tract of land until any improvement on such property is connected to the rural water supply district. At the time such connection is made, the provisions of the farmland protection act shall apply."; and

Further amend said bill, Page 8, Line 15, by adding after the word "**property**" the following:

"These activities and conditions may already be regulated by state, federal or local law and nothing herein is meant to exempt such property from any such laws or regulations but is simply notification to purchasers that living in a rural environment does not mean you will live in an environment free of conditions you find irritating, dangerous, or unpleasant."

On motion of Representative Ridgeway, **House Amendment No. 11** was adopted.

Representative Myers offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Committee Substitute for Senate Bill No. 462, Page 9, Section 274.060, Line 27, by inserting after all of said line the following:

"278.080. 1. There is hereby established "The State Soil and Water Districts Commission" to administer for this state the soil and water conservation districts provided for by sections 278.060 to 278.300. The state soil and water districts commission shall formulate policies and general programs for the saving of Missouri soil and water by the soil and water conservation districts, and shall give consideration to the districts' needs based on their character; it shall receive and allocate or otherwise expend for the use or benefit of the soil and water conservation districts any funds appropriated by the general assembly for the use or benefit of such districts, including a soil and water conservation cost-share program; it shall receive and properly convey to the soil and water conservation districts any other form of

aid extended to such districts by any other agency of this state, except that any money or other form of aid raised or provided within a soil and water district for the use or benefit of that soil and water district shall be received and administered by the governing body of that soil and water district; it shall exercise other authority conferred upon it and perform other duties assigned to it by sections 278.060 to 278.300; and it shall be the administrative agency to represent this state in these and all other matters arising from the provisions of sections 278.060 to 278.300.

2. The state soil and water districts commission shall be composed of four ex officio members and six farmer members. The six farmer members shall be appointed by the governor of Missouri with the advice and consent of the senate. Three of the farmer members shall reside in the portion of this state which is north of the Missouri River and three of the farmer members shall reside in the portion of this state which is south of the Missouri River. The membership shall be geographically dispersed with no more than one of the farmer members appointed from a state senatorial district. Not more than four of the farmer members shall be from the same political party. The ex officio members shall be the director of the department of natural resources, the director of the department of agriculture, the director of the department of conservation, and the dean of the college of agriculture of the University of Missouri. Each of the six farmer members shall be holding legal title to a farm, and shall be earning at least the principal part of the member's livelihood from a farm, all at the time of appointment to the commission. The farmer members shall each be appointed for a period of three years. All members of the commission serving as of June 27, 2000, may continue to serve the unexpired portion of the member's current term. There is no limitation on the number of terms that any of the farmer members appointed by the governor may serve. If any farmer member vacates his or her term for any reason prior to the expiration of such term, the governor may appoint a farmer member to serve for the remainder of the unexpired term. Each member of the commission shall continue to serve until the member's successor has been duly appointed and qualified.

3. The state soil and water districts commission may call upon the attorney general of the state for such legal services as it may require.

4. At its first meeting in each calendar year, the state soil and water districts commission shall select from its current members a chairman and a vice chairman. The ex officio members shall not have the power to vote on any matter before the commission. A quorum shall consist of four farmer members. For the determination of any matter within the commission's authority, at a meeting comprised of four farmer members, a concurrence of three shall be required. No business of the commission shall be executed in absence of a quorum. Each farmer member of the soil and water commission shall be entitled to expenses, including travel expenses, necessarily incurred in the discharge of his or her duties as a member of this commission. The state soil and water districts commission shall provide for the execution of surety bonds for all of its employees and officers who shall be entrusted with funds or property; shall provide for the keeping of a full and accurate record of all its proceedings and of all its resolutions, regulations, and orders issued or adopted; and shall provide for an annual audit of all its accounts of receipts and disbursements.

5. In addition to the authority and duty herein assigned to the state soil and water districts commission, it shall have the following authority and duty:

(1) To encourage the formation of soil and water conservation districts in areas where their establishment seems necessary and their administration seems feasible;

(2) To formulate and fix the rules and procedures for fair and impartial referendums on the establishing or disestablishment of soil and water districts and for fair and impartial selection of soil and water district supervisors;

(3) To receive petitions for the establishing of soil and water conservation districts as provided in section 278.100; to determine the validity of these petitions; to conduct hearings upon the subject of these petitions; to determine whether the establishment of a soil and water district as petitioned would be effective in the saving of soil and water within the proposed area, and whether a soil and water district if established could be feasibly administered; and, upon reaching a favorable conclusion on these matters, to call for a referendum on the establishing of the soil and water district as petitioned;

(4) To advise any soil and water conservation district in developing its program for saving the soil and water in order that such district may become eligible for any form of aid from state or federal sources;

(5) Subject to district allocations by the commission and other resources, to provide training, programs and other assistance to soil and water conservation districts to identify programs that respond to the character of the districts' needs;

(6) To obtain or accept the cooperation and financial, technical or material assistance of the United States or any of its agencies, and of this state or any of its agencies, for the work of such soil and water districts;

(7) To enter into agreements with the United States or any of its agencies on policies and general programs for the saving of Missouri soil and water by the extension of federal aid to any soil and water conservation district; to advise

any soil and water conservation district; to advise any soil and water conservation district on the amount or kind of federal aid needed for the effective saving of soil and water in that district; to determine within the limits of available funds or other resources the amount or kind of state aid to be used for saving of soil and water in any soil and water conservation district; and to determine the withholding of state aid of any amount or kind from any soil and water conservation district that has failed to follow the policies of the state soil and water districts commission in any matter under the provisions of sections 278.060 to 278.300;

(8) To give such other proper assistance as the soil and water commission may judge to be useful to any soil and water district in the saving of soil and water in that district;

(9) To promulgate such rules and regulations as may be necessary to effectively administer a state-funded soil and water conservation cost-share program. Any rule or portion of a rule promulgated under the authority of sections 278.060 to 278.300 shall become effective only if it has been promulgated pursuant to the provisions of chapter 536, RSMo.

6. Unless prohibited by any federal or state law, the commission may grant individual variances to any rule or regulation promulgated thereto, upon presentation of adequate proof, that compliance with sections 278.070 to 278.300, or any rule or regulation, standard, requirement, limitation or order of the commission will have an arbitrary and unreasonable impact on landowners participating in soil and water conservation eligible practices. The commission shall promulgate such rules, regulations and administrative guidelines as necessary to effectively administer this section."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Myers, **House Amendment No. 12** was adopted.

Representative Ballard offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Committee Substitute for Senate Bill No. 462, Page 27, Section 578.008, Line 6, by adding a new section as follows:

"281.087. Notice of the application of any insecticide or herbicide in or around a governmental building shall be conspicuously posted in such building forty-eight hours prior to and forty-eight hours after such application. The application of insecticides or herbicides in or around governmental buildings shall, whenever possible, be conducted after normal business hours at night or on the weekend to reduce the number of persons present in the building during such application."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Ballard moved that **House Amendment No. 13** be adopted.

Which motion was defeated.

Representative Black offered **House Amendment No. 14**.

House Amendment No. 14

AMEND House Committee Substitute for Senate Bill No. 462, Page 10, Section 278.240, Line 7, by deleting all of said line and inserting in lieu thereof the following:

"2. Five [persons] **landowners** living within the [subdistrict] **watershed district** shall be"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Black, **House Amendment No. 14** was adopted.

Representative Jetton offered **House Amendment No. 15**.

Representative Clayton raised a point of order that **House Amendment No. 15** goes beyond the scope and is not germane to the bill.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Cooper offered **House Amendment No. 15**.

House Amendment No. 15

AMEND House Committee Substitute for Senate Bill No. 462, Page 27, Section 578.008, Line 6, by inserting the following:

“3. It shall be a defense to the crime of spreading disease to livestock or animals if such spreading is consistent with medically recognized therapeutic procedures.”.

On motion of Representative Cooper, **House Amendment No. 15** was adopted.

Representative Shoemyer offered **House Amendment No. 16**.

House Amendment No. 16

AMEND House Committee Substitute for Senate Bill No. 462, Page 5, Section 252.333, Line 4, by inserting after all of said line the following:

"262.750. As used in sections 262.750 to 262.762 the following terms shall mean:

(1) "Breimyer center", the Breimyer center for sustainable food and farming systems established by section 262.753;

(2) "Sustainable family farm agriculture", a system of agriculture based on family owned and operated farms that can be sustained from one generation to the next by respecting the natural resource base of farming, encouraging the vitality of local rural communities and providing family farmers with an economic livelihood.

262.753. 1. The "Breimyer Center for Sustainable Food and Farming Systems" is hereby created as a type II entity, as defined in the Reorganization Act of 1974, within the Missouri department of agriculture. It shall be the purpose of the Breimyer center to assist family farms as defined in section 350.010, RSMo, by promoting sustainable family farm agriculture in Missouri. The Breimyer center will provide assistance, including but not limited to, the following:

(1) To promote an understanding and advocacy for sustainable family farm agriculture, including public policies, research, technologies, market opportunities and community resources required for such agriculture, among farmers, food retailers, governmental agencies, universities and colleges, business, not for profit organizations and the general public through education and extension programs, public outreach and other means;

(2) To review, act as a liaison and advocate the interests of family farmers and sustainable family farm agriculture in federal, state and local laws, regulations and ordinances related to food quality and safety, agriculture, environmental protection and community economic development;

(3) To support, sponsor and advocate research in the area of sustainable family farm agriculture, including but not limited to, the provision of sustainable agriculture demonstration grants to family farms which

adopt sustainable farming practices and technologies for demonstration to others;

(4) To promote rural economic development that will enhance sustainable family farm agriculture in Missouri; and to review, and comment economic development programs initiated by the Missouri department of economic development;

(5) To promote natural resource and conservation policies that will enhance sustainable family farm agriculture in Missouri and to review and comment upon the applicability of environmental regulations proposed by the federal Environmental Protection Agency, the Missouri department of natural resources or others;

(6) To promote agricultural programs that will enhance sustainable family farm agriculture and to review and comment upon the applicability of regulations and programs proposed by the United States Department of Agriculture and the Missouri department of agriculture;

(7) To promote agricultural research and technical assistance that will enhance sustainable family farm agriculture and to review and comment upon food and agricultural research undertaken by the University of Missouri-Columbia or others;

(8) To develop programs, policies, initiatives and projects that enhance sustainable family farm agriculture;

(9) To assist in any other legitimate purpose deemed necessary by the council to protect, sustain, enhance and expand Missouri's sustainable family farm agriculture;

(10) To keep farmers, consumers and others apprised of all proposed statutes, rules and regulations at the state and federal levels, assess their potential economic, ecological and social impacts on Missouri's farms, rural communities and on the viability of local and regional food systems;

(11) To provide necessary legal information for individuals or groups to challenge existing or proposed statutes, rules and regulations:

(a) Which unnecessarily restrict the economic viability of small, diversified family farms while providing negligible benefits, environmental or social benefits;

(b) Which fail to protect environmental and social interests from exploitation by large-scale, corporate agriculture; and

(c) Which are necessary to ensure the sustainability of local and regional food systems.

2. When the council determines that it is necessary to challenge original actions at the federal or state level, the Breimyer center shall adhere to the following procedure:

(1) Attempt to resolve the action or dispute through informal negotiations;

(2) Utilize informal or formal dispute resolution procedures; and

(3) Exhaust administrative remedies including testifying before the joint committee on administrative rules.

The council shall have discretion to review or challenge or refrain from reviewing or challenging the sustainable or family farm interests in any proceeding. The council shall consider, in exercising its discretion, the importance and the extent of the sustainable or family farm interests involved and whether that interest would be adequately represented without the action of its office.

262.756. There shall be an executive director of the Breimyer center, within the limits of the appropriations and other funding sources, to carry out the mission and purpose of the Breimyer center. At least one of the staff shall be an attorney licensed to practice in Missouri and other jurisdictions deemed necessary by the council. The executive director and staff will be employed solely for the purpose of providing advocacy for the economic, social and natural resource sustainability of Missouri's family farmers and for other legitimate purposes deemed necessary by the council in order to provide the assistance set forth in section 262.753. The Breimyer center may be housed primarily at the University of Missouri-Columbia.

262.759. 1. The "Breimyer Center for Sustainable Food and Farming Systems Council" is created and shall consist of the director of the department of agriculture or his or her designee, the director of the department of economic development or his or her designee, the director of the department of natural resources or his or her designee, the dean of the University of Missouri-Columbia school of law or his or her designee, the dean of the University of Missouri-Columbia college of agriculture, food and natural resources or his or her designee, the chairperson of the University of Missouri-Columbia department of rural sociology or his or her designee, and six persons actively engaged in sustainable family farm agriculture that represent family farm, organic or sustainable agriculture organizations that openly advocate and support sustainable family farm agriculture which shall be appointed by the governor with the advice and consent of the senate.

2. The initial terms of appointment for the members of the council appointed by the governor shall be as follows: two members shall be appointed for a term of one year, two members shall be appointed to terms of two years and two members shall be appointed for terms of two years. After the expiration of the initial members' terms, all appointments shall be for a term of six years, except that any member appointed to fill a vacancy of an unexpired term shall be appointed for the remainder of such term. Not more than one-half of the council members appointed by the governor shall be from the same political party.

3. The executive council consist of the president, vice-president, secretary, immediate past president and the director of the department of agriculture or his or her designee.

262.762. 1. The council shall establish its own procedures and requirements with respect to quorum, place and conduct of its meetings and other matters. The council shall meet at least four times each year and shall hold meetings when called by the president, or, in the absence of the president, by the vice- president, or upon the request of the director of the department of agriculture, or upon the written request of five members of the council, or upon the written request of three members of the executive council. The executive council may meet at times agreed upon by a majority of the executive council for the performance of duties approved by the council. The executive council shall inform the council about sustainable food and farming innovations, methods, procedures and information; local, state, and federal statutes, laws, rules, regulations, ordinances, case law, executive orders and all other sources of law which are relevant to sustainable food and farming; and all other information the executive council perceives as pertinent to sustainable food and farming. The executive council shall act to develop, present and implement through the staff of the Breimyer center the duties and responsibilities listed in section 262.753. The members of the council shall serve without compensation but shall be entitled to their actual expenses incurred in attending meetings and in the performance of their duties.

2. The council shall elect the officers by majority vote of the council and appoint the executive director of the Breimyer center, fix the conditions of his or her employment and tenure in office, in accordance with the laws of the state of Missouri, and shall be responsible for the efficient discharge of his or her duties. The executive director, with the advice and consent of the council, shall employ the persons needed to carry out the duties of the office and shall fix their compensation within the total sum of money available from appropriations, and from all other available sources, including but not limited to, federal, state, local and private grants, gifts, contributions and fees.

262.765. 1. There is hereby established in the state treasury the "Breimyer Center for Sustainable Food and Farming Institute Fund".

2. Any moneys received from sources other than appropriation by the general assembly, including from private sources, gifts, donations and grants, shall be credited to the Breimyer center sustainable food and farming institute fund and shall be appropriated by the general assembly.

3. The provisions of section 33.080, RSMo, to the contrary notwithstanding, moneys in the Breimyer center for sustainable food and farming institute fund shall not be transferred and placed to the credit of the general revenue fund."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Shoemyer moved that **House Amendment No. 16** be adopted.

Which motion was defeated.

Representative Ridgeway offered **House Amendment No. 17**.

House Amendment No. 17

AMEND House Committee Substitute for Senate Bill No. 462, Page 7, Section 262.802, Line 84-88, by deleting all of said lines; and

Further amend said bill, Page 8, Lines 89-90, by deleting all of said lines and inserting in lieu thereof the following:

“14. If a political subdivision files any action challenging the constitutionality or to have all or any portion declared null and void or for declaratory judgement of sections 262.800 to 262.810, the state shall be added as a party to any such action and the attorney general of Missouri shall defend such action. Any owner of property that is subject to the provisions of the farmland protection act shall have the right to be apprised of the status of such action. If the property owner requests separate representation in writing, the attorney general may appoint a special assistant attorney general if the property owner asserts an argument in conflict with the arguments asserted by the attorney general. Such special assistant attorney general may continue to represent the property owner for purposes of all appeals. If the political subdivision fails to prevail, whether in whole or in part, in its action, the entire cost of providing representation to the landowner, including reasonable attorney fees and costs, shall be fully reimbursed to the State of Missouri by the political subdivision.”.

On motion of Representative Ridgeway, **House Amendment No. 17** was adopted.

Representative Fraser offered **House Amendment No. 18**.

House Amendment No. 18

AMEND House Committee Substitute for Senate Bill No. 462, Page 27, Section 414.433, Line 27, by inserting after all of said line the following:

"570.033. Any person who, without lawful authority, willfully takes another's animal with the intent to deprive [him] **the other** of [his] **such** property is guilty of a class [D] **C** felony." ; and

Further amend said bill in the title and enacting clause accordingly.

Representative Purgason raised a point of order that **House Amendment No. 18** is not germane to the bill.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Fraser, **House Amendment No. 18** was adopted.

Representative Hanaway offered **House Amendment No. 19**.

House Amendment No. 19

AMEND House Committee Substitute for Senate Bill No. 462, Page 27, Section 414.433, Line 27, by inserting after all of said line the following:

"566.111. 1. For purposes of this section, the following terms mean:

- (1) **"Animal", every creature, either alive or dead, other than a human being;**
- (2) **"Sexual conduct with an animal", any touching of an animal with the genitals or any touching of the genitals or anus of an animal for the purpose of arousing or gratifying sexual desire.**

2. No person shall engage in any sexual conduct with an animal, or cause, aid or abet another person to engage in any sexual conduct with an animal. No person shall permit any sexual conduct with an animal on any premises under such person's charge or control. No person shall engage in, promote, aid or abet any activity involving any sexual conduct with an animal for commercial or recreational purposes.

3. Any person who violates this section shall be guilty of a class D felony. Any person who violates this section in the presence of a minor or causes any animal serious physical injury or death while violating or

attempting to violate this section shall be guilty of a class C felony.

4. In addition to the penalty imposed, the court may:

(1) Prohibit the defendant permanently or for a reasonable time from harboring animals or residing in any household where animals are present;

(2) Order the defendant to relinquish and permanently forfeit all animals residing in the defendant's household to a recognized or duly incorporated animal shelter or humane society, and order the defendant to reimburse such shelter or humane society for all reasonable costs incurred for the care and maintenance of the animals involved in the violation of this section; and

(3) Order psychological evaluation and counseling of the defendant, at the defendant's expense.

5. Nothing in this section shall be construed to prohibit generally accepted animal husbandry practices or generally accepted veterinary medical practices performed by a licensed veterinarian or veterinary technician.

6. Any person acting under authority of this section may seize any and all animals involved in the alleged violation. The defendant charged with violating this section shall be provided a disposition hearing pursuant to section 578.018, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hanaway, **House Amendment No. 19** was adopted.

Representative Crump moved the previous question on the adoption of **HCS SB 462, as amended.**

Which motion was adopted by the following vote:

AYES: 086

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Haywood	Hickey	Hilgemann	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Kelly 27	Kelly 36	Kennedy	Koller	Lawson
Liese	Lowe	Luetkenhaus	Mays 50	McKenna
Merideth	Monaco	O'Connor	O'Toole	Overschmidt
Ransdall	Relford	Reynolds	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Surface	Thompson	Treadway	Troupe
Van Zandt	Villa	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 069

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Dempsey	Dolan	Enz
Fares	Froelker	Gaskill	Griesheimer	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Hunter	Jetton	Kelley 47	Kelly 144

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King	Levin	Linton	Lograsso	Long
Luetkemeyer	Marble	Marsh	May 149	Mayer
Miller	Moore	Murphy	Myers	Naeger
Nordwald	Ostmann	Phillips	Portwood	Purgason
Rector	Reid	Reinhart	Ridgeway	Roark
Robirds	Ross	Schwab	Scott	Secrest
Shields	St. Onge	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 005

Cunningham	Harlan	Legan	Richardson	Townley
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VACANCIES: 003

Speaker Pro Tem Abel assumed the Chair.

On motion of Representative Legan, **HCS SB 462, as amended**, was adopted.

On motion of Representative Legan, **HCS SB 462, as amended**, was read the third time and passed by the following vote:

AYES: 147

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Jetton	Johnson 90	Jolly	Kelley 47	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 008

Boatright	Hohulin	Hunter	Kelly 144	Linton
Marble	Purgason	Rector		

PRESENT: 001

Johnson 61

ABSENT WITH LEAVE: 004

Ballard	Cunningham	Harlan	Shields
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VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 141

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Bonner
Boucher	Boykins	Bray 84	Britt	Brooks
Burcham	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Harding	Hartzler	Haywood	Hegeman	Hendrickson
Hickey	Hilgemann	Hollingsworth	Holt	Hoppe
Hosmer	Jetton	Johnson 90	Jolly	Kelley 47
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 013

Boatright	Hanaway	Henderson	Hohulin	Hunter
Kelly 144	Linton	Marble	Portwood	Purgason
Rector	Roark	St. Onge		

PRESENT: 001

Johnson 61

ABSENT WITH LEAVE: 005

Bowman Burton Cunningham Harlan Holand

VACANCIES: 003

HOUSE BILL WITH SENATE AMENDMENTS

SCS HB 459, relating to insurance liquidation, was taken up by Representative Liese.

On motion of Representative Liese, **SCS HB 459** was adopted by the following vote:

AYES: 153

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Byrd	Cunningham	Harlan	Kennedy	Murphy
Van Zandt	Wiggins			

VACANCIES: 003

On motion of Representative Liese, **SCS HB 459** was truly agreed to and finally passed by the following vote:

AYES: 154

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 002

Boatright	Hohulin
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PRESENT: 000

ABSENT WITH LEAVE: 004

Cunningham	Harlan	Surface	Wiggins
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VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 141

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Fraser	Gambara
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Troupe
Villa	Vogel	Wagner	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 011

Bartle	Froelker	Hendrickson	Hohulin	Hunter
Kelly 144	Lograsso	May 149	Portwood	Rector
Roark				

PRESENT: 000

ABSENT WITH LEAVE: 008

Boatright	Cunningham	Franklin	Harlan	Scheve
Treadway	Van Zandt	Wiggins		

VACANCIES: 003

THIRD READING OF SENATE BILLS - CONSENT

HCS SB 130, relating to liquor control, was taken up by Representative Barry.

On motion of Representative Barry, **HCS SB 130** was adopted.

On motion of Representative Barry, **HCS SB 130** was read the third time and passed by the following vote:

AYES: 110

Abel	Barnett	Barry 100	Bartelsmeyer	Bartle
Berkowitz	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Cierpiot	Clayton	Coleman	Copenhaver	Crawford
Crump	Curls	Davis	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Haywood
Hegeman	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 27	Kelly 36
Kennedy	King	Lawson	Levin	Liese
Long	Lowe	Luetkenhaus	Marsh	Mayer
McKenna	Merideth	Monaco	Moore	Murphy
Myers	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Reid	Relford	Ridgeway	Rizzo	Ross
Scheve	Schwab	Secrest	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	Thompson
Treadway	Troupe	Van Zandt	Wagner	Walton
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 044

Ballard	Barnitz	Bearden	Behnen	Berkstresser
Boatright	Champion	Cooper	Crowell	Dempsey
Dolan	Gaskill	Griesheimer	Hanaway	Hartzler
Henderson	Hohulin	Hunter	Jetton	Kelly 144
Koller	Legan	Linton	Lograsso	Luetkemeyer
Marble	May 149	Mays 50	Miller	Naeger
Rector	Reinhart	Reynolds	Richardson	Roark
Robirds	Scott	Seigfreid	St. Onge	Surface
Townley	Villa	Vogel	Ward	

PRESENT: 000

ABSENT WITH LEAVE: 006

Baker	Cunningham	Gambaro	Harlan	Wiggins
Williams				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

SCS SB 514, relating to the labeling of drugs and devices, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **SCS SB 514** was truly agreed to and finally passed by the following vote:

AYES: 151

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 001

Townley

PRESENT: 000

ABSENT WITH LEAVE: 008

Baker	Byrd	Campbell	Cunningham	Gambaro
Harlan	Wiggins	Williams		

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

SB 353, with House Committee Amendment No. 1, relating to a calculated levy for school districts, was taken up by Representative Shields.

On motion of Representative Shields, **House Committee Amendment No. 1** was adopted.

On motion of Representative Shields, **SB 353, as amended**, was read the third time and passed by the following vote:

AYES: 153

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Byrd	Campbell	Carnahan
Champion	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Ballard	Burton	Cierpiot	Cunningham	Harlan
King	Wiggins			

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HCS SCS SB 568, relating to conveyances, was taken up by Representative Davis.

On motion of Representative Davis, **HCS SCS SB 568** was adopted.

On motion of Representative Davis, **HCS SCS SB 568** was read the third time and passed by the following vote:

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AYES: 152

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Byrd	Campbell	Carnahan	Champion
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Baker	Ballard	Burton	Cierpiot	Cunningham
Harlan	Ward	Wiggins		

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

SB 451, relating to the energy set-aside program fund, was taken up by Representative Mays (50).

On motion of Representative Mays (50), **SB 451** was truly agreed to and finally passed by the following vote:

AYES: 150

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Britt	Brooks
Burcham	Byrd	Campbell	Carnahan	Champion
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reinhart
Relford	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 001

Reid

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker	Bray 84	Burton	Cierpiot	Cunningham
Harlan	Reynolds	Richardson	Wiggins	

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

SCS SB 352, relating to the capital improvements sales tax, was taken up by Representative Lawson.

On motion of Representative Lawson, **SCS SB 352** was truly agreed to and finally passed by the following vote:

AYES: 143

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Britt	Brooks	Burcham
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Curls	Davis	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambara	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Lawson	Legan	Levin	Liese
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 004

Hanaway	Hohulin	Linton	Reid
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PRESENT: 000

ABSENT WITH LEAVE: 013

Baker	Boykins	Bray 84	Burton	Cunningham
Dempsey	Dolan	Harlan	Koller	Lograsso
Reynolds	Surface	Wiggins		

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HCS SCS SB 178, relating to condominium associations, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **HCS SCS SB 178** was adopted.

On motion of Representative Hoppe, **HCS SCS SB 178** was read the third time and passed by the following vote:

AYES: 124

Abel	Baker	Barnett	Barnitz	Barry 100
Berkowitz	Berkstresser	Black	Bland	Bonner
Boucher	Boykins	Britt	Brooks	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Copenhaver	Crawford	Crump	Curls
Davis	Dolan	Enz	Farnen	Foley
Ford	Franklin	Fraser	Gambara	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Harding	Hartzler
Haywood	Hegeman	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Long
Lowe	Luetkenhaus	Marble	Marsh	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Naeger	Nordwald	O'Connor
O'Toole	Overschmidt	Portwood	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Ridgeway
Rizzo	Robirds	Ross	Scheve	Scott
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 027

Ballard	Bartelsmeyer	Bartle	Bearden	Behnen
Boatright	Burcham	Cooper	Crowell	Dempsey
Fares	Froelker	Hanaway	Henderson	Hendrickson
Hohulin	Johnson 61	King	Luetkemeyer	May 149
Myers	Ostmann	Phillips	Roark	Schwab
Secrest	Townley			

PRESENT: 000

ABSENT WITH LEAVE: 009

Bowman	Bray 84	Burton	Cunningham	Harlan
Kennedy	Purgason	Reynolds	Wiggins	

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HCS SB 345, relating to the removal of weeds, was taken up by Representative Holt.

On motion of Representative Holt, **HCS SB 345** was adopted.

On motion of Representative Holt, **HCS SB 345** was read the third time and passed by the following vote:

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AYES: 144

Abel	Ballard	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Boucher	Bowman
Boykins	Britt	Brooks	Burcham	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Curls	Davis	Dempsey	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambara	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Reid	Reinhart
Relford	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 001

Reynolds

PRESENT: 000

ABSENT WITH LEAVE: 015

Baker	Barnett	Bonner	Bray 84	Burton
Cunningham	Dolan	Harlan	Holt	Kennedy
King	Rector	Secrest	Wiggins	Williams

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HCS SCS SB 515, relating to recorders of deeds, was taken up by Representative Kennedy.

On motion of Representative Kennedy, **HCS SCS SB 515** was adopted.

On motion of Representative Kennedy, **HCS SCS SB 515** was read the third time and passed by the following vote:

AYES: 144

Abel	Barnitz	Barry 100	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Britt	Brooks	Burcham	Byrd
Campbell	Carnahan	Champion	Cierpiot	Coleman
Cooper	Copenhaver	Crawford	Crump	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Portwood
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 004

Clayton	Crowell	Jetton	Smith
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PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Ballard	Barnett	Bray 84	Burton
Cunningham	Harlan	Lograsso	Phillips	Purgason
Secrest	Wiggins			

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

SCS SB 407, relating to special license plates, was taken up by Representative Hilgemann.

On motion of Representative Hilgemann, **SCS SB 407** was truly agreed to and finally passed by the following vote:

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AYES: 147

Abel	Baker	Ballard	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Britt	Burcham	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Willoughby	Wilson 42
Wright	Mr. Speaker			

NOES: 003

Barnitz	Purgason	Wilson 25
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PRESENT: 000

ABSENT WITH LEAVE: 010

Barnett	Bray 84	Brooks	Burton	Cunningham
Froelker	Harlan	Lograsso	Wiggins	Williams

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

SB 540, relating to motor vehicle records, was taken up by Representative Levin.

On motion of Representative Levin, **SB 540** was truly agreed to and finally passed by the following vote:

AYES: 150

Abel	Ballard	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Britt	Brooks	Burcham
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Baker	Barnett	Bray 84	Burton	Cunningham
Harlan	Kelly 36	Lograsso	Wiggins	Williams

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HCS SCS SB 619, relating to ambulance service, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **HCS SCS SB 619** was adopted.

On motion of Representative Hoppe, **HCS SCS SB 619** was read the third time and passed by the following vote:

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AYES: 146

Abel	Ballard	Barry 100	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Britt	Burcham	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Copenhaver	Crawford	Crowell	Crump	Curls
Davis	Dempsey	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker	Barnett	Barnitz	Bray 84	Brooks
Burton	Cooper	Cunningham	Dolan	Enz
Harlan	Lograsso	Relford	Wiggins	

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 149

Abel	Ballard	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Britt	Brooks	Burcham
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crawford

Crowell	Crump	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 002

Hohulin Roark

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker	Barnett	Bray 84	Burton	Cunningham
Harlan	Lograsso	Relford	Wiggins	

VACANCIES: 003

SB 201, relating to lifelong learning month, was taken up by Representative Farnen.

On motion of Representative Farnen, **SB 201** was truly agreed to and finally passed by the following vote:

AYES: 125

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bearden	Berkowitz	Black	Bland	Bonner
Boucher	Bowman	Boykins	Britt	Brooks
Burcham	Byrd	Campbell	Carnahan	Champion
Clayton	Coleman	Copenhaver	Crawford	Crump
Curls	Davis	Dempsey	Dolan	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambara	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90

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Jolly	Kelley 47	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Long	Lowe	Luetkemeyer	Luetkenhaus
Marsh	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Ransdall	Relford	Reynolds	Richardson	Rizzo
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 028

Ballard	Bartle	Behnen	Berkstresser	Boatright
Cierpiot	Cooper	Crowell	Enz	Henderson
Hendrickson	Hohulin	Hunter	Jetton	Kelly 144
Linton	Marble	May 149	Naeger	Phillips
Portwood	Purgason	Rector	Reid	Reinhart
Ridgeway	Roark	Townley		

PRESENT: 000

ABSENT WITH LEAVE: 007

Baker	Bray 84	Burton	Cunningham	Harlan
Lograsso	Wiggins			

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

SB 58, relating to bird appreciation day, was taken up by Representative Wagner.

On motion of Representative Wagner, **SB 58** was truly agreed to and finally passed by the following vote:

AYES: 128

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Britt	Brooks	Campbell	Carnahan
Champion	Clayton	Coleman	Cooper	Copenhaver
Crowell	Crump	Curls	Davis	Dempsey
Dolan	Enz	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Hendrickson	Hickey
Hilgemann	Hollingsworth	Holt	Hoppe	Hosmer
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton

Long	Lowe	Luetkenhaus	Marble	Marsh
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Murphy	Naeger	Nordwald	O'Connor
O'Toole	Overschmidt	Portwood	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Rizzo
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Thompson
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 020

Bartelsmeyer	Black	Burcham	Crawford	Henderson
Hohulin	Holand	Hunter	Kelly 144	Lograsso
Luetkemeyer	May 149	Moore	Myers	Phillips
Purgason	Rector	Ridgeway	Roark	Townley

PRESENT: 002

Byrd	Fares
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ABSENT WITH LEAVE: 010

Ballard	Bray 84	Burton	Cierpiot	Cunningham
Harlan	Ostmann	Surface	Wiggins	Williams

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

SB 303, relating to school district lease purchase, was taken up by Representative Relford.

On motion of Representative Relford, **SB 303** was truly agreed to and finally passed by the following vote:

AYES: 153

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Britt	Brooks
Burcham	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin

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Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Baker	Bray 84	Burton	Cunningham	Harlan
Surface	Wiggins			

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HCS SB 610, relating to county collectors, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **HCS SB 610** was adopted.

On motion of Representative Hoppe, **HCS SB 610** was read the third time and passed by the following vote:

AYES: 150

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Britt	Brooks
Burcham	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50

McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 001

Reynolds

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker	Bray 84	Burton	Crump	Cunningham
Harlan	Lograsso	Surface	Wiggins	

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

SCS SB 13, relating to special license plates, was taken up by Representative Ross.

On motion of Representative Ross, **SCS SB 13** was truly agreed to and finally passed by the following vote:

AYES: 150

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Britt	Brooks
Burcham	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Levin	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason

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Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Baker	Bray 84	Burton	Byrd	Cunningham
Harlan	Legan	Lograsso	Surface	Wiggins

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HCS SB 543, relating to transfers of school district funds, was taken up by Representative Britt.

On motion of Representative Britt, **HCS SB 543** was adopted.

On motion of Representative Britt, **HCS SB 543** was read the third time and passed by the following vote:

AYES: 141

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Britt	Brooks
Burcham	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Curls	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Ransdall	Rector	Reid	Relford	Reynolds
Richardson	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid

Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Baker	Bray 84	Burton	Byrd	Crump
Cunningham	Davis	Franklin	Harlan	Hohulin
Hoppe	Lograsso	Purgason	Reinhart	Ridgeway
Surface	Van Zandt	Wiggins	Wright	

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

SB 556, relating to liquor license for gaming boats, was placed on the Informal Calendar.

SB 575, relating to school building report cards, was taken up by Representative Davis.

On motion of Representative Davis, **SB 575** was truly agreed to and finally passed by the following vote:

AYES: 146

Abel	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Britt	Brooks	Burcham
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith

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St. Onge	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker	Barry 100	Bray 84	Burton	Byrd
Coleman	Cunningham	Harlan	Hunter	Lograsso
Mayer	Surface	Van Zandt	Wiggins	

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

Representative McKenna assumed the Chair.

HCS SB 304, relating to the removal of corporate trustees, was taken up by Representative Monaco.

On motion of Representative Monaco, **HCS SB 304** was adopted.

Speaker Pro Tem Abel resumed the Chair.

Representative Monaco moved that **HCS SB 304** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 080

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Britt	Brooks	Campbell	Carnahan	Clayton
Coleman	Copenhaver	Crump	Curls	Davis
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	George	Graham	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Hilgemann
Hollingsworth	Holt	Hoppe	Hosmer	Johnson 61
Johnson 90	Jolly	Kelly 36	Kennedy	Koller
Lawson	Liese	Lowe	Luetkenhaus	Marsh
Mays 50	McKenna	Monaco	O'Connor	O'Toole
Overschmidt	Ransdall	Relford	Reynolds	Rizzo
Scheve	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	St. Onge	Thompson	Treadway
Troupe	Van Zandt	Wagner	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 067

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Byrd	Champion	Cierpiot	Cooper	Crawford
Dempsey	Dolan	Enz	Fares	Gaskill
Gratz	Griesheimer	Hanaway	Hartzler	Hegeman
Henderson	Hendrickson	Hohulin	Holand	Hunter
Jetton	Kelley 47	Kelly 144	Kelly 27	King
Legan	Levin	Long	Luetkemeyer	Marble
May 149	Mayer	Merideth	Miller	Moore
Myers	Naeger	Ostmann	Phillips	Portwood
Purgason	Rector	Reid	Reinhart	Richardson
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Secrest	Shields	Townley	Villa
Vogel	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 013

Bray 84	Burton	Crowell	Cunningham	Harlan
Haywood	Hickey	Linton	Lograsso	Murphy
Nordwald	Surface	Wiggins		

VACANCIES: 003

HCS SB 274, relating to county employees' retirement systems, was taken up by Representative Riback Wilson (25).

On motion of Representative Riback Wilson (25), **HCS SB 274** was adopted.

On motion of Representative Riback Wilson (25), **HCS SB 274** was read the third time and passed by the following vote:

AYES: 135

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Berkowitz	Black	Bland
Boatright	Bonner	Boucher	Bowman	Boykins
Britt	Burcham	Campbell	Champion	Cierpiot
Coleman	Cooper	Copenhaver	Crawford	Crump
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hilgemann	Holand
Hollingsworth	Holt	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	O'Connor	Ostmann	Overschmidt

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Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Relford	Reynolds	Richardson	Rizzo
Roark	Robirds	Ross	Scheve	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 003

Clayton	Hendrickson	O'Toole
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PRESENT: 004

Bartelsmeyer	Berkstresser	Brooks	Schwab
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ABSENT WITH LEAVE: 018

Baker	Behnen	Bray 84	Burton	Byrd
Carnahan	Crowell	Cunningham	Harlan	Hickey
Hohulin	Hoppe	Kelly 27	Nordwald	Reinhart
Ridgeway	Surface	Wiggins		

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

SB 406, relating to driver's license reciprocal agreements, was taken up by Representative Scott.

On motion of Representative Scott, **SB 406** was truly agreed to and finally passed by the following vote:

AYES: 133

Abel	Ballard	Barnett	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Boykins	Britt	Brooks	Burcham	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Hegeman	Henderson
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 36	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	Merideth	Miller	Moore	Murphy
Myers	Naeger	O'Connor	O'Toole	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector

Reid	Reinhart	Relford	Reynolds	Richardson
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Shelton
Shields	Skaggs	Smith	St. Onge	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 009

Barnitz	Bowman	Hendrickson	McKenna	Ostmann
Selby	Shoemyer	Walton	Ward	

PRESENT: 000

ABSENT WITH LEAVE: 018

Baker	Bray 84	Burton	Byrd	Crowell
Crump	Cunningham	Harlan	Haywood	Hickey
Hoppe	Kelly 27	Kennedy	Monaco	Nordwald
Ridgeway	Surface	Wiggins		

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

SCS SB 197, relating to fire protection equipment, was taken up by Representative Luetkenhaus.

On motion of Representative Luetkenhaus, **SCS SB 197** was truly agreed to and finally passed by the following vote:

AYES: 142

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Britt	Brooks
Burcham	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crump	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Hegeman	Henderson	Hendrickson	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Moore
Murphy	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford

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Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Thompson	Townley
Treadway	Troupe	Villa	Vogel	Wagner
Walton	Ward	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Baker	Bray 84	Burton	Byrd	Crowell
Cunningham	Harlan	Haywood	Hickey	Kelly 27
Lograsso	Monaco	Nordwald	Reynolds	Surface
Van Zandt	Wiggins	Williams		

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

SB 148, relating to effective dates for laws, was taken up by Representative Seigfreid.

Representative Seigfreid moved that **SB 148** be truly agreed to and finally passed.

Which motion was defeated by the following vote:

AYES: 066

Abel	Baker	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Britt
Brooks	Campbell	Carnahan	Clayton	Coleman
Copenhaver	Crump	Curls	Davis	Farnen
Foley	Franklin	Fraser	Gambaro	George
Graham	Green 15	Hagan-Harrell	Harding	Hendrickson
Hilgemann	Hollingsworth	Hosmer	Johnson 61	Johnson 90
Jolly	Kelly 36	Kennedy	Liese	Lowe
Mays 50	McKenna	Merideth	Monaco	Naeger
O'Connor	Overschmidt	Relford	Rizzo	Scheve
Seigfreid	Shelton	Shoemyer	Skaggs	Smith
Thompson	Treadway	Troupe	Van Zandt	Villa
Wagner	Walton	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 079

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Behnen	Berkstresser	Black	Boatright
Burcham	Byrd	Champion	Cierpiot	Cooper
Crawford	Dempsey	Dolan	Enz	Fares
Ford	Froelker	Gaskill	Gratz	Griesheimer
Hampton	Hanaway	Hartzler	Hegeman	Henderson
Hohulin	Holand	Holt	Hunter	Jetton
Kelley 47	Kelly 144	Kelly 27	King	Koller

Lawson	Legan	Levin	Lograsso	Long
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Miller	Moore	Murphy	Myers
Ostmann	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Reynolds	Richardson
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Secrest	Selby	Shields	St. Onge
Townley	Vogel	Ward	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 015

Bray 84	Burton	Crowell	Cunningham	Green 73
Harlan	Haywood	Hickey	Hoppe	Linton
Nordwald	O'Toole	Surface	Wiggins	Williams

VACANCIES: 003

HCS SB 307, relating to property taxes, was taken up by Representative Froelker.

Representative Froelker offered **House Perfecting Amendment No. 1**.

Representative Monaco raised a point of order that **House Perfecting Amendment No. 1** is not a true perfecting amendment.

The Chair ruled the point of order well taken.

On motion of Representative Froelker, **HCS SB 307** was adopted.

On motion of Representative Froelker, **HCS SB 307** was read the third time and passed by the following vote:

AYES: 117

Abel	Ballard	Barnett	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Britt	Burcham
Byrd	Campbell	Champion	Cierpiot	Coleman
Cooper	Crawford	Crump	Cunningham	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Ford	Franklin	Fraser	Froelker	Gaskill
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Hegeman
Henderson	Hilgemann	Holand	Holt	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kennedy	King
Lawson	Legan	Levin	Liese	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Moore	Murphy	Myers	Naeger
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Rector	Reinhart	Relford	Richardson
Ridgeway	Roark	Robirds	Ross	Scheve

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Schwab	Scott	Secrest	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Thompson
Townley	Troupe	Villa	Vogel	Wagner
Walton	Ward	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 022

Barnitz	Barry 100	Bowman	Boykins	Brooks
Carnahan	Clayton	Curls	Foley	Gambaro
George	Hendrickson	Hollingsworth	Koller	Monaco
O'Connor	Ransdall	Reynolds	Rizzo	Seigfreid
Selby	Treadway			

PRESENT: 000

ABSENT WITH LEAVE: 021

Baker	Boucher	Bray 84	Burton	Copenhaver
Crowell	Green 73	Harlan	Haywood	Hickey
Hohulin	Hoppe	Kelly 36	Linton	Long
Nordwald	Reid	Surface	Van Zandt	Wiggins
Williams				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HCS SB 348, relating to guardianship and adoption, was taken up by Representative Barry.

On motion of Representative Barry, **HCS SB 348** was adopted.

On motion of Representative Barry, **HCS SB 348** was read the third time and passed by the following vote:

AYES: 131

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Bland	Boatright	Bonner	Bowman
Boykins	Britt	Brooks	Burcham	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crump
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hilgemann
Holand	Hollingsworth	Holt	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Lograsso	Lowe	Luetkemeyer	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Moore	Murphy	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips

Portwood	Purgason	Ransdall	Rector	Reid
Reynolds	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walton
Ward	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 001

Reinhart

ABSENT WITH LEAVE: 028

Baker	Black	Boucher	Bray 84	Burton
Crowell	Cunningham	Foley	Ford	Green 73
Harding	Harlan	Haywood	Hickey	Hohulin
Hoppe	Linton	Long	Luetkenhaus	Monaco
Nordwald	Relford	Richardson	Ridgeway	Surface
Van Zandt	Wiggins	Williams		

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HCS SB 538, relating to mortgages and mortgage brokers, was taken up by Representative Luetkemeyer.

On motion of Representative Luetkemeyer, **HCS SB 538** was adopted.

On motion of Representative Luetkemeyer, **HCS SB 538** was read the third time and passed by the following vote:

AYES: 135

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Bowman	Boykins	Britt	Brooks	Burcham
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crump	Curls	Davis	Dempsey	Dolan
Enz	Farnen	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Hegeman	Henderson	Hendrickson
Holand	Hollingsworth	Holt	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Lograsso	Long	Lowe	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy

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Myers	Naeger	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Walton	Ward
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 001

Selby

PRESENT: 000

ABSENT WITH LEAVE: 024

Baker	Boucher	Bray 84	Burton	Crowell
Cunningham	Fares	Foley	Ford	Green 73
Harlan	Haywood	Hickey	Hilgemann	Hohulin
Hoppe	Linton	Luetkemeyer	Nordwald	Relford
Surface	Van Zandt	Wiggins	Williams	

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

MOTION

Representative Hollingsworth moved that **HB 366** be returned to the Committee on Fiscal Review and Government Reform for the purpose of the reconsideration of said bill.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like Committee from the Senate on the following bill:

SCS HB 491: Representatives George, Foley, Haywood, Luetkemeyer and Jetton

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 34 - Miscellaneous Bills & Resolutions

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SB 374 - Fiscal Review and Government Reform (Fiscal Note)
SS SCS SB 27 - Critical Issues, Consumer Protection and Housing
SCS SBs 42 & 108 - Civil and Administrative Law
SCS SB 387 - Utilities Regulation
SCS SB 578 - Miscellaneous Bills & Resolutions

COMMITTEE REPORTS

Committee on Children, Families and Health, Chairman Barry reporting:

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **SCS SB 266**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Environment and Energy, Chairman Lawson reporting:

Mr. Speaker: Your Committee on Environment and Energy, to which was referred **HCR 33**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE CONCURRENT RESOLUTION NO. 33

WHEREAS, Agramarke Quality Grains, Inc., a Missouri cooperative association, will provide economic development for the St. Joseph area; and

WHEREAS, the United States Department of Agriculture emphasizes the importance of guiding agriculture toward value-added opportunities; and

WHEREAS, agricultural producers will own 100% of the facility, provide over 110 jobs in the area, and realize between three and five million dollars per year in profits and premiums; and

WHEREAS, the facility purchase price is far below the price of new construction and will provide a new purpose for the Quaker Oats facility which has been in existence since 1926; and

WHEREAS, the United States Department of Agriculture provides many beneficial programs which will be crucial to the success of the project; and

WHEREAS, without the assistance of the United States Department of Agriculture programs, this young company may never develop; and

WHEREAS, the United States Department of Agriculture maintains a community population requirement of 50,000 for use of rural development economic incentive programs; and

WHEREAS, the city of St. Joseph remains not far above the threshold with a population of approximately 75,000:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-first General Assembly, First Regular Session, the Senate concurring therein, hereby urge the United States Department of Agriculture to grant a waiver for Agramarke Quality Grains, Inc., for development in St. Joseph, Missouri, to allow Agramarke to qualify for rural development economic incentive programs; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the President of the United States Senate, the Speaker of the United States House of Representatives, Secretary Ann M. Veneman of the United States Department of Agriculture and each member of the Missouri congressional delegation.

Mr. Speaker: Your Committee on Environment and Energy, to which was referred **SCR 28**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE CONCURRENT RESOLUTION NO. 28

WHEREAS, recent high fuel prices have alerted us to the need to improve our nation's policies on fuel production; and

WHEREAS, the Organization of Petroleum Exporting Countries (OPEC) has recently suggested that they will reduce crude oil production again in an attempt to manipulate prices; and

WHEREAS, reductions in crude oil production have resulted in sharp increases in prices for natural gas, gasoline and home heating oil; and

WHEREAS, the United States has become dangerously dependent on foreign petroleum; and

WHEREAS, Missouri consumers are experiencing higher prices at the pump and in home heating costs, and the economic stability of many areas of the state which rely on tourism may be jeopardized if the number of persons traveling to Missouri's vacation destinations is significantly reduced due to increased gasoline prices; and

WHEREAS, the trucking industry, heavily dependent on the availability and price of gasoline and diesel fuel, has been especially hard hit by the increase in fuel costs that have resulted in a significant increase in the transportation costs associated with the delivery of consumer goods throughout the state. Such an increase in cost to the trucking industry will inevitably be passed along to consumers as an increase in the price of consumer goods; and

WHEREAS, the increased petroleum fuel costs is particularly detrimental to Missouri family farmers because it comes at a time when overall market prices are low; and

WHEREAS, fuel prices could be reduced by improving energy efficiency and increasing domestic production and encouraging the development of renewable alternative fuels; and

WHEREAS, the Missouri Statewide Energy Study, completed in 1993, found that more than eighty percent of Missourians' expenditures for energy go immediately out of state without contributing further to Missouri's economy; and

WHEREAS, investment in energy efficiency creates jobs and has additional economic benefits within the Missouri economy; and

WHEREAS, energy efficiency measures reduce future energy expenditures and thereby make our state economy more energy efficient and thereby more competitive in the global economy; and

WHEREAS, tax and other incentives are useful in promoting greater energy efficiency:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-first General Assembly, First Regular Session, the Senate concurring therein, hereby urge the United States Congress to actively address the issue of energy demand and fuel prices, and take immediate actions necessary to increase energy efficiency and reduce our nation's dependency on foreign petroleum sources and boost our own economy by:

(1) Encouraging and creating incentives for energy efficiency investments that create jobs and improve Missouri's economic competitiveness; and

(2) Encouraging and creating incentives for research, development and use of alternative fuel sources, including ethanol and other fuels made from renewable materials that would not only reduce our dependency on foreign petroleum, but also have the potential to improve environmental protection and boost local economies; and

(3) Enacting reasonable measures to support the utilization of solar and other alternative fuel sources and to provide for exploration for domestic petroleum sources in a manner that does not adversely impact the environment; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Speaker of the United States House of Representatives, the President of the United States Senate and each member of the Missouri Congressional delegation.

Mr. Speaker: Your Committee on Environment and Energy, to which was referred **SCS SB 374**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Judiciary, Chairman Monaco reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 288**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Labor, Chairman Hickey reporting:

Mr. Speaker: Your Committee on Labor, to which was referred **HB 63**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Professional Registration and Licensing, Chairman Treadway reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SCS SB 393**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Public Safety, Law Enforcement and Veteran Affairs, Chairman Boucher reporting:

Mr. Speaker: Your Committee on Public Safety, Law Enforcement and Veteran Affairs, to which was referred **HB 93**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Social Services, Medicaid and the Elderly, Chairman Ladd Baker reporting:

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **SS SCS SB 48**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HS HJR 11**, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 31, 32(a) and 32(b) of article VI of the Constitution of Missouri relating to the city of St. Louis, and adopting four new sections in lieu thereof relating to the same subject.

With Senate Amendment No. 1

Senate Amendment No. 1

AMEND House Substitute for House Joint Resolution No. 11, Page 2, Section 31, Line 6, by inserting after the phrase "county charter but may" the following: "**, except for the office of circuit attorney,**".

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 78**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 84**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HBs 144 & 46**, entitled:

An act to amend chapter 221, RSMo, by adding thereto one new section relating to the release of individuals from custody.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 144 & 46, Page 1, Section A, Line 3, by inserting after all of said line the following:

"32.056. The department of revenue shall not release the home address or any other information contained in the department's motor vehicle or driver registration records regarding any person who is a county, state or federal parole officer or who is a federal pretrial officer **or who is a peace officer pursuant to section 590.100, RSMo, or a member of the parole officer's, pretrial officer's or peace officer's immediate family** based on a specific request for such information from any person. Any person who is a county, state or federal parole officer or who is a federal pretrial officer **or who is a peace officer pursuant to section 590.100, RSMo**, may notify the department of such status and the department shall protect the confidentiality of the records on such a person **and his or her immediate family** as required by this section. This section shall not prohibit the department from releasing information on a motor registration

list pursuant to section 32.055 or from releasing information on any officer who holds a class A, B or C commercial driver's license pursuant to the Motor Carrier Safety Improvement Act of 1999, as amended, 49 U.S.C. 31309.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 144 & 46, Page 2, Section 221.510, Line 29, by inserting after said line the following:

“577.020. 1. Any person who operates a motor vehicle upon the public highways of this state shall be deemed to have given consent to, subject to the provisions of sections 577.020 to 577.041, a chemical test or tests of the person's breath, blood, saliva or urine for the purpose of determining the alcohol or drug content of the person's blood pursuant to the following circumstances:

(1) If the person is arrested for any offense arising out of acts which the arresting officer had reasonable grounds to believe were committed while the person was driving a motor vehicle while in an intoxicated or drugged condition; or

(2) If the person is under the age of twenty-one, has been stopped by a law enforcement officer, and the law enforcement officer has reasonable grounds to believe that such person was driving a motor vehicle with a blood alcohol content of two-hundredths of one percent or more by weight; or

(3) If the person is under the age of twenty-one, has been stopped by a law enforcement officer, and the law enforcement officer has reasonable grounds to believe that such person has committed a violation of the traffic laws of the state, or any political subdivision of the state, and such officer has reasonable grounds to believe, after making such stop, that such person has a blood alcohol content of two-hundredths of one percent or greater; [or]

(4) If the person is under the age of twenty-one, has been stopped at a sobriety checkpoint or roadblock and the law enforcement officer has reasonable grounds to believe that such person has a blood alcohol content of two-hundredths of one percent or greater[.];

(5) If the person, while operating a motor vehicle, has been involved in a motor vehicle collision which resulted in a fatality or a readily apparent serious physical injury as defined in section 565.002, RSMo, and has been arrested as evidenced by the issuance of a Uniform Traffic Ticket for the violation of any state law or county or municipal ordinance with the exception of equipment violations contained in chapter 306, RSMo, or similar provisions contained in county or municipal ordinances; or

(6) If the person, while operating a motor vehicle, has been involved in a motor vehicle collision which resulted in a fatality.

The test shall be administered at the direction of the law enforcement officer whenever the person has been arrested or stopped for any reason.

2. The implied consent to submit to the chemical tests listed in subsection 1 of this section shall be limited to not more than two such tests arising from the same arrest, incident or charge.

3. Chemical analysis of the person's breath, blood, saliva, or urine to be considered valid pursuant to the provisions of sections 577.020 to 577.041 shall be performed according to methods approved by the state department of health by licensed medical personnel or by a person possessing a valid permit issued by the state department of health for this purpose.

4. The state department of health shall approve satisfactory techniques, devices, equipment, or methods to be considered valid pursuant to the provisions of sections 577.020 to 577.041 and shall establish standards to ascertain the qualifications and competence of individuals to conduct analyses and to issue permits which shall be subject to termination or revocation by the state department of health.

5. The person tested may have a physician, or a qualified technician, chemist, registered nurse, or other qualified person at the choosing and expense of the person to be tested, administer a test in addition to any administered at the direction of a law enforcement officer. The failure or inability to obtain an additional test by a person shall not preclude the admission of evidence relating to the test taken at the direction of a law enforcement officer.

6. Upon the request of the person who is tested, full information concerning the test shall be made available to [him] such person.

7. Any person given a chemical test of the person's breath pursuant to subsection 1 of this section or a field sobriety test may be videotaped during any such test at the direction of the law enforcement officer. Any such video recording made during the chemical test pursuant to this subsection or a field sobriety test shall be admissible as evidence at either any trial of such person for either a violation of any state law or county or municipal ordinance, or any license revocation or suspension proceeding pursuant to the provisions of chapter 302, RSMo.”.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 409**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 607**, entitled:

To repeal section 332.072, RSMo 2000, relating to dental services, and to enact in lieu thereof one new section relating to the same subject, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 796**, entitled:

An act to repeal section 196.100, RSMo 2000, relating to labeling of drugs, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 382** and has taken up and passed **HCS SCS SB 382**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SBs 476, 427 & 62**, entitled:

An act to repeal sections 28.160, 115.013, 115.027, 115.081, 115.083, 115.087, 115.089, 115.095, 115.097, 115.099, 115.101, 115.133, 115.135, 115.137, 115.151, 115.155, 115.157, 115.160, 115.162, 115.163, 115.179, 115.225, 115.233, 115.237, 115.277, 115.279, 115.283, 115.291, 115.349, 115.409, 115.417, 115.419, 115.429, 115.433, 115.439, 115.453, 115.493, 115.613, 115.619, 115.637, 162.481, 347.740, 351.127, 355.023, 356.233, 359.653, 400.9-508 and 417.018, RSMo 2000, relating to elections, and to enact in lieu thereof sixty new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 520** and has taken up and passed **HCS SCS SB 520**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 544** and has taken up and passed **HCS SB 544**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 575**, entitled:

An act to repeal sections 407.815, 407.816, 407.820, 407.822 and 407.825, RSMo 2000, and section 407.822 as Truly Agreed To and finally passed by the first regular session of the ninety-first general assembly in senate committee substitute for house bill no. 693, relating to franchise practices, and to enact in lieu thereof eighteen new sections relating to the same subject, with a delayed effective date for certain sections.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SS HCR 5**.

SENATE SUBSTITUTE
FOR
HOUSE CONCURRENT RESOLUTION NO. 5

WHEREAS, telecommunications services and energy services and sources are vital to the economic vitality and well-being of the state of Missouri; and

WHEREAS, attempts across the nation to deregulate telecommunications services and energy services and sources have met with both success and failure in the effort to create competitive markets and make available new services and customer choices; and

WHEREAS, the state and political subdivisions have imposed taxes, fees and other assessments on various telecommunications and energy services which vary widely based on locality and, within a locality, may vary widely due to increasingly related and competitive services, such as telephone and cable television; and

WHEREAS, the current nationwide effort to establish competition in the production, distribution and sale of energy, including electricity, natural gas and other energy sources has potential benefits and adverse effects on energy producers, distributors, retailers, customers and the citizens of this state; and

WHEREAS, ensuring adequate and affordable telecommunications services and energy services and sources necessitate a fair and equitable tax structure across different telecommunications and energy services and across different regions of the state; and

WHEREAS, the issue of whether governmental entities should expend public resources to compete with private telecommunications and energy entities should be explored; and

WHEREAS, recent increases in the cost of natural gas has affected home heating costs, electricity costs and energy costs for businesses and created a greater need for efficient use of energy resources; and

WHEREAS, Missouri produces little of the energy resources it consumes, resulting in a considerable export of wealth from the state to other parts of the nation and the rest of the world;

WHEREAS, a Joint Interim Committee on Telecommunications and Energy has studied several of the above-mentioned issues during the tenure of the Ninetieth General Assembly and recommends that a similar study committee be established to continue the study during the tenure of the Ninety-first General Assembly:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri Senate, Ninety-first General Assembly, First Regular Session, the House of Representatives concurring therein, that a Joint Legislative Committee on Telecommunications and Energy be created to be composed of seven members of the Senate, to be appointed by the President Pro Tem of the Senate, and seven members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, and that said committee be authorized to function throughout the Ninety-first General Assembly; and

BE IT FURTHER RESOLVED that said committee continue and expand the in-depth studies conducted by the prior Joint Interim Committee on Telecommunications and Energy and make appropriate recommendations concerning financial, legal, social, taxation, environmental, technological and economic issues of telecommunications, cable television, all Internet services, including asymmetrical digital subscriber lines (ADSL) and service via cable lines, and energy services taxation, competition between governmental entities and private telecommunication entities, and any other issues the committee deems relevant; and

BE IT FURTHER RESOLVED that said committee continue and expand the in-depth studies conducted by prior Joint Interim Committees on Telecommunications and Energy and make appropriate recommendations concerning financial, legal, social, taxation, environmental, technological and economic issues of deregulation and increasing competition in energy production, distribution and sale, including consideration of the effects on residential customers, small and large business customers, utility shareholders and other stakeholders and any other issues the committee deems relevant; and

BE IT FURTHER RESOLVED that said committee study and make appropriate recommendations concerning financial, legal, social, taxation, environmental, technological and economic issues of energy costs, energy demand management options, decentralization of energy sources, energy efficiency and any other issues the committee deems relevant;

BE IT FURTHER RESOLVED that said committee prepare an interim report, together with its recommendations for any legislative action it deems necessary for submission to the General Assembly prior to the commencement of the Second Regular Session of the Ninety-first General Assembly and a final report, together with its recommendations for any legislative action it deems necessary for submission to the General Assembly prior to the commencement of the First Regular Session of the Ninety-second General Assembly; and

BE IT FURTHER RESOLVED that said committee may solicit any input and information necessary to fulfill its obligations from the Missouri Public Service Commission, the Department of Economic Development, the Division of Energy within the Department of Natural Resources, the Office of Public Counsel, political subdivisions of this state, telecommunications and energy service providers, energy utilities and representatives of all telecommunications and energy customer groups; and

BE IT FURTHER RESOLVED that House Research, the Committee on Legislative Research, and Senate Research shall provide such legal, research, clerical, technical and bill drafting services as the committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the actual and necessary expenses of the committee, its members and any staff personnel assigned to the committee incurred in attending meetings of the committee or any subcommittee thereof shall be paid from the Joint Contingent Fund.

With Senate Amendment No. 1 and Senate Amendment No. 2

Senate Amendment No. 1

AMEND Senate Substitute for House Concurrent Resolution No. 5, Page 3, Line 25, by inserting after the word “sources,” on said line the words “**production of alternative energy**,”.

Senate Amendment No. 2

AMEND Senate Substitute for House Concurrent Resolution No. 5, Page 3, Line 20, by inserting immediately after the word “relevant” the following:

“with such studies to specifically include an analysis of (i) the existing and projected demands in this state for electric power and energy over the next ten years, and the basis for determining the projected demand; (ii) the adequacy and reliability of available and planned electric generation to serve the needs of customers in this state; (iii) permitting retail customers having load at a single premises in excess of 1 or 2 MW to utilize alternative sources of supply without adversely affecting state and municipal tax revenues; (iv) the adequacy and availability of available and planned transmission facilities used to transfer electricity into and within the state; and (v) incentives that would encourage the ongoing investment needed to ensure adequate generation and transmission capacity within the state;”; and

Further amend said Resolution, Page 4, Line 1, by inserting immediately after the word “report,” the following:

“which must at a minimum include a detailed summary of the committee’s analysis of the adequacy and reliability of available and planned electric generation and transmission capacity to serve the projected needs of customers in this state currently and over the next ten years and incentives for ongoing investment and allowing retail customers having load at a single premises in excess of 1 or 2 MW to utilize alternative sources of supply without adversely affecting state and municipal tax revenues.”; and

Further amend said Resolution, Page 4, Line 4, by inserting immediately after the word “Assembly” the following: **“but in any event no later than December 1, 2001,”**.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 3:00 p.m., Monday, May 7, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-sixth Day, Wednesday, May 2, 2001, page 1495, line 14, by deleting the name “Surface” and inserting in lieu thereof the name “Ward”.

Page 1547, line 7, by inserting immediately after said line the following:

REFERRAL OF SENATE JOINT RESOLUTION

The following Senate Joint Resolution was referred to the Committee indicated:

HCS SS SCS SJRs 1 & 4 - Fiscal Review and Government Reform (Fiscal Note)

Pages 1486 and 1487, roll call, by showing Representative Robirds voting "aye" rather than "absent with leave".

Pages 1487 and 1488, roll call, by showing Representative Crump voting "aye" rather than "absent with leave".

Pages 1488 and 1489, roll call, by showing Representative Fares voting "aye" rather than "absent with leave".

Page 1489, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Pages 1489 and 1490, roll call, by showing Representatives Crump, Kelly (27) and Reinhart voting "aye" rather than "absent with leave".

Pages 1490 and 1491, roll call, by showing Representatives Black and Crump voting "aye" rather than "absent with leave".

Pages 1491 and 1492, roll call, by showing Representative Crump voting "aye" rather than "absent with leave".

Pages 1491 and 1492, roll call, by showing Representative Froelker voting "no" rather than "absent with leave".

Pages 1492 and 1493, roll call, by showing Representatives Crump, McKenna, Naeger and Ward voting "aye" rather than "absent with leave".

Pages 1493 and 1494, roll call, by showing Representatives Barry, Sanders Brooks, Froelker and Naeger voting "aye" rather than "absent with leave".

Pages 1495 and 1496, roll call, by showing Representatives Sanders Brooks, Franklin, Hosmer and McKenna voting "aye" rather than "absent with leave".

Pages 1497 and 1498, roll call, by showing Representative Champion voting "aye" rather than "absent with leave".

Pages 1498 and 1499, roll call, by showing Representative Copenhaver voting "aye" rather than "absent with leave".

Pages 1499 and 1500, roll call, by showing Representative Franklin voting "aye" rather than "absent with leave".

Pages 1500 and 1501, roll call, by showing Representatives Campbell and Kelley (47) voting "aye" rather than "absent with leave".

Pages 1501 and 1502, roll call, by showing Representative Bartelsmeyer voting "aye" rather than "absent with leave".

Pages 1507 and 1508, roll call, by showing Representative Holt voting "aye" rather than "no".

Pages 1526 and 1527, roll call, by showing Representatives Franklin and McKenna voting "aye" rather than "absent with leave".

Pages 1526 and 1527, roll call, by showing Representatives Copenhaver and Kelly (27) voting "aye" rather than "absent with leave".

Pages 1527 and 1528, roll call, by showing Representatives Black, Campbell and Kelly (27) voting "aye" rather than "absent with leave".

Page 1536, roll call, by showing Representatives Sanders Brooks and Campbell voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

APPROPRIATIONS - TRANSPORTATION

Wednesday, May 9, 2001, 8:30 a.m. Hearing Room 7.
MODOT presentation.

CONFERENCE COMMITTEE - APPROPRIATIONS

Monday, May 7, 2001, 9:00 a.m. Hearing Room 3.
House Bills 2 through 12.
House Bills 13, 18 and 19.

FISCAL REVIEW AND GOVERNMENT REFORM

Monday, May 7, 2001. Hearing Room 5 upon evening adjournment.
Fiscal Review (Fiscal Note).
To be considered - HB 715, SB 236

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Monday, May 7, 2001, 10:00 a.m. Hearing Room 7.
13 CSR 70-20.050, 20 CSR 500-6.700.
AMENDED.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Monday, May 14, 2001, 9:30 a.m. Hearing Room 1.
Time subject to change with legislative schedule.
Quarterly business release of Oversight reports.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Tuesday, May 8, 2001, 9:00 a.m. Hearing Room 1.

Second quarter meeting.

AMENDED.

JUDICIARY

Tuesday, May 8, 2001. Hearing Room 5 upon morning adjournment.

Executive Session to follow.

To be considered - SB 128, SB 258

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, May 8, 2001. Hearing Room 1 upon morning adjournment.

Executive Session to follow.

To be considered - SB 52

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, May 8, 2001. Side gallery upon morning adjournment.

Executive Session.

SPECIAL COMMITTEE ON REDISTRICTING

Monday, May 7, 2001, 2:30 pm. Hearing Room 7.

Executive Session.

URBAN AFFAIRS

Tuesday, May 8, 2001. Side gallery upon morning adjournment.

Executive Session. Reconsideration.

To be considered - HB 963

HOUSE CALENDAR

SIXTY-EIGHTH DAY, MONDAY, MAY 7, 2001

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 15 & 13 - Crawford

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 457, HA 2, as amended, tabled - Kreider
- 2 HCS HB 593 - Riback Wilson (25)
- 3 HCS HB 239 - Smith
- 4 HB 802 - Ransdall
- 5 HCS HB 374 - Fraser
- 6 HCS HB 635 - Barry
- 7 HCS HB 868 - Merideth

- 8 HCS HB 253 - Ross
- 9 HB 809, HCA 1 - Carnahan
- 10 HCS HB 340, 303 & 316 - Graham
- 11 HB 640 - Johnson (90)
- 12 HCS HB 723 - Mays (50)
- 13 HCS HB 117 - Riback Wilson (25)
- 14 HCS HB 307 - Wiggins
- 15 HCS HB 921 - Curls
- 16 HB 911 - Carnahan
- 17 HCS HB 511 - Johnson (90)
- 18 HB 63 - Reynolds
- 19 HCS HB 93 - Gaskill

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HCS HB 853 & 258 - Crump
- 3 HCS HB 186 & 172 - Troupe
- 4 HCS HB 888, 942 & 943 - Scheve
- 5 HCS HB 472 - Burton
- 6 HCS HB 293 - Kennedy
- 7 HCS HB 663 & 375 - Kennedy
- 8 HCS HB 170 - Froelker

HOUSE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING

HCR 33, (5-3-01) - Lawson

HOUSE BILLS FOR THIRD READING

- 1 HB 527, (Fiscal Review 4-19-01) - Luetkenhaus
- 2 HS HB 286, E.C. - Smith
- 3 HS HB 715, (Fiscal Review 5-2-01) - Foley

SENATE BILL FOR SECOND READING

SS SCS SB 476, 427 & 62

SENATE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 SCR 23, (4-4-01, pg. 950) - Bonner
- 2 SCR 27, (4-4-01, pgs. 950 & 951) - Hagan-Harrell
- 3 SCR 3, (2-15-01, pgs. 402 & 403) - Dempsey
- 4 SCR 18, (3-8-01, pgs. 644 & 645) - Mays (50)
- 5 HCS SCR 28, (5-3-01) - Harding

SENATE JOINT RESOLUTION FOR THIRD READING

HCS SS SCS SJR 1 & 4, (Fiscal Review 5-2-01) - O'Toole

SENATE BILLS FOR THIRD READING

- 1 HCS SB 371 - O'Toole
- 2 HCS SB 125 - Hoppe
- 3 HCS SB 86 - Scott
- 4 HCS SB 319, E.C. - Johnson (61)
- 5 HCS SB 460 - Kennedy
- 6 HCS SB 72 - Smith
- 7 HCS SCS SB 5 & 21 - Kreider
- 8 HCS SCS SB 236, E.C.(Fiscal Review 5-2-01) - Ladd Baker
- 9 SB 123 - Hampton
- 10 SB 416 - Wagner
- 11 SB 500 - Rizzo
- 12 SB 370, HCA 1 - Smith
- 13 SCS SB 290 - Rizzo
- 14 HCS SCS SB 486 & SB 422 - Hoppe
- 15 HCS SS SB 244 - Koller
- 16 HCS SB 365 - Overschmidt
- 17 HCS SCS SB 591 - Hoppe
- 18 HCS SCS SB 617 - Rizzo
- 19 HCS SB 288, E.C. - Monaco
- 20 HCS SCS SB 266 - Barry
- 21 SCS SB 393, E.C. - Treadway
- 22 SCS SB 374, (Fiscal Review 5-3-01) - Ransdall
- 23 HCS SS SCS SB 48 - Hollingsworth

SENATE BILL FOR THIRD READING - CONSENT - INFORMAL

SB 556 - Hoppe

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 HB 955, SCA 1 - Green (73)
- 2 SCS HB 742 - Harding
- 3 HB 502, SA 1 - Ward
- 4 SCS HCS HB 302 & 38, as amended, E.C. - Hosmer
- 5 HCS HB 207, SCA 1, SA 1 & SA 2, E.C. - Ross

BILL CARRYING REQUEST MESSAGES

HCS SCS SB 151, (request House recede/grant conf/conferrees exceed differences) - Gaskill

BILLS IN CONFERENCE

- 1 SCS HCS HB 2 - Green (73)
- 2 SCS HCS HB 3 - Green (73)
- 3 SCS HCS HB 4 - Green (73)
- 4 SCS HCS HB 5 - Green (73)
- 5 SCS HCS HB 6, as amended - Green (73)
- 6 SCS HCS HB 7 - Green (73)
- 7 SCS HCS HB 8 - Green (73)
- 8 SCS HCS HB 9 - Green (73)
- 9 SCS HCS HB 10, as amended - Green (73)
- 10 SCS HCS HB 11, as amended - Green (73)
- 11 SCS HCS HB 12 - Green (73)
- 12 SCS HCS HB 13 - Green (73)
- 13 SCS HCS HB 18, as amended - Green (73)
- 14 SCS HCS HB 19 - Green (73)
- 15 SCS HB 491 - George

HOUSE RESOLUTION

HR 229, (5-2-01, pg. 1548) - Crawford

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

SIXTY-EIGHTH DAY, MONDAY, MAY 7, 2001

Speaker Kreider in the Chair.

Prayer by Representative Philip Willoughby.

Almighty God,

We are mindful this day of Your presence in our lives. We acknowledge Your supremacy over all we do. Bless our deliberations this week, we pray, through Christ, our Lord. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Dalton Wessley and Samuel Locker.

The Journal of the sixty-seventh day was approved as corrected.

RESOLUTION

Representative Riback Wilson (25) offered House Resolution No. 1894.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1895 - Representative Moore
House Resolution No. 1896
and
House Resolution No. 1897 - Representative Relford
House Resolution No. 1898
and
House Resolution No. 1899 - Representative Luetkemeyer
House Resolution No. 1900 - Representative Dolan
House Resolution No. 1901 - Representative Levin
House Resolution No. 1902 - Representative Lawson
House Resolution No. 1903
through
House Resolution No. 1905 - Representative St. Onge
House Resolution No. 1906 - Representative Kelly (27)
House Resolution No. 1907 - Representative Portwood
House Resolution No. 1908 - Representative Froelker

House Resolution No. 1909 - Representative Behnen
House Resolution No. 1910 - Representative Haywood
House Resolution No. 1911 - Representative Fraser
House Resolution No. 1912 - Representative Clayton

SECOND READING OF SENATE BILL

SS SCS SBs 476, 427 & 62 was read the second time.

COMMITTEE REPORTS

Committee on Fiscal Review and Government Reform, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HS HB 715 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **SCS SB 236 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE RESOLUTION

HR 229, relating to the use of the chamber, was taken up by Representative Crawford.

On motion of Representative Crawford, **HR 229** was adopted.

MOTION

Representative Green (73) moved that Rule 26 be suspended to allow the Committee on Budget to meet in the rear of the Senate Chamber on May 7, 2001, while the House is in session.

Which motion was adopted by the following vote:

AYES: 142

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Copenhaver	Crawford	Crump	Curls
Davis	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Holand	Hollingsworth	Holt

Hoppe	Hosmer	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Portwood	Purgason
Ransdall	Rector	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 013

Cooper	Crowell	Cunningham	Dempsey	Dolan
Hanaway	Hendrickson	Hohulin	Hunter	Jetton
Phillips	Roark	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 005

Johnson 61	Lograsso	Reid	Van Zandt	Wiggins
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VACANCIES: 003

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HB 742, relating to conveyance in Platte County, was taken up by Representative Harding.

On motion of Representative Harding, **SCS HB 742** was adopted by the following vote:

AYES: 155

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 90	Jolly	Kelley 47

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Kelly 144	Kelly 27	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Johnson 61	Kelly 36	Reid	Van Zandt	Wiggins
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VACANCIES: 003

On motion of Representative Harding, **SCS HB 742** was truly agreed to and finally passed by the following vote:

AYES: 154

Abel	Baker	Ballard	Barnett	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs

Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 001

Barnitz

PRESENT: 000

ABSENT WITH LEAVE: 005

Cooper	Johnson 61	Lograsso	Reid	Wiggins
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VACANCIES: 003

Speaker Kreider declared the bill passed.

HB 502, with Senate Amendment No. 1, relating to conveyance in St. Francois County, was taken up by Representative Ward.

On motion of Representative Ward, the House concurred in **Senate Amendment No. 1** by the following vote:

AYES: 155

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambara	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Long	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer

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Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Baker	Johnson 61	Lowe	Reid	Wiggins
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VACANCIES: 003

On motion of Representative Ward, **HB 502, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 152

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Baker	Byrd	Enz	Johnson 61	Monaco
Reid	Robirds	Wiggins		

VACANCIES: 003

Speaker Kreider declared the bill passed.

Speaker Pro Tem Abel assumed the Chair.

SCS HCS HBs 302 & 38, as amended, relating to blood alcohol content violations, was taken up by Representative Hosmer.

Representative Hosmer moved that the House refuse to adopt **SCS HCS HBs 302 & 38, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

HCS HB 207, with Senate Committee Amendment No. 1, Senate Amendment No. 1 and Senate Amendment No. 2, relating to veterans' programs, was taken up by Representative Ross.

On motion of Representative Ross, the House concurred in **Senate Committee Amendment No. 1, Senate Amendment No. 1 and Senate Amendment No. 2** by the following vote:

AYES: 153

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve

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Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Byrd	Crump	Franklin	Green 73	Johnson 61
Linton	Wiggins			

VACANCIES: 003

On motion of Representative Ross, **HCS HB 207, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 153

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Fraser
Froelker	Gambara	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Britt	Crump	Franklin	Johnson 61	Lograsso
Monaco	Wiggins			

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 152

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Crawford	Crowell	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Farnen	Foley	Ford	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Copenhaver	Crump	Fares	Franklin	Johnson 61
Lograsso	Van Zandt	Wiggins		

VACANCIES: 003

Representative Clayton assumed the Chair.

THIRD READING OF SENATE BILLS

HCS SB 371, relating to public retirement systems, was taken up by Representative O'Toole.

Representative O'Toole offered **HS HCS SB 371**.

Representative Abel offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Bill No. 371, Page 56, Section 104.1003, Lines 9-12, by deleting all of said lines and inserting in lieu thereof the following:

“(d) For purposes of members of the general assembly, pay shall be the annual salary provided to each senator and representative pursuant to Article XIII, Section 3 of the Missouri Constitution;”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Abel moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 021

Abel	Bland	Boucher	Coleman	Farnen
Ford	Hagan-Harrell	Harlan	Hartzler	Haywood
Hickey	Koller	O'Connor	Overschmidt	Shelton
Skaggs	Thompson	Troupe	Villa	Walton
Wilson 42				

NOES: 131

Barnett	Barnitz	Barry 100	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Boatright	Bonner	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Foley	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hampton	Hanaway	Harding
Hegeman	Henderson	Hendrickson	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Lawson	Legan	Levin	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Moore	Murphy	Myers
Naeger	Nordwald	O'Toole	Ostmann	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve

Schwab	Scott	Secrest	Seigfreid	Selby
Shields	Shoemyer	Smith	St. Onge	Surface
Townley	Treadway	Van Zandt	Vogel	Wagner
Ward	Williams	Willoughby	Wilson 25	Wright
Mr. Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 008

Baker	Ballard	Franklin	Green 73	Johnson 61
Lograsso	Monaco	Wiggins		

VACANCIES: 003

Speaker Pro Tem Abel resumed the Chair.

Representative Skaggs offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Bill No. 371, Page 13, Section 104.170, Line 20 of said page, by inserting after all of said line the following:

"104.175. The state highways and transportation commission is authorized, when requested by the highways and transportation employees' and highway patrol retirement system, to provide liability insurance covering the operation of all vehicles owned or leased or used by the system. The commission is also authorized, when requested by the system, to provide workers' compensation coverage for the executive director and employees of the system. In the event the commission provides such insurance coverage, the system shall reimburse the commission for all costs of such coverage."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Skaggs, **House Amendment No. 2** was adopted.

Representative Skaggs offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Bill No. 371, Page 87, Section 476.524, Line 8 of said page, by inserting after said line the following:

"Section 1. Notwithstanding any other provision of law to the contrary, any member previously employed by a state agency or department in a position, or a contractual employee in a position funded by a federal grant, and who became employed in a covered position within one year of termination of such grant, shall receive credited service for the federal grant employment period under the same terms and conditions as provided in section 104.1021, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Skaggs moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

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AYES: 023

Abel	Bland	Bonner	Boucher	Bowman
Coleman	Curls	Davis	Ford	Fraser
George	Hagan-Harrell	Haywood	Hilgemann	Koller
O'Connor	Overschmidt	Shelton	Skaggs	Thompson
Villa	Walton	Wilson 42		

NOES: 123

Baker	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Boatright	Boykins	Bray 84
Britt	Burton	Byrd	Campbell	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Froelker
Gambaro	Graham	Gratz	Green 15	Griesheimer
Hampton	Hanaway	Harding	Harlan	Hartzler
Hegeman	Henderson	Hendrickson	Hickey	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kennedy	King	Lawson	Legan
Levin	Liese	Linton	Lograsso	Long
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Toole	Ostmann	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shoemyer
Smith	St. Onge	Surface	Townley	Troupe
Vogel	Wagner	Ward	Williams	Willoughby
Wilson 25	Wright	Mr. Speaker		

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 013

Burcham	Carnahan	Franklin	Gaskill	Green 73
Hohulin	Johnson 61	Kelly 36	Lowe	Shields
Treadway	Van Zandt	Wiggins		

VACANCIES: 003

Representative Griesheimer offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Bill No. 371, Page 27, Section 104.374, Line 22 of said page, by inserting after all of said line the following:

"4. In addition to the amount determined pursuant to subsection 1 of this section, the normal annuity of a uniformed conservation agent shall be increased by thirty-three and one-third of the benefit."; and

Further amend said bill, Page 49, Section 104.602, Line 20 of said page by inserting after all of said line the following:

"104.610. 1. Any person, who is receiving or hereafter may receive state retirement benefits from the Missouri state employees' retirement system other than a person with twelve or more years of service in statewide state elective office receiving benefits pursuant to the provisions of section 104.371, a legislators' retirement system, or the highways and transportation employees' and highway patrol retirement system, upon application to the board of trustees of the system from which he or she is receiving retirement benefits, shall be made, constituted, appointed and employed by the board as a special consultant on the problems of retirement, aging, and other state matters, for the remainder of the person's life, and upon request of the board, or other state agencies where such person was employed prior to retirement, give opinions, and be available to give opinions in writing, or orally, in response to such requests, as may be required, and for such services shall be compensated monthly, in an amount, which, when added to any monthly state retirement benefits received on his or her retirement, shall be equal to the state retirement benefits the person would be receiving currently if the person had benefited from changes in the law effecting increases in the rate in the formula for calculating benefits in his or her respective retirement system, for his or her type of employment or for those persons having accrued thirty-five or more years of creditable service, changes in the law pertaining to the age and service requirements for a normal annuity in his or her respective retirement system, made subsequent to the date of his or her retirement; except that in calculating such benefits the meaning of "average compensation" shall be that ascribed to it by the law in effect on the date on which the benefits pursuant to this section are calculated.

2. In lieu of any other benefits pursuant to the provisions of this section, any member of the Missouri state employees' retirement system who has or may hereafter retire pursuant to the provisions of section 104.371, pertaining to those members who have held statewide state elective office for at least twelve years, may apply pursuant to this section to be employed as a special consultant and for such services shall be compensated monthly, in an amount, which, when added to any monthly state retirement benefits received initially on his or her retirement, shall be equal to the state retirement benefits the person would be receiving if the person had benefited from changes in the law affecting increases in compensation for statewide state elective offices, pursuant to house substitute for senate bill no. 528, second regular session of the eighty-second general assembly, any other provisions of the law to the contrary notwithstanding.

3. This compensation shall be consolidated with any other retirement benefits payable to the person, and shall be funded as provided in section 104.436.

4. This compensation shall be treated as any other state retirement benefits payable by the Missouri state employees' retirement system or the highways and transportation employees' and highway patrol retirement system are treated and shall not be subject to execution, garnishment, attachment, writ of sequestration, or any other process or claim whatsoever, and shall be unassignable, anything to the contrary notwithstanding.

5. The employment provided for by this section shall in no way affect any person's eligibility for retirement benefits pursuant to this chapter, or in any way have the effect of reducing retirement benefits, anything to the contrary notwithstanding.

6. In order to determine the total monthly state retirement compensation due each retiree who is eligible for the additional amount provided for in subsection 1 of this section, the following formula shall be used:

(1) The retiree's base monthly retirement compensation shall be determined by dividing the sum of the retiree's annual normal annuity as of the effective date of any increase in the rate in the formula for calculating benefits in his or her respective retirement system plus any annual increases granted such retiree as a result of his or her being a consultant, by twelve;

(2) The amount determined pursuant to subdivision (1) of this subsection shall be increased by an amount equal to the base monthly retirement compensation calculated pursuant to subdivision (1) of this subsection multiplied by the percentage increase in the rate in the formula;

(3) The sum obtained from completing the calculations contained in subdivisions (1) and (2) of this subsection

shall be the retiree's new total monthly state retirement compensation. Any retiree who is eligible for the benefit provided in subsection 1 of this section whose benefit pursuant to subsection 1 of this section was not calculated in accordance with the procedure provided in this subsection shall have his or her total monthly retirement compensation for all months beginning on or after September 28, 1985, recalculated in accordance with this subsection.

7. The provisions of this section are severable. If any provision of this section is found by a court of competent jurisdiction to be unconstitutional or otherwise invalid, the remaining provisions of this section are valid unless the court finds that such valid provisions, standing alone, are incomplete and incapable of being executed in accordance with the legislative intent.

8. Any person who terminates employment or retires prior to July 1, 2000, shall be made, constituted, appointed and employed by the board as a special consultant on the problems of retirement, aging, and other state matters, for the remainder of the person's life, and upon request of the board, or other state agencies where such person was employed prior to retirement, give opinions, and be available to give opinions in writing, or orally, in response to such requests, as may be required, and for such services shall be eligible to elect to receive a retirement annuity pursuant to the year 2000 plan as provided in this chapter.

9. Effective August 28, 2000, any person otherwise eligible for survivor benefits due to the death of a member prior to retirement, who was married less than two years to the member at the time of the member's death, shall, upon application to the board, be made, constituted, appointed and employed by the board as a special consultant on the problems of retirement, aging and other state matters. As a special consultant pursuant to the provisions of this subsection, the person shall begin to receive a survivor benefit in a monthly amount equal to what the system would have paid the person had the person been eligible for such survivor benefit upon the death of the member. Such benefit shall commence the first of the month following receipt by the system of an application from such person, but not earlier than September 1, 2000. In no event shall any retroactive benefits be paid.

10. Any person who is receiving or hereafter may receive retirement benefits pursuant to section 104.374, and would qualify for a benefit pursuant to subsection 4 of section 104.374 if such person were an active employee or beneficiary of an active employee, shall, upon application to the board of trustees of the system from which he or she is receiving retirement benefits, be made, constituted, appointed and employed by the board as a special consultant on the problems of retirement, aging and other state matters, for the remainder of the person's life, and upon request of the board, or other state agencies where such person was employed prior to retirement, give opinions in writing, or orally, in response to such requests, as may be required, and for such services shall be compensated monthly, in an amount which, when added to any monthly state retirement benefits received on his or her retirement, shall be equal to the retirement benefits the person would be receiving currently if the person had benefited from changes in the law effecting increases pursuant to subsection 4 of section 104.374."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Griesheimer moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 034

Abel	Ballard	Barnitz	Bartelsmeyer	Berkowitz
Berkstresser	Boucher	Britt	Burton	Crump
Farnen	Froelker	Griesheimer	Hagan-Harrell	Hampton
Hartzler	Henderson	King	Koller	McKenna
Overschmidt	Purgason	Reid	Relford	Robirds
Seigfreid	Selby	Shelton	Shoemyer	Surface
Thompson	Townley	Villa	Ward	

NOES: 113

Barnett	Barry 100	Bartle	Bearden	Behnen
Black	Bland	Boatright	Bonner	Bowman
Boykins	Bray 84	Brooks	Burcham	Byrd
Campbell	Carnahan	Champion	Cierpiot	Coleman
Cooper	Copenhaver	Crawford	Crowell	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Franklin	Fraser	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Hanaway
Harding	Harlan	Haywood	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	Lawson	Legan	Levin	Liese
Linton	Lograsso	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
Merideth	Miller	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Phillips	Portwood	Ransdall	Rector	Reinhart
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Ross	Scheve	Schwab	Scott	Secrest
Skaggs	Smith	St. Onge	Treadway	Troupe
Van Zandt	Vogel	Walton	Williams	Willoughby
Wilson 25	Wright	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 013

Baker	Clayton	Foley	Ford	Green 73
Holand	Johnson 61	Long	Monaco	Shields
Wagner	Wiggins	Wilson 42		

VACANCIES: 003

Representative Richardson offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Bill No. 371, Page 87, Section 476.524, Line 8 of said page, by inserting after said line the following:

"Section 1. 1. Any person who has been appointed or employed as a legal advisor pursuant to section 286.010, RSMo, prior to August 28, 2001, who is receiving or thereafter is qualified to receive retirement benefits pursuant to section 104.374, RSMo, shall upon application be made, constituted, appointed and employed by the board of trustees of the Missouri state employees' retirement system as a special consultant on the problems of retirement, aging and other state matters for the remainder of the person's life. Upon request of the board or the administrative hearing commission, the consultant shall give opinions or be available to give opinions in writing or orally in response to such requests. As compensation for such services and in lieu of receiving benefits pursuant to section 104.374, RSMo, each such special consultant shall be eligible for all benefits payable pursuant to sections 287.812 to 287.856, RSMo, effective upon the later of August 28, 1999, or the date retirement benefits become payable. In no event shall retroactive benefits be paid.

2. The term "legal advisor" as defined in subdivision (6) of section 287.812, RSMo, shall be deemed to include any attorney or legal counsel appointed or employed pursuant to section 286.010, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Richardson, **House Amendment No. 5** was adopted.

Representative Hollingsworth moved that **HS HCS SB 371, as amended**, be referred to the Committee on Fiscal Review and Government Reform prior to the vote to Third Read and Finally Pass **HS HCS SB 371, as amended**.

Which motion was adopted.

Representative Marble offered **House Amendment No. 6**.

Representative Monaco raised a point of order that **House Amendment No. 6** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Reid offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Bill No. 371, Page 87, Section 476.524, Line 8, by inserting after all of said line the following:

“Section 1. For the purposes of public retirement systems administered pursuant to chapter 104, RSMo, any reference to the term “spouse” only recognizes marriage between a man and a woman.”; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Reid, **House Amendment No. 6** was adopted by the following vote:

AYES: 128

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Britt	Burcham	Burton
Byrd	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Franklin	Froelker	Gambaro
Gaskill	George	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Merideth	Miller	Moore	Murphy

Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Reynolds
Richardson	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Troupe
Villa	Vogel	Walton	Ward	Willoughby
Wilson 25	Wright	Mr. Speaker		

NOES: 017

Boykins	Bray 84	Campbell	Carnahan	Farnen
Fraser	Graham	Harding	Hickey	Hilgemann
Kelly 27	Lowe	Mays 50	McKenna	Relford
Van Zandt	Williams			

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 014

Baker	Foley	Ford	Green 73	Harlan
Johnson 61	Long	Monaco	Ridgeway	Shields
Treadway	Wagner	Wiggins	Wilson 42	

VACANCIES: 003

On motion of Representative O'Toole, **HS HCS SB 371, as amended**, was adopted.

REFERRAL OF SENATE BILL

HS HCS SB 371, as amended, was referred to the Committee on Fiscal Review and Government Reform.

THIRD READING OF SENATE BILLS

HCS SB 86, relating to building codes in certain counties, was taken up by Representative Scott.

Representative George offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 86, Page 1, Section 64.170, Line 6, by inserting immediately after the word "installation" the following: "**plumbing or drain laying**"; and

Further amend said bill, Page 2, Section 64.180, Line 10, by inserting immediately after the word "**agencies**" the following: "**consistent with section 64.196**"; and

Further amend said bill, Page 2, Section 64.180, Line 19, by inserting immediately after all of said line the following:

“64.196. After August 28, 2001, any county seeking to adopt a building code in a manner set forth in section 64.180 shall, in creating or amending such code, adopt a current, calendar year 1999 or later edition, nationally recognized building code, as amended.”; and

Further amend said bill by amending the title and enacting clause accordingly.

On motion of Representative George, **House Amendment No. 1** was adopted.

Representative Myers offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 86, Page 8, Line 12, by inserting after all of said line the following:

"Section 1. The state of Missouri hereby waives all rights to its possibility of reverter in the real property particularly described in the quitclaim deed in Book 279 at Pages 76-77 of the office of the recorder of deeds of Scott County."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Myers, **House Amendment No. 2** was adopted.

Representative Ridgeway offered **House Amendment No. 3**.

House Amendment No. 3 was withdrawn.

Representative Merideth offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 86, Page 2, Section 64.180, Line 19, by inserting after said line the following:

“64.185. In addition to any other zoning or related ordinance, the governing body of any county, city, town or village shall, by order or ordinance, require any individual or business entity planning to install, construct or locate a telecommunication siting tower, or other facility or structure for the transmission of wireless communication or telephone service, in such county, city, town or village to notify all owners of record of property which is adjacent to, or within two thousand feet of, any property on which the tower, facility or structure is to be located. The order or ordinance shall provide for the method of notifying affected owners of record, including the length of time notice shall be given before the start of construction on the tower, structure or facility and the opportunity for affected owners of record to require a public hearing by the county, city, town or village on the location of the tower, structure or facility.”; and

Further amend said title, enacting clause and intersectional reference accordingly.

Representative Merideth moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Ridgeway offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 86, Page 2, Section 64.180, Line 19, by inserting after all of said line the following:

"64.342. 1. Section 64.341 to the contrary notwithstanding, the county commission of any county of the first classification without a charter form of government with a population of at least one hundred fifty thousand containing part of a city with a population over three hundred fifty thousand is hereby authorized to acquire, by purchase or gift, establish, construct, own, control, lease, equip, improve, maintain, operate and regulate, in whole or in part, concession stands or marinas within any area contiguous to the lake which is used as a public park, playground, camping site or recreation area. **No such lease or concession grant shall be for a longer term than twenty-five years.**

2. Such concession stands or marinas may offer refreshments for sale to the public using such areas and services therein relating to boating, swimming, picnicking, golfing, shooting, horseback riding, fishing, tennis and other recreational, cultural and educational uses upon such terms and under such regulations as the county may prescribe.

3. All moneys derived from the operation of concession stands or marinas shall be paid into the county treasury and be credited to a "Park Fund" to be established by each county authorized under subsection 1 of this section and be used and expended by the county commission for park purposes.

4. The provisions of this section authorizing and extending authority to counties concerning marinas shall not apply to any privately operated marina in operation prior to August 28, 2000, **except that if an operator is in default or if no bids are received during the open bid period, then the county may operate such marina for a period not to exceed a cumulative total of twenty-four months.**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Ridgeway, **House Amendment No. 4** was adopted.

On motion of Representative Scott, **HCS SB 86, as amended**, was adopted.

On motion of Representative Scott, **HCS SB 86, as amended**, was read the third time and passed by the following vote:

AYES: 147

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Lowe	Luetkemeyer

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Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Walton	Willoughby	Wilson 25
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Baker	Behnen	Green 73	Harlan	Johnson 61
Long	McKenna	Shields	Wagner	Ward
Wiggins	Williams	Wilson 42		

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HCS SCS SBs 5 & 21, relating to the criminal activity forfeiture act, was taken up by Representative Kreider.

Representative Kreider moved that **HCS SCS SBs 5 & 21** be adopted.

Which motion was defeated.

On motion of Representative Kreider, **SCS SBs 5 & 21** was truly agreed to and finally passed by the following vote:

AYES: 126

Abel	Baker	Ballard	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Brooks	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Coleman	Cooper	Copenhaver	Crawford	Crowell
Curls	Davis	Dempsey	Dolan	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	George	Graham	Gratz	Green 15
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hunter	Jetton	Johnson 90	Jolly	Kelley 47
Kelly 27	Kennedy	King	Legan	Levin
Liese	Lograsso	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	Mayer	McKenna	Merideth

Miller	Moore	Murphy	Myers	Naeger
O'Connor	O'Toole	Overschmidt	Portwood	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Treadway
Troupe	Villa	Vogel	Wagner	Walton
Ward	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 025

Barnett	Britt	Burcham	Clayton	Crump
Cunningham	Enz	Fares	Gaskill	Griesheimer
Hendrickson	Hohulin	Hosmer	Kelly 144	Kelly 36
Linton	May 149	Mays 50	Nordwald	Ostmann
Phillips	Purgason	Reynolds	Townley	Williams

PRESENT: 000

ABSENT WITH LEAVE: 009

Bartelsmeyer	Green 73	Johnson 61	Koller	Lawson
Long	Monaco	Van Zandt	Wiggins	

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

SB 123, relating to firearm manufacturers, was placed on the Informal Calendar.

SB 416, relating to child labor, was taken up by Representative Wagner.

Speaker Kreider resumed the Chair.

Representative Gratz assumed the Chair.

SB 416 was laid over.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SCS SB 266 - Fiscal Review and Government Reform (Fiscal Note)

HCS SB 288 - Fiscal Review and Government Reform (Fiscal Note)

HCS SCS SBs 486 & 422 - Fiscal Review and Government Reform (Fiscal Note)

REFERRAL OF HOUSE RESOLUTIONS

The following House Resolutions were referred to the Committee indicated:

HR 1868 - Miscellaneous Bills & Resolutions

HR 1894 - Miscellaneous Bills & Resolutions

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 52**, entitled:

An act to repeal section 56.066, RSMo 2000, relating to full-time prosecutors, and to enact in lieu thereof one new section relating to the same subject.

With Senate Committee Amendment No. 1 and Senate Committee Amendment No. 2

Senate Committee Amendment No. 1

AMEND House Bill No. 52, Page 2, Section 56.066, Line 22, by striking the word “fifty” and inserting in lieu thereof the word “**sixty**”.

Senate Committee Amendment No. 2

AMEND House Bill No. 52, Page 1, in the Title, Line 3, by inserting immediately after the word “subject” the following: “, with an emergency clause”; and

Further amend said bill, Page 2, Section 56.066, Line 24, by inserting immediately after said line the following:

“Section B. Because of the need to assure efficient prosecution for violations of state law, section 56.066 is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section 56.066 shall be in full force and effect upon its passage and approval.”.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 106**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 420**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 431**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 567**, entitled:

An act to repeal sections 167.181, 191.600, 191.603, 191.605, 191.607, 191.609, 191.611, 191.614, 191.615, 192.070, 209.251, 214.275, 214.276, 214.367, 214.392, 256.459, 324.083, 324.086, 324.147, 324.177, 324.212, 324.217, 324.243, 324.522, 326.011, 326.012, 326.021, 326.022, 326.040, 326.050, 326.055, 326.060, 326.100, 326.110, 326.120, 326.121, 326.125, 326.130, 326.131, 326.133, 326.134, 326.151, 326.160, 326.170, 326.180, 326.190, 326.200, 326.210, 326.230, 327.011, 327.031, 327.041, 327.081, 327.131, 327.314, 327.381, 327.600, 327.603, 327.605, 327.607, 327.609, 327.612, 327.615, 327.617, 327.621, 327.623, 327.625, 327.627, 327.629, 327.630, 327.631, 329.010, 329.040, 329.050, 329.085, 329.190, 329.210, 331.050, 331.090, 332.072, 332.311, 334.021, 334.047, 334.625, 334.749, 334.870, 334.880, 334.890, 337.612, 337.615, 337.618, 337.622, 338.030, 338.043, 338.055, 338.210, 338.220, 338.285, 338.353, 339.090, 345.080, 620.010 and 621.045, RSMo 2000, relating to the division of professional registration, and to enact in lieu thereof one hundred forty-one new sections relating to the same subject, with penalty provisions and an emergency clause for certain sections.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 8, Senate Amendment No. 9, Senate Amendment No. 10, Senate Amendment No. 15 and Senate Amendment No. 16.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 567, Page 216, Section 620.045, Line 5, by inserting after all of said line the following:

“Section 1. 1. Notwithstanding any other provision of law, when the Division of Professional Registration intends to enter into any contract or other written agreement or approve any letter of intent for payment of money by the state in excess of one hundred thousand dollars, modification or potential reduction of a party’s financial obligation to the state in excess of one hundred thousand dollars, the Division of Professional Registration shall forward a copy to the attorney general before entering into that contract, subcontract or other written agreement or approving the letter of intent.

2. Upon receiving the contract, other written agreement or letter of intent, the attorney general shall, within ten days, review and approve that contract, other written contract or letter of intent for its legal form and content as may be necessary to protect the legal interest of the state. If the attorney general does not approve, then the attorney general shall return the contract, other written agreement or letter of intent with additional proposed provisions as may be necessary to the proper enforcement of the contract as required to protect the state’s legal interest. If the attorney general does not respond within ten days or, in the case of any contract that involves a payment of money by the state or a modification or potential reduction of a party’s financial obligation to the state of one million dollars or more, within thirty days, the contract shall be deemed approved.

3. Communications related to the attorney general’s review are attorney-client communications. The attorney general’s written disposition shall be subject to chapter 610, RSMo.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 567, Page 4, Section 167.181, Line 27, after the word “child” add **“s teeth”**.

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 567, Page 213, Section 620.010, Line 7 of said page, by inserting after all of said line the following:

“620.151. For the purpose of determining whether cause for discipline or denial exists under the statutes of any board, commission or committee within the division of professional registration, any licensee, registrant, permittee or applicant that tests positive for a controlled substance, as defined in chapter 195, RSMo, is presumed to have unlawfully possessed the controlled substance in violation of the drug laws or rules and regulations of this state, any other state or the federal government unless he or she has a valid prescription for the controlled substance. The burden of proof that the controlled substance was not unlawfully possessed in violation of the drug laws or rules and regulations of this state, any other state or the federal government is upon the licensee, registrant, permittee or applicant.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 567, Page 45, Section 324.530, Line 19 of said page, by adding after said line the following:

“324.1005. 1. As used in sections 324.1005 to 324.1017, the following terms mean:

(1) “Amusement machine”, any machine, device or apparatus which provides amusement, diversion or entertainment, which is coin-operated and operational results of which depend in whole or in part upon the skill of the player, regardless of whether an award is afforded to a successful player. Such phrase includes any machine, device or apparatus not otherwise excluded by this section and also includes, but is not limited to, such games as radio rifles, miniature football, golf, baseball, hockey, basketball, bumper pool, tennis, shooting galleries, pool tables, shuffleboard, pinball tables, cranes, video games, claw machines, bowling machines, countertop machines, novelty arcade machines and other miniature games, regardless of whether a score shows;

(2) “Amusement machine operator”, a person engaged in the business of owning, buying, selling, renting, leasing, trading, or furnishing amusement machines to another; except that the phrase shall exclude an individual who owns and operates an amusement machine for personal use and amusement in such individual’s private residence. All amusement machines owned and operated by a business or organization and located on the premises of such business or organization as of August 28, 2001, and used for the amusement of the customers or members of that business or organization, shall be exempt from the requirements and rights of amusement machine operators set forth in sections 324.1005 to 324.1017. Any additional machines which such business or organization acquires or begins to operate after August 28, 2001, shall be subject to the provisions of sections 324.1005 to 324.1017 and the business or organization shall thereafter be required to obtain a license pursuant to sections 324.1005 to 324.1017;

(3) “Award”, a noncash prize, toy, item of merchandise or novelty which shall be located and redeemed solely on the premise where an amusement machine is played. The term shall exclude cash, gift certificates, intoxicating beer and liquor, nonintoxicating beer and tobacco products. The value of an award for a single play shall not exceed the greater of a single play of the amusement machine or the wholesale value of five dollars. The value of an award from an accumulation of successful plays shall not exceed a wholesale value of more than two hundred fifty dollars;

(4) “Coin-operated machine”, any amuse-ment machine which is operated by placing through a slot or any kind of opening or container any coin, slug, token, paper money or other object or article necessary to be inserted before the machine operates or functions. The term does not include any machine or device which is classified by the United States government as requiring a federal gaming stamp pursuant to applicable provisions of the Internal Revenue Code;

(5) “Director”, the director of the division of professional registration of the department of economic development;

(6) “Person”, any individual, firm, associ-ation, company, partnership or corporation;

(7) “Redemption machine”, an amusement machine from which a successful player receives a redeemable award. An immediate right of replay shall not be considered a redeemable award. No redemption machine shall act as a lottery or gift enterprise, or simulate a slot machine or any gambling game of skill or video representations which are specifically enumerated in subdivision (12) of subsection 1 of section 313.800, RSMo, as of August 28, 1999.

2. No person shall act as an amusement machine operator without first obtaining an amusement machine

operator license from the director. Such license shall be renewed biennially on or before July first of each year. The biennial fee for a license to operate amusement machines shall be set by the director at an amount necessary to cover administration costs of the licensing program established in sections 324.1005 to 324.1017, but shall not exceed one thousand five hundred dollars. The biennial fee for a license to operate any number of amusement machines only at carnivals, circuses, local or county fairs or the state fair shall be one hundred dollars for each month of such two-year period in which amusement machines are operated. Any person making an initial application for a license after January first of the year shall be charged a prorated amount of such license. A licensed amusement machine operator shall not transfer his or her license number or allow another person to use his or her license number.

3. A person may obtain an amusement machine operator license if such person has the following qualifications:

(1) Such person, if an individual, is at least twenty-one years of age, or such person, if a business, is in part owned by at least one individual who is at least twenty-one years of age;

(2) Such person, if an individual, is currently a resident of this state and has been such continuously for at least one year before the date of such person's application or, if such person is a business, is in part owned by at least one individual who is currently a resident of this state, has been such continuously for at least one year before the business's application and such person shall be the party accountable for the collection and reporting of all of the business's state taxes, fees and compliance. The residency requirement shall not apply to a person whose operation of amusement machines is limited exclusively to carnivals, circuses, local or county fairs or the state fair and shall not apply to a person who was doing business in Missouri and paying Missouri sales tax on revenues from amusement machines on or before December 31, 2000; and

(3) Such person shall show a Missouri sales tax number and proof that Missouri sales tax has been paid on all business dealings previously undertaken in this state.

4. Any person who acts as an amusement machine operator without first obtaining a license from the director may be assessed a penalty of up to one hundred dollars for each amusement machine in such person's possession and the director may seize any amusement machines in such person's possession and initiate or authorize the attorney general to initiate legal proceedings.

324.1008. All licensed amusement machine operators shall identify each of their amusement machines with a decal. Such decal shall be provided by the operator and shall contain the license number of the operator and any other information the director may require. Each amusement machine operator shall place such decal in a prominent location on each machine owned or operated by him or her.

324.1011. 1. The director is authorized to:

(1) Promulgate rules necessary to implement sections 324.1005 to 324.1017;

(2) Issue warnings, probations, suspensions and revocations to an amusement machine operator who violates sections 324.1005 to 324.1017;

(3) Prescribe all forms, applications, and licenses;

(4) Examine only those books and records of persons applying for an amusement machine operator license or of persons licensed as amusement machine operators that directly pertain to amusement machine activities, including local and state sales tax records; and may only investigate an operator of amusement machines after receiving a written complaint or request to take action from a Missouri citizen or law enforcement agency.

2. Any party aggrieved by any action of the director shall have the right to appeal to the administrative hearing commission from any finding, order or decision of the director. Any person or entity who is a party to such a dispute shall be entitled to a hearing before the administrative hearing commission by the filing of a petition with the administrative hearing commission within thirty days after the decision of the director is placed in the United States mail or within thirty days after the decision is delivered, whichever is earlier. The decision of the director shall contain a notice of the right of appeal in substantially the following language:

If you were adversely affected by this decision, you may appeal to the administrative hearing commission. To appeal, you must file a petition with the administrative hearing commission within thirty days after the date of this decision was mailed or the date it was delivered, whichever date was earlier. If any such petition is sent by registered mail or certified mail, it will be deemed filed on the date it is mailed; if it is sent by any method other than registered mail or certified mail, it will be deemed filed on the date it is received by the commission. The procedures applicable to the processing of such hearings and determinations shall be those established by chapter 536, RSMo. Decisions of the administrative hearing commission pursuant to this section shall be binding subject to appeal by either party.

3. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void.

324.1014. All fees provided for in sections 324.1005 to 324.1017 shall be collected by the director, who shall transmit the funds to the director of revenue to be deposited in the state treasury to the credit of the "Amusement Machine Operator License Fund" which is hereby created. The fund shall be administered by the director. Upon appropriation, money in the fund shall be used solely for the administration of sections 324.1005 to 324.1017. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, no appropriation made to the fund shall lapse. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Interest and moneys earned on such investments shall be credited to the fund.

324.1017. Sections 324.1005 to 324.1017 shall not become effective until expenditures are specifically appropriated or personnel are specifically authorized for the purpose of performing the duties specified therein and the initial rules filed, if appropriate, have become effective. The director shall have the authority to borrow funds from any agency within the division to commence operations upon appropriation for such purpose. This authority shall cease at such time that a sufficient fund has been established by the agency to fund its operations and repay the amount borrowed."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 567, Page 45, Section 324.530, Line 19 of said page, by inserting after all of said line the following:

"324.700. As used in sections 324.700 to 324.745, unless the context provides otherwise, the following terms shall mean:

- (1) "Division", the division of motor carrier and railroad safety;
- (2) "House", a dwelling or other structure intended for human habitat in excess of fourteen feet in width. A house does not include a manufactured home as defined in section 700.010, RSMo, or a modular unit;
- (3) "Housemover", a person actively engaged on a full-time basis in the intrastate movement of houses on public roads and highways of this state;
- (4) "Housemoving", engaging actively and directly on a full-time basis in the intrastate movement of houses on public roads and highways of this state;
- (5) "Person", an individual, corporation, partnership, association or any other business entity.

324.703. All persons who engage in the business of housemoving on the roads and highways of this state shall be licensed by the division of motor carrier and railroad safety.

324.706. The division shall issue licenses to applicants meeting the following conditions:

- (1) The applicant must be at least eighteen years of age and have at least twenty-four months experience in moving houses;
- (2) The applicant must furnish proof that all of the vehicles to be used in the movement of houses have met the requirements of sections 307.350 to 307.400, RSMo, or its equivalent pertaining to the inspection of motor vehicles;
- (3) The applicant must exhibit his federal employer's identification number; and
- (4) The applicant must pay an annual license fee of one hundred dollars. All moneys received for housemover licenses shall be paid to and collected by the division of motor carrier and railroad safety and transmitted to the director of revenue and deposited in the state treasury to the credit of the state highways and transportation fund as established in section 226.200, RSMo.

324.709. A license issued pursuant to sections 324.700 to 327.742 shall be effective for a period of one year from the date of issuance and shall be renewable on an annual basis.

324.712. 1. No license shall be issued or renewed unless the applicant files with the division a certificate

or certificates of insurance from an insurance company or companies authorized to do business in this state. The applicant must demonstrate that he or she has:

(1) Motor vehicle insurance for bodily injury to or death of one or more persons in any one accident and for injury or destruction of property of others in any one accident with minimum coverage of five hundred thousand dollars;

(2) Comprehensive general liability insurance with a minimum coverage of two million dollars, including coverage of operations on state streets and highways that are not covered by motor vehicle insurance; and

(3) Workers' compensation insurance that complies with chapter 287, RSMo, for all employees.

2. The certificate or certificates shall provide for continuous coverage during the effective period of the license issued pursuant to this section. At the time the certificate is filed, the applicant shall also file with the division a current list of all motor vehicles covered by the certificate. The applicant shall file amendments to the list within fifteen days of any changes.

3. An insurance company issuing any insurance policy required by this section shall notify the division of any of the following events at least thirty days before its occurrence:

(1) Cancellation of the policy;

(2) Nonrenewal of the policy by the company; or

(3) Any change in the policy.

4. In addition to all coverages required by this section, the applicant shall file with the division a copy of either:

(1) A bond or other acceptable surety providing coverage in the amount of fifty thousand dollars for the benefit of a person contracting with the housemover to move that person's house for all claims for property damage arising from the movement of a house; or

(2) A policy of cargo insurance in the amount of one hundred thousand dollars.

324.715. 1. Persons licensed as housemovers shall also be required to secure a special permit, as provided for pursuant to section 304.200, RSMo, from the chief engineer of the department of highways and transportation for every move undertaken on the state highway system. The permit shall be issued by the chief engineer if the chief engineer determines that the applicant:

(1) Is properly licensed pursuant to sections 324.700 to 324.745;

(2) Has furnished the surety bond or policy of cargo insurance required by subsection 4 of section 324.712; and

(3) Is complying with such other regulations as required by the division of motor carrier and railroad safety.

2. A license shall not be required for individuals moving their own houses from or to property owned individually by those persons; however, a special permit will be required for all moves.

3. Licensed housemovers shall furnish one rear escort vehicle on interstate and other divided highways. Licensed housemovers shall provide two escorts on all multi-lane and two-lane highways, one in front and one rear.

324.718. 1. Application for a special permit to move a house must be made to the chief engineer of the department of transportation at least two days prior to the date of the move. For good cause shown, this time may be waived by the chief engineer.

2. A travel plan shall accompany the application for the special permit. The travel plan will show the proposed route, the time estimated for each segment of the move, a plan to handle traffic so that no one delay to other highway users shall exceed twenty minutes. The chief engineer shall review the travel plan and if the route cannot accommodate the move due to roadway weight limits, bridge size or weight limits, or will cause undue interruption of traffic flow, the special permit shall not be issued.

3. The applicant may submit alternate plans if desired until an acceptable route is determined. If the width of the house to be relocated is more than thirty-six feet, or if no acceptable travel plan has been filed, and the denial of the permit would cause a hardship, the application and travel plan may be submitted to the chief engineer on appeal. After reviewing the route and travel plan, the chief engineer may in his or her discretion issue the permit after considering the practical physical limitations of the route, the nature and purpose of the move, the size and weight of the house, the distance the house is to be moved, and the safety and convenience of the traveling public. A surety bond in the amount to cover the cost of any damage to the pavement, structures, bridges, roadway or other damages that may occur may be required if deemed necessary by the chief engineer.

324.721. All obstructions, including traffic signals, signs, and utility lines will be removed immediately

prior to and replaced immediately after the move at the expense of the housemover, provided that arrangements for and approval from the owner is obtained.

324.724. Irrespective of the route shown on the special permit, an alternate route will be followed:

(1) If directed by a peace officer;

(2) If directed by a uniformed officer assigned to a weighing station to follow a route to a weighing device;

or

(3) If the specified route is officially detoured. Should a detour be encountered, the driver shall check with the department of transportation prior to proceeding.

324.727. The house to be transported will not be loaded, unloaded, nor parked, day or night, on a highway right-of-way without specific permission from the director.

324.730. No move will be made when atmospheric conditions render visibility lower than safe for travel. Moves will not be made when highways are covered with snow or ice, or at any time travel conditions are considered unsafe by the director or highway patrol or other law enforcement officers having jurisdiction.

324.733. The permit may be voided if any conditions of the permit are violated. Upon any violation, the permit must be surrendered and a new permit obtained before proceeding. Misrepresentation of information on an application to obtain a license, fraudulently obtaining a permit, alteration of a permit, or unauthorized use of a permit will render the permit void.

324.736. All moves on streets on the municipal system of streets shall comply with local ordinances. The officer in charge of the maintenance of streets of any municipality may issue permits for the use of the streets by housemovers within the limits of such municipalities.

324.739. The speed of moves will be that which is reasonable and prudent for the load, considering weight and bulk, under conditions existing at the time.

324.742. Any person violating sections 324.700 to 324.745 or the regulations of the division or department of transportation shall be guilty of a class A misdemeanor.

324.745. 1. If any provisions of sections 324.700 to 324.745, or if the application of such provisions to any person or circumstance shall be held invalid, the remainder of this section and the application of such provision of sections 324.700 to 324.745 other than those as to which it is held valid, shall not be affected thereby.

2. Nothing in sections 324.700 to 324.745 shall be construed to limit, modify or supercede the standards governing the intrastate or interstate movement of property pursuant to 49 U.S.C. 14501 or 49 U.S.C. 14504.

3. The provisions of sections 324.700 to 324.745 shall not apply to housemovers engaged in the interstate movement of houses. Those engaged in the interstate movement of houses, however, shall comply with all applicable provisions of federal and state law with respect to the movement of such property.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 8

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 567, Page 3, Section A, Line 4 of said page, by inserting after all of said line the following:

“109.120. 1. The head of any business, industry, profession, occupation or calling, or the head of any state, county or municipal department, commission, bureau or board may cause any and all records kept by such official, department, commission, bureau, board or business to be photographed, microphotographed, photostated or transferred to other material using photographic, video, or electronic processes, **including a computer-generated electronic or digital retrieval system**, and the judges and justices of the several courts of record within this state may cause all closed case files more than five years old to be photographed, microphotographed, photostated, or transferred to other material using photographic, video, or electronic processes, **including a computer-generated electronic or digital retrieval system**. Such reproducing material shall be of durable material and the device used to reproduce the records shall be such as to accurately reproduce and perpetuate the original records in all details and ensure their proper retention and integrity in accordance with standards established by the state records commission.

2. The cost of reproduction of closed files of the several courts of record as provided herein shall be chargeable to the county and paid out of the county treasury wherein the court is situated.

3. When any recorder of deeds in this state is required or authorized by law to record, copy, file, recopy, replace or index any document, plat, map or written instrument, the recorder may do so by photostatic, photographic,

microphotographic, microfilm, or electronic process, **including a computer-generated electronic or digital retrieval system**, which produces a clear, accurate and permanent copy of the original, provided they meet the standards for permanent retention and integrity as promulgated by the local records board. The reproductions so made may be used as permanent records of the original. When microfilm or electronic reproduction is used as a permanent record by recorder of deeds, duplicate reproductions of all recorded documents, indexes and files required by law to be kept by the recorder shall be made and one copy of each document shall be stored in a fireproof vault and the other copy shall be readily available in the recorder's office together with suitable equipment for viewing the record by projection to a size not smaller than the original and for reproducing copies of the recorded or filmed documents for any person entitled thereto. In all cases where instruments are recorded pursuant to this section by microfilm or electronic process, any release, assignment or other instrument affecting a previously recorded instrument by microfilm or electronic process shall be filed and recorded as a separate instrument and shall be cross-indexed to the document which it affects.

109.241. The head of each local agency shall:

(1) Submit within six months after a call to do so from the secretary of state in accordance with standards established by the local records board and promulgated by the director of records management and archives, schedules proposing the length of time each local records series warrants retention for administrative, legal, historical or fiscal purposes after it has been received or created by the local agency;

(2) Submit lists of local records that are not needed in the transaction of current business and that do not have sufficient administrative, legal, historical or fiscal value to warrant their further retention;

(3) Cooperate with the director in the conduct of surveys made by the director pursuant to the provisions of sections 109.200 to 109.310;

(4) When files in the custody of a local governmental agency are microfilmed or otherwise reproduced through photographic, video, electronic, or other reproduction processes, **including a computer-generated electronic or digital retrieval system**, the public official having custody of the reproduced records shall, before disposing of the originals, certify to the director that the official has made provisions for preserving the microfilms or electronically created records for viewing and recalling images to paper or original form, as appropriate, and that the official has done so in a manner guaranteeing the proper retention and integrity of the records in accordance with standards established by the local records board. Certification shall include a statement, written plan, or reputable vendor's certificate, as appropriate, that any microfilm or document reproduced through electronic process meets the standards for archival permanence established by the United States of America Standards Institute or similar agency, or local records board. If records are microfilmed, original camera masters shall not be used for frequent reference or reading purposes, but copies shall be made for such purposes.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 9

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 567, Page 192, Section 338.210, Line 5, by deleting the words “symbol “RX”, or the” on said line.

Senate Amendment No. 10

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 567, Page 56, Section 324.1120, Line 15, by inserting immediately at the end of said line of said page the following:

“;

(6) Create any video recording of an individual in their domicile without the individual’s permission. Furthermore, if such video recording is made, it shall not be admissible as evidence in any civil proceeding.”.

Senate Amendment No. 15

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 567, Page 122, Section 327.603, Lines 9-15, by deleting the following:

“Nothing in sections 327.600 to 327.635 shall be construed to require licensing of employees of the state of Missouri or its political subdivisions while engaged in the practice of landscape architecture for the state of Missouri or a political subdivision of the state, provided the project does not jeopardize the public health, safety and welfare.”; and

Further amend said section, Line 16, by inserting after the word “prohibit” the following:

“employees of the state when working for the state or its political subdivisions or”.

Senate Amendment No. 16

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 567, Page 212, Section 620.010, Line 19 of said page, by striking the bracket; and amend Page 213, Lines 1 to 7, by striking the bracket on line one and all the bold face type in said lines.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 130** and has taken up and passed **HCS SB 130**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 178** and has taken up and passed **HCS SCS SB 178**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SS SCS SB 267, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 462, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 543** and has taken up and passed **HCS SB 543**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 610**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 945**, entitled:

An act to repeal sections 488.429 and 494.455, RSMo 2000, relating to funding for court services, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 16**, entitled:

An act to appropriate money for capital improvement and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the period beginning July 1, 2001 and ending June 30, 2003.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 17**, entitled:

An act to appropriate money for expenses, grants, refunds, distributions and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds designated herein.

With Senate Amendment No. 1

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Bill No. 17, Page 36, Section 17.220, Line 9, by deleting the number "\$1,500,000" and inserting in lieu thereof the number "**\$1,000,000**".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SB 193, as amended**, and requests the House to recede from its position and failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 345** and has taken up and passed **HCS SB 345**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 515** and has taken up and passed **HCS SCS SB 515**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 538** and has taken up and passed **HCS SB 538**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 568** and has taken up and passed **HCS SCS SB 568**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 619** and has taken up and passed **HCS SCS SB 619**.

Emergency clause adopted.

WITHDRAWAL OF HOUSE RESOLUTION

May 7, 2001

The Honorable Jim Kreider
Speaker of the House
Room 308 State Capitol
Jefferson City, MO 65101

Dear Mr. Speaker:

I wish to withdraw **House Resolution No. 1868** concerning a House Task Force of Better Vision. In its place I will be writing you a letter to request the establishment of an Interim Committee to study vision related issues in our State.

Sincerely,

/s/ D.J. Davis

ADJOURNMENT

On motion of Representative Foley, the House adjourned until 10:00 a.m., Tuesday, May 8, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-seventh Day, Thursday, May 3, 2001, page 1612, lines 13 through 40 and page 1613, lines 2 through 17, by deleting all of said lines and inserting in lieu thereof the following:

HOUSE COMMITTEE SUBSTITUTE FOR SENATE CONCURRENT RESOLUTION NO. 28

WHEREAS, recent high fuel prices have alerted us to the need to improve our nation's policies on fuel production and efficient use of energy; and

WHEREAS, the Organization of Petroleum Exporting Countries (OPEC) has recently suggested that they will reduce crude oil production again in an attempt to manipulate prices; and

WHEREAS, reductions in crude oil production have resulted in sharp increases in prices for natural gas, gasoline and home heating oil; and

WHEREAS, the United States has become dangerously dependent on foreign petroleum; and

WHEREAS, Missouri consumers are experiencing higher prices at the pump and in home heating costs and these high prices are negatively impacting their quality of life; and

WHEREAS, the economic stability of many areas of the state which rely on tourism may be jeopardized if the number of persons traveling to Missouri's vacation destinations is significantly reduced due to increased gasoline prices; and

WHEREAS, the trucking industry, heavily dependent on the availability and price of gasoline and diesel fuel, has been especially hard hit by the increase in fuel costs that have resulted in a significant increase in the transportation costs associated with the delivery of consumer goods throughout the state. Such an increase in cost to the trucking industry will inevitably be passed along to consumers as an increase in the price of consumer goods; and

WHEREAS, the increased petroleum fuel costs is particularly detrimental to Missouri family farmers because it comes at a time when overall market prices are low; and

WHEREAS, fuel prices could be reduced by increasing domestic production and encouraging the development of markets for products that can be used as the source material for renewable alternative fuels:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate of the Ninety-first General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge the United States Congress to actively address the issue of fuel prices and take immediate actions necessary to reduce our nation's dependency on foreign petroleum sources, boost our own economy, and increase energy efficiency by:

(1) Encouraging exploration for domestic petroleum sources in a manner that does not, based on established scientific principles, adversely impact the environment;

(2) Encouraging and creating incentives for fuel conservation measures that do not, based on established economic principles, harm the economy; and

(3) Encouraging and creating incentives for research, development and use of solar and other alternative fuel sources, including ethanol and other fuels made from renewable materials that would not only reduce our dependency on foreign petroleum, but also have the potential to improve environmental protection and boost local economies; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the President of the United States Senate, the Speaker of the United States House of Representatives, Secretary Gale Norton of the United States Department of the Interior, Secretary Spencer Abraham of the United States Department of Energy, Secretary Ann M. Veneman of the United States Department of Agriculture, Administrator Christine Todd Whitman of the United States Environmental Protection Agency, the White House Office of Management and Budget, and each member of the Missouri Congressional delegation.

Page 1565, roll call, by showing Representatives Boykins and Naeger voting "aye" rather than "absent with leave".

Pages 1565 and 1566, roll call, by showing Representatives Barnett, Boykins, Franklin and Miller voting "aye" rather than "absent with leave".

Pages 1578 and 1579, roll call, by showing Representative Shields voting "aye" rather than "absent with leave".

Page 1581, roll call, by showing Representative Surface voting "aye" rather than "absent with leave".

Page 1582, roll call, by showing Representatives Boatright and Franklin voting "aye" rather than "absent with leave".

Pages 1583 and 1584, roll call, by showing Representative Campbell voting "aye" rather than "absent with leave".

Pages 1584 and 1585, roll call, by showing Representative King voting "aye" rather than "absent with leave".

Pages 1585 and 1586, roll call, by showing Representative Ward voting "aye" rather than "absent with leave".

Pages 1586 and 1587, roll call, by showing Representative Reynolds voting "aye" rather than "absent with leave".

Pages 1587 and 1588, roll call, by showing Representatives Boykins, Dempsey, Dolan, Reynolds and Surface voting "aye" rather than "absent with leave".

Pages 1588 and 1589, roll call, by showing Representative Dolan voting "aye" rather than "no".

Pages 1588 and 1589, roll call, by showing Representatives Kennedy and Reynolds voting "aye" rather than "absent with leave".

Pages 1589 and 1590, roll call, by showing Representatives Barnett, Dolan, Holt, Kennedy, King, Rector and Secrest voting "aye" rather than "absent with leave".

Pages 1590 and 1591, roll call, by showing Representatives Barnett and Secrest voting "aye" rather than "absent with leave".

Pages 1591 and 1592, roll call, by showing Representatives Barnett, Sanders Brooks and Froelker voting "aye" rather than "absent with leave".

Pages 1592 and 1593, roll call, by showing Representative Barnett voting "aye" rather than "absent with leave".

Pages 1593 and 1594, roll call, by showing Representatives Barnett, Sanders Brooks, Cooper, Dolan and Enz voting "aye" rather than "absent with leave".

Pages 1594 and 1595, roll call, by showing Representative Barnett voting "aye" rather than "absent with leave".

Pages 1596 and 1597, roll call, by showing Representative Surface voting "aye" rather than "absent with leave".

Pages 1597 and 1598, roll call, by showing Representative Surface voting "aye" rather than "absent with leave".

Pages 1598 and 1599, roll call, by showing Representative Surface voting "aye" rather than "absent with leave".

Pages 1599 and 1600, roll call, by showing Representative Surface voting "aye" rather than "absent with leave".

Pages 1600 and 1601, roll call, by showing Representatives Davis, Franklin, Reinhart, Ridgeway, Surface and Wright voting "aye" rather than "absent with leave".

Pages 1601 and 1602, roll call, by showing Representatives Barry, Coleman, Hunter and Surface voting "aye" rather than "absent with leave".

Pages 1602 and 1603, roll call, by showing Representatives Crowell and Surface voting "no" rather than "absent with leave".

Pages 1603 and 1604, roll call, by showing Representatives Behnen, Crowell, Kelly (27), Ridgeway and Surface voting "aye" rather than "absent with leave".

Pages 1604 and 1605, roll call, by showing Representatives Crowell, Kelly (27), Kennedy, Ridgeway and Surface voting "aye" rather than "absent with leave".

Pages 1605 and 1606, roll call, by showing Representatives Crowell, Kelly (27), Reynolds and Surface voting "aye" rather than "absent with leave".

Pages 1606 and 1607, roll call, by showing Representative Crowell voting "no" rather than "absent with leave".

Pages 1607 and 1608, roll call, by showing Representatives Copenhaver and Crowell voting "aye" rather than "absent with leave".

Pages 1608 and 1609, roll call, by showing Representatives Black, Crowell, Harding and Ridgeway voting "aye" rather than "absent with leave".

Pages 1609 and 1610, roll call, by showing Representative Luetkemeyer voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

APPROPRIATIONS - TRANSPORTATION

Wednesday, May 9, 2001, 8:30 am. Hearing Room 7.
MODOT presentation.

CHILDREN, FAMILIES, AND HEALTH

Tuesday, May 8, 2001. Hearing Room 4 upon morning adjournment.
Executive Session may follow.
To be considered - SB 66, SB 551

CONFERENCE COMMITTEE - APPROPRIATIONS

Tuesday, May 8, 2001, 8:00 am. Hearing Room 3.

House Bills 2 through 12

CONFERENCE COMMITTEE - APPROPRIATIONS

Wednesday, May 9, 2001, 8:00 am. Hearing Room 3.

House Bills 2 through 12

CONFERENCE COMMITTEE - APPROPRIATIONS

Thursday, May 10, 2001, 8:00 am. Hearing Room 3.

House Bills 2 through 12

CONFERENCE COMMITTEE - APPROPRIATIONS

Friday, May 11, 2001, 8:00 am. Hearing Room 3.

House Bills 2 through 12

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Monday, May 14, 2001, 8:00 am. Hearing Room 1.

Quarterly business meeting. Release of Oversight reports.

AMENDED.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Tuesday, May 8, 2001, 9:00 am. Hearing Room 1.

Second quarter meeting. AMENDED.

JUDICIARY

Tuesday, May 8, 2001. Hearing Room 5 upon morning adjournment.

Executive Session to follow. AMENDED.

To be considered - SB 10, SB 128, SB 258

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, May 9, 2001, 8:30 am. Hearing Room 6.

Executive Session may follow. AMENDED.

To be considered - HCR 34, HR 1894, SB 226, SB 525, SB 578

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, May 8, 2001. Hearing Room 1 upon morning adjournment.

Executive Session to follow.

To be considered - SB 52

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, May 8, 2001. Side gallery upon morning adjournment.

Executive Session.

URBAN AFFAIRS

Tuesday, May 8, 2001. Side gallery upon morning adjournment.

Executive Session. Reconsideration.

To be considered - HB 963

UTILITIES REGULATION

Tuesday, May 8, 2001, 8:15 am. Hearing Room 6. AMENDED.

To be considered - SB 387

HOUSE CALENDAR

SIXTY-NINTH DAY, TUESDAY, MAY 8, 2001

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 15 & 13 - Crawford

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 457, HA 2, as amended, tabled - Kreider
- 2 HCS HB 593 - Riback Wilson (25)
- 3 HCS HB 239 - Smith
- 4 HB 802 - Ransdall
- 5 HCS HB 374 - Fraser
- 6 HCS HB 635 - Barry
- 7 HCS HB 868 - Merideth
- 8 HCS HB 253 - Ross
- 9 HB 809, HCA 1 - Carnahan
- 10 HCS HB 340, 303 & 316 - Graham
- 11 HB 640 - Johnson (90)
- 12 HCS HB 723 - Mays (50)
- 13 HCS HB 117 - Riback Wilson (25)
- 14 HCS HB 307 - Wiggins
- 15 HCS HB 921 - Curls
- 16 HB 911 - Carnahan
- 17 HCS HB 511 - Johnson (90)
- 18 HB 63 - Reynolds
- 19 HCS HB 93 - Gaskill
- 20 HCS HB 1000 - Hosmer

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HCS HB 853 & 258 - Crump
- 3 HCS HB 186 & 172 - Troupe
- 4 HCS HB 888, 942 & 943 - Scheve
- 5 HCS HB 472 - Burton
- 6 HCS HB 293 - Kennedy
- 7 HCS HB 663 & 375 - Kennedy
- 8 HCS HB 170 - Froelker

HOUSE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING

HCR 33, (5-3-01, page 1611) - Lawson

HOUSE BILLS FOR THIRD READING

- 1 HB 527, (Fiscal Review 4-19-01) - Luetkenhaus
- 2 HS HB 286, E.C. - Smith
- 3 HS HB 715 - Foley

SENATE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 SCR 23, (4-4-01, pg. 950) - Bonner
- 2 SCR 27, (4-4-01, pgs. 950 & 951) - Hagan-Harrell
- 3 SCR 3, (2-15-01, pgs. 402 & 403) - Dempsey
- 4 SCR 18, (3-8-01, pgs. 644 & 645) - Mays (50)
- 5 HCS SCR 28, (5-7-01) - Harding

SENATE JOINT RESOLUTION FOR THIRD READING

HCS SS SCS SJR 1 & 4, (Fiscal Review 5-2-01) - O'Toole

SENATE BILLS FOR THIRD READING

- 1 HS HCS SB 371, (Fiscal Review 5-7-01) - O'Toole
- 2 HCS SB 125 - Hoppe
- 3 HCS SB 319, E.C. - Johnson (61)
- 4 HCS SB 460 - Kennedy
- 5 HCS SB 72 - Smith
- 6 HCS SCS SB 236, E.C. - Ladd Baker
- 7 SB 416 - Wagner
- 8 SB 500 - Rizzo
- 9 SB 370, HCA 1 - Smith
- 10 SCS SB 290 - Rizzo

- 11 HCS SCS SB 486 & SB 422, (Fiscal Review 5-7-01) - Hoppe
- 12 HCS SS SB 244 - Koller
- 13 HCS SB 365 - Overschmidt
- 14 HCS SCS SB 591 - Hoppe
- 15 HCS SCS SB 617 - Rizzo
- 16 HCS SB 288, E.C.(Fiscal Review 5-7-01) - Monaco
- 17 HCS SCS SB 266, (Fiscal Review 5-7-01) - Barry
- 18 SCS SB 393, E.C. - Treadway
- 19 SCS SB 374, (Fiscal Review 5-3-01) - Ransdall
- 20 HCS SS SCS SB 48 - Hollingsworth

SENATE BILL FOR THIRD READING - INFORMAL

SB 123 - Hampton

SENATE BILL FOR THIRD READING - CONSENT - INFORMAL

SB 556 - Hoppe

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 HB 955, SCA 1 - Green (73)
- 2 SCS HB 607, E.C. - Johnson (90)
- 3 SCS HB 796 - Hosmer
- 4 SS SCS HCS HB 144 & 46, as amended - Bonner
- 5 HS HJR 11, SA 1 - Gambaro
- 6 SS SCS HB 575 - O'Connor
- 7 SS HCR 5, as amended - Mays (50)
- 8 SS SCS HCS HB 567, as amended, E.C. - Treadway
- 9 HB 52, SCA 1 & SCA 2, E.C. - Ward
- 10 SCS HB 945 - Hosmer
- 11 SCS HB 16 - Green (73)
- 12 SCS HB 17, as amended - Green (73)

BILLS CARRYING REQUEST MESSAGES

- 1 HCS SCS SB 151, (request House recede/grant conf/conferes exceed differences) - Gaskill
- 2 SCS HCS HB 302 & 38, as amended, (request Senate recede/grant conf) - Hosmer
- 3 HCS SB 462, as amended, (request House recede/grant conf) - Legan
- 4 HCS SB 610, (request House recede/grant conf) - Hoppe
- 5 HS HCS SS SCS SB 267, as amended, (request House recede/grant conf) - Monaco
- 6 HCS SS SB 193, as amended, (request House recede/grant conf) - Ward

BILLS IN CONFERENCE

- 1 SCS HCS HB 2 - Green (73)
- 2 SCS HCS HB 3 - Green (73)
- 3 SCS HCS HB 4 - Green (73)
- 4 SCS HCS HB 5 - Green (73)
- 5 SCS HCS HB 6, as amended - Green (73)
- 6 SCS HCS HB 7 - Green (73)
- 7 SCS HCS HB 8 - Green (73)
- 8 SCS HCS HB 9 - Green (73)
- 9 SCS HCS HB 10, as amended - Green (73)
- 10 SCS HCS HB 11, as amended - Green (73)
- 11 SCS HCS HB 12 - Green (73)
- 12 SCS HCS HB 13 - Green (73)
- 13 SCS HCS HB 18, as amended - Green (73)
- 14 SCS HCS HB 19 - Green (73)
- 15 SCS HB 491 - George

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

SIXTY-NINTH DAY, TUESDAY, MAY 8, 2001

Speaker Pro Tem Abel in the Chair.

Prayer by Father David Buescher.

Divine Friend, help us clear away the worries and the stress, even if just for a moment, and listen for a sense of Your presence. You, O God, are over us, to be sure, but more to our liking, around us like arms embracing, and within us, like our very breath.

Help each of us to tune to the correct frequency or the right wavelength, whatever image works, that we might know the depth of Your profound creative love for each of us. Then may this day's work be done together in serenity and grace. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Dieter Hinrichs, Emma Leigh Shankland and Jake Ray.

The Journal of the sixty-eighth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1913 - Representative Thompson
House Resolution No. 1914 - Representative Green (73)
House Resolution No. 1915 - Representative Bartle
House Resolution No. 1916 - Representative Wiggins
House Resolution No. 1917
and
House Resolution No. 1918 - Representative Boatright
House Resolution No. 1919 - Representative Harding, et al
House Resolution No. 1920 - Representative Enz
House Resolution No. 1921 - Representative Seigfreid

BILLS CARRYING REQUEST MESSAGES

HCS SCS SB 151, relating to auto insurance, was taken up by Representative Gaskill.

Representative Gaskill moved that the House refuse to recede from its position on **HCS SCS SB 151** and grant the Senate a conference and the conferees be allowed to exceed the differences.

Which motion was adopted.

HCS SB 462, as amended, relating to agriculture, was taken up by Representative Legan.

Representative Legan moved that the House refuse to recede from its position on **HCS SB 462, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SS SB 193, as amended, relating to insurance producers, was taken up by Representative Ward.

Representative Ward moved that the House refuse to recede from its position on **HCS SS SB 193, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SB 610, relating to county collectors, was taken up by Representative Hoppe.

Representative Hoppe moved that the House refuse to recede from its position on **HCS SB 610** and grant the Senate a conference.

Which motion was adopted.

Speaker Kreider assumed the Chair.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HB 607, relating to dental services, was taken up by Representative Johnson (90).

On motion of Representative Johnson (90), **SCS HB 607** was adopted by the following vote:

AYES: 153

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Byrd	Campbell	Carnahan
Champion	Clayton	Coleman	Cooper	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly

Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Ballard	Burton	Cierpiot	Copenhaver	Harlan
Lograsso	Wiggins			

VACANCIES: 003

On motion of Representative Johnson (90), **SCS HB 607** was truly agreed to and finally passed by the following vote:

AYES: 154

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds

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Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Burton	Hunter	Lograsso	Miller	Shields
Wiggins				

VACANCIES: 003

Speaker Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 151

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 005

Boatright	Hendrickson	Hohulin	Hunter	Roark
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PRESENT: 000

ABSENT WITH LEAVE: 004

Hosmer	Lograsso	Overschmidt	Wiggins
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VACANCIES: 003

SCS HB 796, relating to the labeling of drugs and devices, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **SCS HB 796** was adopted by the following vote:

AYES: 156

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambara	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

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ABSENT WITH LEAVE: 004

Ballard	Hollingsworth	Lograsso	Wiggins
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VACANCIES: 003

On motion of Representative Hosmer, **SCS HB 796** was truly agreed to and finally passed by the following vote:

AYES: 148

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Holt	Hoppe	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Liese	Linton	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Ballard	Behnen	Copenhaver	Fares	Hollingsworth
Hosmer	Legan	Levin	Lograsso	Long
Reid	Wiggins			

VACANCIES: 003

Speaker Kreider declared the bill passed.

SS SCS HCS HBs 144 & 46, as amended, relating to prisoner releases and escapes, was taken up by Representative Bonner.

Representative Bonner moved that the House refuse to adopt **SS SCS HCS HBs 144 & 46, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SS SCS HCS HB 567, as amended, relating to professional registration, was taken up by Representative Treadway.

Representative Treadway moved that the House refuse to adopt **SS SCS HCS HB 567, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference, and the conferees be allowed to exceed the differences on **Senate Amendment No. 15**.

Which motion was adopted.

HB 52, with Senate Committee Amendment No. 1 and Senate Committee Amendment No. 2, relating to prosecutors, was taken up by Representative Ward.

On motion of Representative Ward, the House concurred in **Senate Committee Amendment No. 1 and Senate Committee Amendment No. 2** by the following vote:

AYES: 153

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross

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Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Baker	Byrd	Froelker	Harlan	Hollingsworth
Shields	Wiggins			

VACANCIES: 003

On motion of Representative Ward, **HB 52, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 149

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Black	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Berkstresser	Bland	Fares	Harlan	Hollingsworth
Johnson 61	Lograsso	Scott	Thompson	Wiggins
Williams				

VACANCIES: 003

Speaker Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 148

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	St. Onge	Surface	Townley
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 003

Hohulin	Hunter	Roark
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PRESENT: 000

ABSENT WITH LEAVE: 009

Baker	Behnen	Harlan	Linton	Myers
Shields	Thompson	Treadway	Wiggins	

VACANCIES: 003

SS SCS HB 575, relating to motor vehicle franchises, was taken up by Representative O'Connor.

On motion of Representative O'Connor, **SS SCS HB 575** was adopted by the following vote:

AYES: 144

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Holand
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Lawson	Legan
Levin	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Relford	Reynolds	Richardson	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 001

Ballard

PRESENT: 002

Bartle Griesheimer

ABSENT WITH LEAVE: 013

Fraser	Harlan	Hohulin	Hollingsworth	Johnson 61
Koller	Lograsso	Murphy	Reinhart	Ridgeway
Thompson	Wiggins	Williams		

VACANCIES: 003

On motion of Representative O'Connor, **SS SCS HB 575** was truly agreed to and finally passed by the following vote:

AYES: 145

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Campbell	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Lawson	Legan
Levin	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Secrest	Seigfreid	Selby
Shelton	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 002

Bartle Griesheimer

ABSENT WITH LEAVE: 013

Berkstresser	Byrd	Carnahan	Fares	Hollingsworth
Kennedy	Koller	Murphy	Scott	Shields
Shoemyer	Walton	Wiggins		

VACANCIES: 003

Speaker Kreider declared the bill passed.

SCS HB 945, relating to juror compensation, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **SCS HB 945** was adopted by the following vote:

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AYES: 101

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Berkowitz	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Byrd
Campbell	Carnahan	Champion	Clayton	Coleman
Copenhaver	Crawford	Crump	Cunningham	Curls
Davis	Dolan	Farnen	Foley	Ford
Franklin	Fraser	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Harding	Harlan	Haywood	Hegeman
Hickey	Hilgemann	Holand	Hollingsworth	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 27	Kelly 36	Kennedy	Lawson	Legan
Levin	Liese	Lowe	Luetkenhaus	Marsh
McKenna	Merideth	Miller	Monaco	Murphy
O'Connor	O'Toole	Overschmidt	Ransdall	Reid
Relford	Rizzo	Robirds	Scheve	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Walton
Ward	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 051

Ballard	Bartle	Bearden	Behnen	Berkstresser
Black	Boatright	Burcham	Burton	Cierpiot
Cooper	Dempsey	Enz	Fares	Griesheimer
Hanaway	Hartzler	Henderson	Hendrickson	Hohulin
Holt	Hunter	Jetton	Kelly 144	King
Linton	Lograsso	Long	Luetkemeyer	Marble
May 149	Mayer	Moore	Myers	Naeger
Nordwald	Ostmann	Phillips	Portwood	Purgason
Rector	Reinhart	Reynolds	Richardson	Ridgeway
Roark	Ross	Schwab	Scott	St. Onge
Surface				

PRESENT: 000

ABSENT WITH LEAVE: 008

Baker	Crowell	Froelker	Koller	Mays 50
Wagner	Wiggins	Williams		

VACANCIES: 003

On motion of Representative Hosmer, **SCS HB 945** was truly agreed to and finally passed by the following vote:

AYES: 098

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Berkowitz	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Campbell	Carnahan	Champion	Clayton
Coleman	Copenhaver	Crawford	Crump	Cunningham
Curls	Davis	Dolan	Farnen	Foley
Ford	Franklin	Fraser	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Harding	Haywood	Hickey
Hilgemann	Holand	Hollingsworth	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 27
Kelly 36	Kennedy	Koller	Lawson	Legan
Levin	Liese	Lowe	Luetkenhaus	Marsh
McKenna	Merideth	Miller	Monaco	Murphy
O'Connor	O'Toole	Overschmidt	Ransdall	Reid
Relford	Rizzo	Scheve	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
Thompson	Treadway	Troupe	Van Zandt	Villa
Vogel	Walton	Ward	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 052

Ballard	Bartle	Bearden	Berkstresser	Black
Boatright	Burton	Cierpiot	Cooper	Crowell
Dempsey	Enz	Fares	Hanaway	Hartzler
Hegeman	Henderson	Hendrickson	Hohulin	Holt
Hunter	Jetton	Kelly 144	King	Linton
Lograsso	Long	Luetkemeyer	Marble	May 149
Moore	Myers	Naeger	Nordwald	Ostmann
Phillips	Portwood	Purgason	Rector	Reinhart
Reynolds	Richardson	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Secrest	St. Onge
Surface	Townley			

PRESENT: 000

ABSENT WITH LEAVE: 010

Behnen	Byrd	Froelker	Hampton	Harlan
Mayer	Mays 50	Wagner	Wiggins	Williams

VACANCIES: 003

Speaker Kreider declared the bill passed.

Representative Scheve assumed the Chair.

Speaker Kreider resumed the Chair.

MOTION

Representative Green (73) moved that the Senate grant the House a further conference on **SCS HCS HB 10, as amended**, and the conferees be allowed to exceed the differences.

Which motion was adopted by the following vote:

AYES: 114

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Boatright	Bonner	Boucher
Britt	Brooks	Burcham	Burton	Byrd
Champion	Cierpiot	Cooper	Crawford	Crowell
Crump	Cunningham	Davis	Dempsey	Dolan
Enz	Foley	Ford	Froelker	Gambaro
Gaskill	George	Gratz	Green 15	Green 73
Griesheimer	Hampton	Hanaway	Hartzler	Hegeman
Henderson	Hendrickson	Hickey	Hohulin	Holand
Holt	Hoppe	Hunter	Jetton	Kelley 47
Kelly 144	Kelly 36	Kennedy	King	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	McKenna	Merideth	Miller
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Reynolds	Richardson	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Smith
St. Onge	Surface	Townley	Treadway	Villa
Vogel	Ward	Wright	Mr. Speaker	

NOES: 041

Baker	Bland	Bowman	Boykins	Bray 84
Campbell	Carnahan	Clayton	Coleman	Copenhaver
Curls	Fares	Farnen	Franklin	Fraser
Graham	Hagan-Harrell	Harding	Harlan	Haywood
Hilgemann	Hollingsworth	Johnson 61	Johnson 90	Jolly
Kelly 27	Lowe	Mays 50	Monaco	Ostmann
Relford	Rizzo	Scheve	Skaggs	Thompson
Van Zandt	Walton	Williams	Willoughby	Wilson 25
Wilson 42				

PRESENT: 000

ABSENT WITH LEAVE: 005

Hosmer	Koller	Troupe	Wagner	Wiggins
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VACANCIES: 003

HOUSE BILL WITH SENATE AMENDMENT

SCS HB 16, relating to appropriations, was taken up by Representative Green (73).

Representative Green (73) moved that the House refuse to adopt **SCS HB 16** and request the Senate to recede from its position or, failing to do so, grant the House a conference and the conferees be allowed to exceed the differences.

Which motion was adopted.

BILL CARRYING REQUEST MESSAGE

HS HCS SS SCS SB 267, as amended, relating to court procedures, was taken up by Representative Monaco.

Representative Monaco moved that the House refuse to recede from its position on **HS HCS SS SCS SB 267, as amended**, and grant the Senate a conference.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

HCS SCS SB 151: Representatives Gaskill, Luetkemeyer, Ward, Luetkenhaus and Liese

HCS SB 610: Representatives Ridgeway, Phillips, Hoppe, Rizzo and Skaggs

HCS SB 462: Representatives Legan, Myers, Shoemyer, Barnitz and Merideth

HCS SS SB 193: Representatives Henderson, Surface, Ward, Luetkenhaus and Liese

HS HCS SS SCS SB 267: Representatives Lograsso, Byrd, Monaco, Hosmer and Carnahan

SIGNING OF SENATE BILL

All other business of the House was suspended while **HCS SCS SB 382** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 45**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HS HB 421**, entitled:

An act to repeal section 537.053, RSMo 2000, relating to consumption of intoxicating beverage as proximate cause of injury in tort actions, and to enact in lieu thereof one new section relating to the same subject.

With Senate Amendment No. 1

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 421, Page 2, Section 537.053, Line 17 of said page, by striking the words “known to be” and inserting in lieu thereof the following: **“must be shown to be made by a person who knew or had reason to know that the recipient was a person”**; and

Further amend Line 18 of said page, by striking the words “known to be” and inserting in lieu thereof the word **“was”**; and

Further amend said line, by inserting immediately after the word “intoxicated” the following: **“, and”**; and

Further amend Lines 21-23 of said page, by striking all of said lines and inserting in lieu thereof the following:

“intoxicated” when intoxicated to such an extent that such person's physical faculties are impaired to such a degree that it is obvious to a reasonably prudent person under the same or similar circumstances. A blood test or; and

Further amend Line 24 of said page, by striking the word “result” and inserting in lieu thereof the following: **“indicating that a person's blood alcohol level is”**; and

Further amend Lines 25-26 of said page, by striking the following: “of obviously intoxicated” and inserting in lieu thereof the following: **“that a person is obviously intoxicated”**.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 458**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 470**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 648, HB 477 & HB 805**, entitled:

An act to repeal sections 302.130 and 302.178, RSMo 2000, relating to drivers' licenses, and to enact in lieu thereof two new sections relating to the same subject, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 691**, entitled:

An act to repeal section 301.040, RSMo 2000, relating to notification of motor vehicle reregistration, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 897**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SCR 13** and has taken up and passed **HCS SS SCR 13**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 348** and has taken up and passed **HCS SB 348**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCA 1 to SB 353** and has taken up and passed **SB 353, as amended**.

On motion of Representative Crump, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Abel.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Matthew Urness.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1922

through

House Resolution No. 1928	-	Representative Crawford
House Resolution No. 1929	-	Representative Boykins
House Resolution No. 1930	-	Representative Ostmann
House Resolution No. 1931	-	Representatives Vogel and Gratz
House Resolution No. 1932	-	Representative Griesheimer
House Resolution No. 1933		

through

House Resolution No. 1936	-	Representatives Dempsey and Green (15)
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House Resolution No. 1937

and

House Resolution No. 1938	-	Representative Henderson
House Resolution No. 1939	-	Representative Holt
House Resolution No. 1940		

and

House Resolution No. 1941	-	Representative Behnen
House Resolution No. 1942	-	Representatives Gratz and Vogel
House Resolution No. 1943	-	Representative McKenna

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HBs 144 & 46, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Kenney, DePasco, Mathewson, Foster and Klarich.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HBs 302 & 38, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Westfall, Singleton, Klarich, House and Caskey.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 567, as amended**, and grants the House a conference thereon and further, that the conferees be allowed to exceed the difference on **Senate Amendment No. 15**.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Klarich, Kenney, Westfall, Dougherty and Wiggins.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 606**, entitled:

An act to repeal sections 59.310 and 59.313, RSMo 2000, relating to county recorders of deeds, and to enact in lieu thereof three new sections relating to the same subject, with an effective date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 881**, entitled:

An act to repeal section 198.280, RSMo 2000, relating to nursing home districts, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SB 151**: Senators Childers, Bentley, Gross, Stoll and Johnson.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SS SB 193, as amended**: Senators Rohrbach, Klindt, Kenney, Scott and Jacob.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS SS SCS SBs 323 & 230, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 462, as amended**: Senators Westfall, Foster, Cauthorn, Johnson and House.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SB 610**: Senators Westfall, Gross, Cauthorn, Johnson and Staples.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate grants the House a further conference on **SCS HCS HB 10, as amended**, and allow the conferees to exceed the differences.

The President Pro Tem has re-appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Rohrbach, Westfall, Wiggins and Goode.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HB 16** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 725**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 865**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HS HCS SS SCS SB 267, as amended**: Senators Klarich, Gibbons, Steelman, Jacob and Caskey.

HOUSE BILL WITH SENATE AMENDMENT

HS HJR 11, with Senate Amendment No. 1, relating to the city of St. Louis, was taken up by Representative Gambaro.

Representative Gambaro moved that the House refuse to concur in **Senate Amendment No. 1 to HS HJR 11** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Representative Hanaway made a substitute motion that the House concur in **Senate Amendment No. 1** and truly agree to and finally pass **HS HJR 11, as amended**.

The substitute motion was withdrawn.

Representative Gambaro again moved that the House refuse to concur in **Senate Amendment No. 1 to HS HJR 11** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

Speaker Kreider resumed the Chair.

PERFECTION OF HOUSE BILL

HCS HB 1000, relating to congressional districts, was taken up by Representative Crump.

Representative Crump moved that Rule 49 (d) be suspended for the purpose of offering **HS HCS HB 1000**.

Representative Crump moved the previous question on the vote to suspend Rule 49 (d).

Which motion was adopted by the following vote:

AYES: 085

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Haywood	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Kelly 27	Kelly 36	Kennedy	Koller
Lawson	Liese	Lowe	Luetkenhaus	Mays 50
McKenna	Merideth	Monaco	O'Connor	O'Toole
Overschmidt	Ransdall	Relford	Reynolds	Rizzo
Scheve	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Villa	Wagner	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 074

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Froelker	Gaskill	Griesheimer
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Hunter	Jetton	Kelley 47
Kelly 144	King	Legan	Levin	Linton
Lograsso	Long	Luetkemeyer	Marble	Marsh
May 149	Mayer	Miller	Moore	Murphy
Myers	Naeger	Nordwald	Ostmann	Phillips
Portwood	Purgason	Rector	Reid	Reinhart
Richardson	Ridgeway	Roark	Robirds	Ross
Schwab	Scott	Secrest	Shields	St. Onge
Surface	Townley	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 001

Wiggins

VACANCIES: 003

Representative Crump again moved that Rule 49 (d) be suspended.

Which motion was adopted by the following vote:

AYES: 085

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Farnen	Foley	Ford	Franklin
Fraser	Gambara	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Haywood	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Kelly 27	Kelly 36	Kennedy	Koller
Lawson	Liese	Lowe	Luetkenhaus	Mays 50
McKenna	Merideth	Monaco	O'Connor	O'Toole
Overschmidt	Ransdall	Relford	Reynolds	Rizzo
Scheve	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Villa	Wagner	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 074

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Froelker	Gaskill	Griesheimer

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Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Hunter	Jetton	Kelley 47
Kelly 144	King	Legan	Levin	Linton
Lograsso	Long	Luetkemeyer	Marble	Marsh
May 149	Mayer	Miller	Moore	Murphy
Myers	Naeger	Nordwald	Ostmann	Phillips
Portwood	Purgason	Rector	Reid	Reinhart
Richardson	Ridgeway	Roark	Robirds	Ross
Schwab	Scott	Secrest	Shields	St. Onge
Surface	Townley	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 001

Wiggins

VACANCIES: 003

Representative Hosmer offered **HS HCS HB 1000**.

Representative Long offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1000, Page 51, Section 128.415, Line 20, by inserting after said line the following:

**“Dade County
Dallas County”**; and

Further amend said bill, Page 52, Line 2, by inserting after said line the following:

“Lawrence County (part)

**VTD: 10910 Lincoln
VTD: 10912 Mt. Vernon North
VTD: 10915 Ozark
VTD: 10917 Red Oak
VTD: 10919 Turnback
VTD: 1098 Green”**; and

Further amend said bill, Page 52, Line 11, by deleting all of said line; and

Further amend said bill, Page 74, Section 128.430, Lines 3 and 4, by deleting said lines; and

Further amend said bill, Page 74, Line 7, by deleting said line and inserting in lieu thereof the following:

“Lawrence County (part)

**VTD: 10911 Mt. Pleasant
VTD: 10913 Mt. Vernon Southeast
VTD: 10914 Mt. Vernon Southwest
VTD: 10916 Pierce City
VTD: 10918 Spring River**

VTD: 1092 Aurora North
VTD: 10920 Vineyard
VTD: 1093 Aurora Southeast
VTD: 1094 Aurora Southwest
VTD: 1095 Buck Prairie
VTD: 1096 Forest Park
VTD: 1097 Freistatt
VTD: 1099 Hoberg"; and

Further amend said bill, Page 74, Line 11, by inserting after said line the following: "**Webster County**".

Representative Long moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Griesheimer offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1000, Page 46, Section 128.414, Line 5 through Page 51, Line 16, by deleting all of said lines; and

Further amend said bill, Page 51, Line 21, by deleting from said line "**Cole County**" and inserting in lieu thereof "**Douglas County**"; and

Further amend said bill, Page 52, Line 2, by inserting after said line the following: "**Maries County**"; and

Further amend said bill, Page 52, Line 5, by inserting after said line the following: "**Osage County**"; and

Further amend said bill, Page 52, Line 9, by inserting after said line the following: "**Texas County**"; and

Further amend said bill, Page 52, Line 11, by inserting after said line the following: "**Wright County**"; and

Further amend said bill, Page 74, Section 128.435, Line 20, by deleting from said line the following: "**Douglas County**"; and

Further amend said bill, Page 75, Line 1, by deleting from said line the following: "**Maries County**"; and

Further amend said bill, Page 75, Lines 13 through 20, by deleting all of said lines and inserting in lieu thereof the following: "**St. Francois County**"; and

Further amend said bill, Page 75, Line 24, by deleting from said line "**Texas County**" and inserting in lieu thereof "**Washington County**"; and

Further amend said bill, Page 76, Line 2, by deleting from said line the following: "**Wright County**"; and

Further amend said bill, Page 76, Section 128.440, Line 8 through Page 82, Line 14 by deleting all of said lines and inserting in lieu thereof the following: "**Callaway County**"; and

Further amend said bill, Page 82, Line 16, by inserting after said line the following: "**Cole County**"; and

Further amend said bill, Page 83, Line 2, by deleting from said line the following: "**Osage County**"; and

Further amend said bill, Page 83, Line 8 through Page 84, Line 5, by deleting all of said lines; and

Further amend said bill, Page 84, Line 8, by deleting from said line the following: “ **Washington County**”.

Representative Crump assumed the Chair.

Representative Scheve assumed the Chair.

Representative Griesheimer moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 007

Clayton	Froelker	Griesheimer	Long	Nordwald
Schwab	Townley			

NOES: 112

Abel	Baker	Barnitz	Barry 100	Bartle
Berkowitz	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Coleman	Cooper	Copenhaver
Crawford	Crump	Cunningham	Curls	Davis
Enz	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Johnson 61
Johnson 90	Jolly	Kelly 144	Kelly 27	Kelly 36
Kennedy	Koller	Lawson	Levin	Liese
Lowe	Luetkenhaus	Marsh	May 149	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
O'Connor	O'Toole	Overschmidt	Ransdall	Relford
Reynolds	Ridgeway	Rizzo	Roark	Robirds
Scheve	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	Thompson
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

PRESENT: 031

Barnett	Bartelsmeyer	Bearden	Behnen	Berkstresser
Boatright	Crowell	Dempsey	Dolan	Fares
Gaskill	Hanaway	Jetton	Kelley 47	King
Linton	Lograsso	Luetkemeyer	Marble	Mayer
Naeger	Ostmann	Phillips	Portwood	Purgason
Rector	Reinhart	Richardson	Ross	St. Onge
Wright				

ABSENT WITH LEAVE: 010

Ballard	Holand	Legan	Murphy	Myers
Reid	Scott	Surface	Wiggins	Williams

VACANCIES: 003

HCS HB 1000, with HS, pending, was laid over.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 14**, entitled:

An act to appropriate money for the expenses, grants, distributions, planning and for capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions of the Department of Health, Department of Social Services, Department of Mental Health, Department of Public Safety, Department of Higher Education and institutions of higher education included therein, Department of Elementary and Secondary Education, and the Office of Administration, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2001 and ending June 30, 2002.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SCS HCS HB 16**: Senators Russell, Rohrbach, Westfall, Goode and Wiggins.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed Senator Loudon to replace Senator Kenney on the Conference Committee for **SS SCS HCS HB 567, as amended**.

HOUSE BILL WITH SENATE AMENDMENTS

SCS HCS HB 14, relating to appropriations, was taken up by Representative Green (73).

Representative Green (73) moved that the House refuse to adopt **SCS HCS HB 14** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 14** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Westfall, Rohrbach, Goode and Wiggins.

Speaker Kreider resumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

SCS HCS HB 14: Representatives Green (73), Troupe, Scheve, Hanaway and Shields

SCS HB 16: Representatives Green (73), Ford, Graham, Shields and Bearden

SS SCS HCS HBs 144 & 46: Representatives Bartle, Cierpiot, Monaco, Bonner and Relford

SCS HCS HBs 302 & 38: Representatives Hosmer, Britt, Kelly (36), Mayer and Gaskill

SS SCS HCS HB 567: Representatives Nordwald, Crawford, Treadway, Johnson (90) and Shoemyer

SIGNING OF SENATE BILLS

All other business of the House was suspended while **HCS SCS SB 619** and **SCS SBs 5 & 21** were read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Representative Scheve resumed the Chair.

PERFECTION OF HOUSE BILL

HCS HB 1000, with HS, pending, relating to congressional districts, was again taken up by Representative Hosmer.

Representative Portwood offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill No. 1000, Pages 2 to 23, Section 128.400, by deleting all of said section and inserting in lieu thereof the following:

"128.400. The first district shall be composed of the following:

St. Louis County

VTD: 18910 Airport26

VTD: 18911 Airport27&49&62

VTD: 18912 Airport29&53

VTD: 18913 Airport30

VTD: 189133 CreveCoeur21&39&67&68&69&70&71&72

VTD: 189134 CreveCoeur22&40&61&75&76&77&78&79

VTD: 189136 CreveCoeur25

VTD: 189137 CreveCoeur26

VTD: 189138 CreveCoeur27

VTD: 18914 Airport31&33
VTD: 189140 CreveCoeur3&5
VTD: 189141 CreveCoeur34&66
VTD: 189142 CreveCoeur35
VTD: 189145 CreveCoeur42
VTD: 189146 CreveCoeur43&57&62
VTD: 189147 CreveCoeur44
VTD: 189148 CreveCoeur48
VTD: 189150 CreveCoeur53&54
VTD: 189152 CreveCoeur6&8&18&19&41&52&83
VTD: 189154 Ferguson1&12&21
VTD: 189155 Ferguson10
VTD: 189156 Ferguson11
VTD: 189157 Ferguson14&31&40&55
VTD: 189158 Ferguson16&17
VTD: 189159 Ferguson18&19&27
VTD: 18916 Airport32&37&41
VTD: 189160 Ferguson2&4&25&39
VTD: 189161 Ferguson20&60
VTD: 189162 Ferguson22&29
VTD: 189163 Ferguson24&26
VTD: 189164 Ferguson28&30
VTD: 189165 Ferguson3&13&15&23&51
VTD: 189166 Ferguson32&36
VTD: 189167 Ferguson33&56
VTD: 189168 Ferguson34&35
VTD: 189169 Ferguson42
VTD: 18917 Airport34&64
VTD: 189170 Ferguson43
VTD: 189171 Ferguson44&45&46&52
VTD: 189172 Ferguson47
VTD: 189173 Ferguson48&50
VTD: 189174 Ferguson49
VTD: 189175 Ferguson5
VTD: 189176 Ferguson58SPL9
VTD: 189177 Ferguson59
VTD: 189178 Ferguson6
VTD: 189179 Ferguson7&37
VTD: 18918 Airport4&28
VTD: 189180 Ferguson8&38&57
VTD: 189181 Ferguson9
VTD: 189183 Florissant1&2LC20SPL4
VTD: 189184 Florissant12&24&33&36&46
VTD: 189185 Florissant14&28&47
VTD: 189186 Florissant15
VTD: 189187 Florissant16&26&29&41&49
VTD: 189188 Florissant17
VTD: 189189 Florissant19&42&18&23
VTD: 18919 Airport44
VTD: 189190 Florissant20&37&48
VTD: 189191 Florissant21&44&50
VTD: 189192 Florissant22&32
VTD: 189193 Florissant27&31&40
VTD: 189194 Florissant3FER41

VTD: 189195 Florissant30&35
 VTD: 189196 Florissant4&11
 VTD: 189197 Florissant5&25
 VTD: 189198 Florissant51&52
 VTD: 189199 Florissant6&13
 VTD: 1892 Airport1&2&3&6&20&48&51
 VTD: 18920 Airport47
 VTD: 189200 Florissant7&34&38&39
 VTD: 189201 Florissant8
 VTD: 189202 Florissant9&10&45
 VTD: 18921 Airport5&18&21&39&46&57&59&63
 VTD: 18922 Airport50
 VTD: 18923 Airport54
 VTD: 189234 Hadley10&11
 VTD: 189235 Hadley12&17&18
 VTD: 189236 Hadley13
 VTD: 18924 Airport56
 VTD: 18925 Airport60
 VTD: 189251 Hadley6
 VTD: 189252 Hadley7&8&36
 VTD: 189253 Hadley9
 VTD: 189254 HallsFerry1&2&3&6
 VTD: 189255 HallsFerry10
 VTD: 189256 HallsFerry11
 VTD: 189257 HallsFerry12&13
 VTD: 189258 HallsFerry14
 VTD: 189259 HallsFerry15
 VTD: 18926 Airport7&52
 VTD: 189260 HallsFerry16&17&18&19
 VTD: 189261 HallsFerry20
 VTD: 189262 HallsFerry21
 VTD: 189263 HallsFerry22
 VTD: 189264 HallsFerry23&24
 VTD: 189265 HallsFerry25&34&35
 VTD: 189266 HallsFerry26&27&28&31&32&33
 VTD: 189267 HallsFerry29&30FER61
 VTD: 189268 HallsFerry37&38&39
 VTD: 189269 HallsFerry4
 VTD: 18927 Airport8&12
 VTD: 189270 HallsFerry41&42
 VTD: 189271 HallsFerry5
 VTD: 189272 HallsFerry7
 VTD: 189273 HallsFerry8&9
 VTD: 18928 Airport9&13
 VTD: 1893 Airport10&36&43
 VTD: 189347 Lewis&Clark1&18
 VTD: 189348 Lewis&Clark10
 VTD: 189349 Lewis&Clark11&16&38NW33&63
 VTD: 189350 Lewis&Clark14&28&42
 VTD: 189351 Lewis&Clark15&33&40
 VTD: 189352 Lewis&Clark17&26&30&35&39&24
 VTD: 189353 Lewis&Clark19&27
 VTD: 189354 Lewis&Clark2&3
 VTD: 189355 Lewis&Clark21&31

VTD: 189356 Lewis&Clark23&25&37FLO43
VTD: 189357 Lewis&Clark29&43
VTD: 189358 Lewis&Clark36
VTD: 189359 Lewis&Clark4
VTD: 189360 Lewis&Clark5
VTD: 189361 Lewis&Clark6&9
VTD: 189362 Lewis&Clark7&13&34&41
VTD: 189363 Lewis&Clark8&22
VTD: 189368 MarylandHeights14
VTD: 1894 Airport11&40&55MID32&46
VTD: 189410 Midland1&10
VTD: 189411 Midland12
VTD: 189412 Midland13&40
VTD: 189413 Midland14
VTD: 189414 Midland15&16&36&51
VTD: 189415 Midland17&52
VTD: 189416 Midland18&24
VTD: 189417 Midland19&34&38
VTD: 189418 Midland2&3&45
VTD: 189419 Midland20&29
VTD: 189420 Midland21&41&47
VTD: 189421 Midland26&54
VTD: 189422 Midland27&44
VTD: 189423 Midland28&31
VTD: 189424 Midland33
VTD: 189425 Midland35&39&55
VTD: 189426 Midland37
VTD: 189427 Midland4
VTD: 189428 Midland42&50
VTD: 189429 Midland25&43
VTD: 189430 Midland48
VTD: 189431 Midland49
VTD: 189432 Midland5&8&53
VTD: 189433 Midland6&11
VTD: 189434 Midland7&22
VTD: 189435 Midland9&23&30
VTD: 189461 Normandy1
VTD: 189462 Normandy10&42&43&75
VTD: 189463 Normandy11&36&39&47&67&76
VTD: 189464 Normandy12&17&54NRW19
VTD: 189465 Normandy13&31
VTD: 189466 Normandy14&24
VTD: 189467 Normandy15&35&49
VTD: 189468 Normandy16&41&46&68
VTD: 189469 Normandy18&48
VTD: 189470 Normandy2
VTD: 189471 Normandy20&25&44
VTD: 189472 Normandy21
VTD: 189473 Normandy22&33&70&71
VTD: 189474 Normandy19&26&23&27&28
VTD: 189475 Normandy29
VTD: 189476 Normandy3
VTD: 189477 Normandy30&40&50&51&57&61
VTD: 189478 Normandy32

VTD: 189479 Normandy34
 VTD: 189480 Normandy38&AP58
 VTD: 189481 Normandy4&72
 VTD: 189482 Normandy45&73&74
 VTD: 189483 Normandy5&52
 VTD: 189484 Normandy53
 VTD: 189485 Normandy55&59&60
 VTD: 189486 Normandy56
 VTD: 189487 Normandy58
 VTD: 189488 Normandy6&7
 VTD: 189489 Normandy64&69&65&66&78
 VTD: 189490 Normandy77AP17NRW18&20
 VTD: 189491 Normandy9&37
 VTD: 189492 Northwest1
 VTD: 189493 Northwest10&53
 VTD: 189494 Northwest12&57
 VTD: 189496 Northwest14&15&16
 VTD: 189497 Northwest17&39&45AP35&38&42
 VTD: 189498 Northwest18&41
 VTD: 189499 Northwest19
 VTD: 1895 Airport14&15
 VTD: 189500 Northwest2&4
 VTD: 189501 Northwest20&40
 VTD: 189503 Northwest25&27&46&47&54
 VTD: 189504 Northwest26
 VTD: 189505 Northwest28&50
 VTD: 189506 Northwest29&31&38&42
 VTD: 189507 Northwest3
 VTD: 189508 Northwest34LC12&32
 VTD: 189509 Northwest36&49
 VTD: 189510 Northwest37AP23
 VTD: 189511 Northwest43
 VTD: 189512 Northwest48
 VTD: 189513 Northwest55
 VTD: 189514 Northwest59&62
 VTD: 189515 Northwest6
 VTD: 189516 Northwest7&24&30&44&56
 VTD: 189517 Northwest8&32
 VTD: 189518 Northwest9&22&23&51&52
 VTD: 189519 Norwood1
 VTD: 189520 Norwood17
 VTD: 189521 Norwood2&3&4
 VTD: 189522 Norwood21&24
 VTD: 189523 Norwood22&23
 VTD: 189524 Norwood25&26
 VTD: 189525 Norwood27&28
 VTD: 189526 Norwood29
 VTD: 189527 Norwood30&32&33&36&57
 VTD: 189528 Norwood31&34HLF36
 VTD: 189529 Norwood35HLF40
 VTD: 189530 Norwood37&38&40
 VTD: 189531 Norwood39&41
 VTD: 189532 Norwood42&43&48&49&50
 VTD: 189533 Norwood44&51&53

VTD: 189534 Norwood45&46
VTD: 189535 Norwood47
VTD: 189536 Norwood5&6&7
VTD: 189537 Norwood52&54&55
VTD: 189538 Norwood56NOR8
VTD: 189539 Norwood8&9&10&11&12&13&14&15&16
VTD: 189580 SpanishLake1&35
VTD: 189581 SpanishLake10&34
VTD: 189582 SpanishLake11&29
VTD: 189583 SpanishLake12&20
VTD: 189584 SpanishLake14
VTD: 189585 SpanishLake15&22
VTD: 189586 SpanishLake16
VTD: 189587 SpanishLake17
VTD: 189588 SpanishLake2&3
VTD: 189589 SpanishLake21&33
VTD: 189590 SpanishLake23
VTD: 189591 SpanishLake24&25
VTD: 189592 SpanishLake26
VTD: 189593 SpanishLake27
VTD: 189594 SpanishLake30&31SF4
VTD: 189595 SpanishLake32
VTD: 189596 SpanishLake5&18
VTD: 189597 SpanishLake6&28
VTD: 189598 SpanishLake7
VTD: 189599 SpanishLake8&13&19
VTD: 1896 Airport16
VTD: 189600 St.Ferdinand1
VTD: 189601 St.Ferdinand10
VTD: 189602 St.Ferdinand13&14
VTD: 189603 St.Ferdinand15&16&24
VTD: 189604 St.Ferdinand18&20&38
VTD: 189605 St.Ferdinand19&28
VTD: 189606 St.Ferdinand2
VTD: 189607 St.Ferdinand23&35
VTD: 189608 St.Ferdinand25
VTD: 189609 St.Ferdinand26&36&37
VTD: 189610 St.Ferdinand11712&17&21&22&27&30&
VTD: 189611 St.Ferdinand29&33
VTD: 189612 St.Ferdinand3
VTD: 189613 St.Ferdinand31&32
VTD: 189614 St.Ferdinand5
VTD: 189615 St.Ferdinand6&8
VTD: 189616 St.Ferdinand7&9
VTD: 189638 University1&2&3
VTD: 189639 University11&12
VTD: 189640 University13&14
VTD: 189641 University15&16
VTD: 189642 University17
VTD: 189643 University18&19
VTD: 189644 University20&21
VTD: 189645 University22
VTD: 189646 University23&30
VTD: 189647 University24&29

VTD: 189648 University25&26
VTD: 189649 University27&37
VTD: 189650 University28&34
VTD: 189651 University31&32&41CLA5&56
VTD: 189652 University33&40
VTD: 189653 University35&36&42
VTD: 189654 University38
VTD: 189655 University39
VTD: 189656 University4&10
VTD: 189657 University5&6&7NOR62&63
VTD: 189658 University8&9
VTD: 1897 Airport19&45&61NW5&11&60&61
VTD: 18974 Clayton1&6
VTD: 1898 Airport22
VTD: 1899 Airport24&25

St. Louis City

VTD: 51010 Ward1Pct5
VTD: 510109 Ward17Pct1
VTD: 51011 Ward1Pct6
VTD: 510110 Ward17Pct10
VTD: 510112 Ward17Pct12
VTD: 510113 Ward17Pct13
VTD: 510114 Ward17Pct14
VTD: 510115 Ward17Pct15
VTD: 510117 Ward17Pct2
VTD: 510118 Ward17Pct3
VTD: 510119 Ward17Pct5
VTD: 51012 Ward1Pct7
VTD: 510120 Ward17Pct6
VTD: 510121 Ward17Pct7
VTD: 510122 Ward17Pct8
VTD: 510123 Ward17Pct9
VTD: 510124 Ward18Pct1
VTD: 510125 Ward18Pct10
VTD: 510126 Ward18Pct11
VTD: 510127 Ward18Pct12
VTD: 510128 Ward18Pct13
VTD: 510129 Ward18Pct14
VTD: 51013 Ward1Pct8
VTD: 510130 Ward18Pct2
VTD: 510131 Ward18Pct3
VTD: 510132 Ward18Pct4
VTD: 510133 Ward18Pct5
VTD: 510134 Ward18Pct6
VTD: 510135 Ward18Pct7
VTD: 510136 Ward18Pct8
VTD: 510137 Ward18Pct9
VTD: 510138 Ward19Pct1
VTD: 510139 Ward19Pct10
VTD: 51014 Ward1Pct9
VTD: 510140 Ward19Pct11
VTD: 510141 Ward19Pct12
VTD: 510142 Ward19Pct13

VTD: 510143 Ward19Pct2
VTD: 510144 Ward19Pct3
VTD: 510145 Ward19Pct4
VTD: 510146 Ward19Pct5
VTD: 510147 Ward19Pct6
VTD: 510148 Ward19Pct7
VTD: 510149 Ward19Pct8
VTD: 510150 Ward19Pct9
VTD: 510151 Ward2Pct1
VTD: 510152 Ward2Pct10
VTD: 510153 Ward2Pct11
VTD: 510154 Ward2Pct12
VTD: 510155 Ward2Pct2
VTD: 510156 Ward2Pct3
VTD: 510157 Ward2Pct4
VTD: 510158 Ward2Pct5
VTD: 510159 Ward2Pct6
VTD: 510160 Ward2Pct7
VTD: 510161 Ward2Pct8
VTD: 510162 Ward2Pct9
VTD: 510163 Ward20Pct1
VTD: 510164 Ward20Pct10
VTD: 510165 Ward20Pct11
VTD: 510166 Ward20Pct12
VTD: 510167 Ward20Pct13
VTD: 510168 Ward20Pct14
VTD: 510169 Ward20Pct2
VTD: 510170 Ward20Pct3
VTD: 510171 Ward20Pct4
VTD: 510172 Ward20Pct5
VTD: 510173 Ward20Pct6
VTD: 510174 Ward20Pct8
VTD: 510175 Ward20Pct9
VTD: 510176 Ward21Pct1
VTD: 510177 Ward21Pct11
VTD: 510178 Ward21Pct12
VTD: 510179 Ward21Pct13
VTD: 510180 Ward21Pct14
VTD: 510181 Ward21Pct2
VTD: 510182 Ward21Pct3
VTD: 510183 Ward21Pct4
VTD: 510184 Ward21Pct5
VTD: 510185 Ward21Pct6
VTD: 510186 Ward21Pct7
VTD: 510187 Ward21Pct8
VTD: 510188 Ward21Pct9
VTD: 510189 Ward22Pct1
VTD: 510190 Ward22Pct10
VTD: 510191 Ward22Pct11
VTD: 510192 Ward22Pct2
VTD: 510193 Ward22Pct3
VTD: 510194 Ward22Pct4
VTD: 510195 Ward22Pct5
VTD: 510196 Ward22Pct6

VTD: 510197 Ward22Pct7
VTD: 510198 Ward22Pct8
VTD: 510199 Ward22Pct9
VTD: 5102 Ward1Pct1
VTD: 510246 Ward26Pct1
VTD: 510247 Ward26Pct10
VTD: 510248 Ward26Pct11
VTD: 510249 Ward26Pct12
VTD: 510250 Ward26Pct2
VTD: 510251 Ward26Pct3
VTD: 510252 Ward26Pct4
VTD: 510253 Ward26Pct5
VTD: 510254 Ward26Pct6
VTD: 510255 Ward26Pct7
VTD: 510256 Ward26Pct8
VTD: 510257 Ward26Pct9
VTD: 510258 Ward27Pct1
VTD: 510259 Ward27Pct10
VTD: 510260 Ward27Pct11
VTD: 510261 Ward27Pct12
VTD: 510262 Ward27Pct2
VTD: 510263 Ward27Pct3
VTD: 510264 Ward27Pct4
VTD: 510265 Ward27Pct5
VTD: 510266 Ward27Pct6
VTD: 510267 Ward27Pct7
VTD: 510268 Ward27Pct8
VTD: 510269 Ward27Pct9
VTD: 510271 Ward28Pct10
VTD: 510272 Ward28Pct11
VTD: 510273 Ward28Pct12
VTD: 510274 Ward28Pct13
VTD: 510275 Ward28Pct14
VTD: 510276 Ward28Pct15
VTD: 510278 Ward28Pct3
VTD: 510279 Ward28Pct4
VTD: 510280 Ward28Pct5
VTD: 510281 Ward28Pct6
VTD: 510282 Ward28Pct7
VTD: 510283 Ward28Pct8
VTD: 510284 Ward28Pct9
VTD: 510285 Ward3Pct1
VTD: 510286 Ward3Pct10
VTD: 510287 Ward3Pct11
VTD: 510288 Ward3Pct12
VTD: 510289 Ward3Pct2
VTD: 510290 Ward3Pct3
VTD: 510291 Ward3Pct4
VTD: 510292 Ward3Pct5
VTD: 510293 Ward3Pct6
VTD: 510294 Ward3Pct7
VTD: 510295 Ward3Pct8
VTD: 510296 Ward3Pct9
VTD: 510297 Ward4Pct1

VTD: 510298 Ward4Pct10
VTD: 510299 Ward4Pct11
VTD: 5103 Ward1Pct10
VTD: 510300 Ward4Pct12
VTD: 510301 Ward4Pct13
VTD: 510302 Ward4Pct2
VTD: 510303 Ward4Pct3
VTD: 510304 Ward4Pct4
VTD: 510305 Ward4Pct5
VTD: 510306 Ward4Pct6
VTD: 510307 Ward4Pct7
VTD: 510308 Ward4Pct8
VTD: 510309 Ward4Pct9
VTD: 510310 Ward5Pct1
VTD: 510311 Ward5Pct2
VTD: 510312 Ward5Pct3
VTD: 510313 Ward5Pct4
VTD: 510314 Ward5Pct5
VTD: 510315 Ward5Pct6
VTD: 510316 Ward5Pct7
VTD: 510317 Ward5Pct8
VTD: 510318 Ward5Pct9
VTD: 510319 Ward6Pct1
VTD: 510320 Ward6Pct10
VTD: 510321 Ward6Pct11
VTD: 510322 Ward6Pct2
VTD: 510323 Ward6Pct3
VTD: 510324 Ward6Pct4
VTD: 510325 Ward6Pct5
VTD: 510326 Ward6Pct6
VTD: 510327 Ward6Pct7
VTD: 510328 Ward6Pct8
VTD: 510329 Ward6Pct9
VTD: 510330 Ward7Pct1
VTD: 510331 Ward7Pct10
VTD: 510332 Ward7Pct11
VTD: 510333 Ward7Pct12
VTD: 510335 Ward7Pct14
VTD: 510336 Ward7Pct2
VTD: 510337 Ward7Pct3
VTD: 510341 Ward7Pct7
VTD: 510342 Ward7Pct8
VTD: 510345 Ward8Pct10
VTD: 510346 Ward8Pct11
VTD: 510347 Ward8Pct12
VTD: 510348 Ward8Pct13
VTD: 510349 Ward8Pct14
VTD: 510350 Ward8Pct15
VTD: 510351 Ward8Pct16
VTD: 510353 Ward8Pct3
VTD: 510354 Ward8Pct4
VTD: 510355 Ward8Pct5
VTD: 510356 Ward8Pct6
BLK: 172003000

VTD: 510357 Ward8Pct7
VTD: 510358 Ward8Pct8
BLK: 174005001
BLK: 174006000
BLK: 174006001
BLK: 174006002
BLK: 174006003
BLK: 174006004
BLK: 174006005
VTD: 510359 Ward8Pct9
VTD: 510370 Ward17Pct4
VTD: 510371 Ward20Pct7
VTD: 510372 Ward21Pct10
VTD: 5104 Ward1Pct11
VTD: 5105 Ward1Pct12
VTD: 5106 Ward1Pct13
VTD: 5107 Ward1Pct2
VTD: 5108 Ward1Pct3
VTD: 5109 Ward1Pct4"; and

Further amend said bill, Pages 23 to 31, Section 128.405, by deleting all of said section and inserting in lieu thereof the following:

"128.405. The second district shall be composed of the following:

St. Charles County
St. Louis County
VTD: 189111 Concord25
VTD: 189126 CreveCoeur1
VTD: 189127 CreveCoeur11&12&13
VTD: 189128 CreveCoeur14&15&24&51
VTD: 189129 CreveCoeur16&82
VTD: 189130 CreveCoeur17&47&58
VTD: 189131 CreveCoeur2&9&10
VTD: 189132 CreveCoeur20&28&30&38&46&60&63&64
VTD: 189135 CreveCoeur23&33
VTD: 189139 CreveCoeur29&31&37&45
VTD: 189143 CreveCoeur36&55
VTD: 189144 CreveCoeur4&32&50&56&59
VTD: 189149 CreveCoeur49
VTD: 189153 CreveCoeur7MHT13&29
VTD: 189203 Gravois1&28&56
VTD: 189204 Gravois10&17
VTD: 189206 Gravois13
VTD: 189219 Gravois29&32&47&48
VTD: 189220 Gravois3&7&8
VTD: 189223 Gravois36&59
VTD: 189224 Gravois4
VTD: 189226 Gravois41
VTD: 189227 Gravois43&44&49
VTD: 189228 Gravois5
VTD: 189229 Gravois53&60
VTD: 189231 Gravois9&45&46
VTD: 189232 Gravois9&45&46
VTD: 189274 Jefferson1&3

VTD: 189282 Jefferson2
VTD: 189289 Jefferson32&33&35
VTD: 18929 Bonhomme1
VTD: 189290 Jefferson34&36
VTD: 189291 Jefferson37&38&39&40
VTD: 189292 Jefferson4&5
VTD: 18930 Bonhomme10
VTD: 189302 Lafayette1&3
VTD: 189303 Lafayette14&28
VTD: 189304 Lafayette15&16&17
VTD: 189305 Lafayette18&19&20&21&51
VTD: 189306 Lafayette2&53
VTD: 189307 Lafayette22&23&50
VTD: 189308 Lafayette24&48&49
VTD: 189309 Lafayette25&26&36&37
VTD: 18931 Bonhomme11&26&44&49
VTD: 189310 Lafayette27
VTD: 189311 Lafayette29
VTD: 189312 Lafayette32
VTD: 189313 Lafayette33
VTD: 189314 Lafayette34&35&40&44
VTD: 189315 Lafayette38
VTD: 189316 Lafayette39
VTD: 189317 Lafayette4&52
VTD: 189318 Lafayette41&42&47
VTD: 189319 Lafayette43
VTD: 18932 Bonhomme12
VTD: 189320 Lafayette45
VTD: 189321 Lafayette46
VTD: 189322 Lafayette5
VTD: 189323 Lafayette6
VTD: 189324 Lafayette7&13
VTD: 189325 Lafayette8&9&10&11&12
VTD: 18933 Bonhomme13
VTD: 18935 Bonhomme16&37&38&39
VTD: 18936 Bonhomme17&18&21
VTD: 189364 MarylandHeights1&4&5
VTD: 189365 MarylandHeights10&38&40
VTD: 189366 MarylandHeights11&23
VTD: 189367 MarylandHeights12&16&22
VTD: 189369 MarylandHeights15
VTD: 18937 Bonhomme2
VTD: 189370 MarylandHeights17&25
VTD: 189371 MarylandHeights18&36&37&42
VTD: 189372 MarylandHeights19&33
VTD: 189373 MarylandHeights2&24&26CHE59
VTD: 189374 MarylandHeights20
VTD: 189375 MarylandHeights27CHE47
VTD: 189376 MarylandHeights3MR79
VTD: 189377 MarylandHeights30&34
VTD: 189378 MarylandHeights31&32&41&43
VTD: 189379 MarylandHeights35MR17&75&78
VTD: 18938 Bonhomme23&47
VTD: 189380 MarylandHeights6

VTD: 189381 MarylandHeights7&39MR52
 VTD: 189382 MarylandHeights8&21&28
 VTD: 189383 MarylandHeights9
 VTD: 189384 Meramec1&2&40
 VTD: 189385 Meramec11&25&66
 VTD: 189386 Meramec12&44&70
 VTD: 189387 Meramec13&22&24&68&72
 VTD: 189388 Meramec15
 VTD: 189389 Meramec17
 VTD: 189390 Meramec18&19&20
 VTD: 189391 Meramec21&57&69
 VTD: 189392 Meramec23
 VTD: 189393 Meramec27&28&39&52&53&55CHE40&43
 VTD: 189394 Meramec29&45&48&50&58&60
 VTD: 189395 Meramec3&14&26&30&32
 VTD: 189396 Meramec37&63
 VTD: 189397 Meramec4&34&46&47
 VTD: 189398 Meramec42
 VTD: 189399 Meramec43&49&62&54
 VTD: 18940 Bonhomme25&34
 VTD: 189400 Meramec51
 VTD: 189402 Meramec56&67
 VTD: 189403 Meramec6&41
 VTD: 189404 Meramec61&71
 VTD: 189405 Meramec64
 VTD: 189406 Meramec65
 VTD: 189407 Meramec7&10&33
 VTD: 189408 Meramec8&31&59CHE45
 VTD: 189409 Meramec9&16&35
 VTD: 18941 Bonhomme27
 VTD: 18942 Bonhomme3&36&42&43&46
 VTD: 18943 Bonhomme31&32
 VTD: 189436 MissouriRiver1&2
 VTD: 189437 MissouriRiver10&12
 VTD: 189438 MissouriRiver16&47
 VTD: 189439 MissouriRiver22&37&40&42
 VTD: 18944 Bonhomme33
 VTD: 189440 MissouriRiver23&34
 VTD: 189441 MissouriRiver25&31&44&45&61
 VTD: 189442 MissouriRiver26&55&60
 VTD: 189443 MissouriRiver3&67
 VTD: 189444 MissouriRiver30
 VTD: 189445 MissouriRiver35&50
 VTD: 189446 MissouriRiver36&46&69
 VTD: 189447 MissouriRiver38
 VTD: 189448 MissouriRiver4&13&14&18&28&32&80B
 VTD: 189449 MissouriRiver41&48&57&62
 VTD: 189450 MissouriRiver49&51&54
 VTD: 189451 MissouriRiver5&8&39&56&58&65&70&7
 VTD: 189452 MissouriRiver53&64
 VTD: 189453 MissouriRiver59&63&66&74&82
 VTD: 189454 MissouriRiver6&27&33
 VTD: 189455 MissouriRiver68&72
 VTD: 189456 MissouriRiver7&11&19&20&21

VTD: 189457 MissouriRiver73&76&77
 VTD: 189458 MissouriRiver81
 VTD: 189459 MissouriRiver9&15&24&29&43
 VTD: 18946 Bonhomme40
 VTD: 18947 Bonhomme5
 VTD: 18948 Bonhomme6&19&20&45
 VTD: 18949 Bonhomme7
 VTD: 189495 Northwest13
 VTD: 18950 Bonhomme8&22
 VTD: 189502 Northwest21&35&58
 VTD: 18951 Bonhomme9
 VTD: 18952 Chesterfield1&7&14&28&61&64
 VTD: 18953 Chesterfield10
 VTD: 18954 Chesterfield31&12&52&73LAF31
 VTD: 18955 Chesterfield13&26&27&63
 VTD: 189558 Queeny1&24
 VTD: 189559 Queeny10&11&19&32&36&39&42&46&50
 VTD: 18956 Chesterfield15&16&22
 VTD: 189560 Queeny12&17&40
 VTD: 189561 Queeny15&45
 VTD: 189562 Queeny2&3&22
 VTD: 189563 Queeny21
 VTD: 189564 Queeny23
 VTD: 189565 Queeny25&28&35&38&51&52&53
 VTD: 189566 Queeny26&27
 VTD: 189567 Queeny29
 VTD: 189568 Queeny30&56
 VTD: 189569 Queeny31
 VTD: 18957 Chesterfield17&51
 VTD: 189570 Queeny33&43&48&54
 VTD: 189571 Queeny34&47&57
 VTD: 189572 Queeny37&55
 VTD: 189573 Queeny4&5&6
 VTD: 189574 Queeny41
 VTD: 189575 Queeny44
 VTD: 189576 Queeny58
 VTD: 189577 Queeny7
 VTD: 189578 Queeny8&13&14&16&18&49
 VTD: 189579 Queeny9&20
 VTD: 18958 Chesterfield18
 VTD: 18959 Chesterfield2&32
 VTD: 18960 Chesterfield21&24&75
 VTD: 18961 Chesterfield23&54&55&56
 VTD: 189617 TessonFerry1&2&5BON35&41
 VTD: 189618 TessonFerry12&15
 VTD: 18962 Chesterfield3&11
 VTD: 189626 TessonFerry3&4&42
 VTD: 18963 Chesterfield34&35&36&37&49&50&57&7
 VTD: 189635 TessonFerry6
 VTD: 189636 TessonFerry7&9&10&11
 VTD: 189637 TessonFerry8&13&14&16
 VTD: 18964 Chesterfield38&68&78
 VTD: 18965 Chesterfield39&42&46
 VTD: 18966 Chesterfield4&9&33

VTD: 18967 Chesterfield41&48&71
VTD: 18968 Chesterfield5&6&19&20&25&29&53
VTD: 18969 Chesterfield58&60&66&67&69MER5
VTD: 18970 Chesterfield65MER36&38
VTD: 18971 Chesterfield70
VTD: 18972 Chesterfield72&74LAF30
VTD: 18973 Chesterfield8&30
VTD: 18976 Clayton12
VTD: 18977 Clayton13&14&47
VTD: 18978 Clayton15&16
VTD: 18979 Clayton18&34&36&40&55
VTD: 18984 Clayton24&26&37
VTD: 18985 Clayton25&45
VTD: 18997 Clayton7"; and

Further amend said bill, Pages 32 to 45, Section 128.410, by deleting all of said section and inserting in lieu thereof the following:

"128.410. The third district shall be composed of the following:

Jefferson County

St. Louis County

VTD: 189100 Concord1&33
VTD: 189101 Concord10&22
VTD: 189102 Concord11&12&16&57
VTD: 189103 Concord13&28
VTD: 189104 Concord14
VTD: 189105 Concord18&56
VTD: 189106 Concord2&34
VTD: 189107 Concord20&55LEM18
VTD: 189108 Concord21&30&51
VTD: 189109 Concord23&29
VTD: 189110 Concord24&32&46&48&49
VTD: 189112 Concord26&37
VTD: 189113 Concord19&38
VTD: 189114 Concord3&5&15&27&40&53
VTD: 189115 Concord31
VTD: 189116 Concord35&36
VTD: 189117 Concord39
VTD: 189118 Concord4&6
VTD: 189119 Concord42&45
VTD: 189120 Concord43
VTD: 189121 Concord44
VTD: 189122 Concord47
VTD: 189123 Concord50
VTD: 189124 Concord7&41&54
VTD: 189125 Concord8&9&52
VTD: 189205 Gravois11&57
VTD: 189207 Gravois14&50
VTD: 189208 Gravois15&30
VTD: 189209 Gravois16&23&31
VTD: 189210 Gravois18&34&37&51
VTD: 189211 Gravois19&58
VTD: 189212 Gravois2
VTD: 189213 Gravois20&38

VTD: 189214 Gravois21&22&39
VTD: 189215 Gravois24
VTD: 189216 Gravois12&25
VTD: 189217 Gravois26
VTD: 189218 Gravois27&52&55
VTD: 189221 Gravois33&42
VTD: 189222 Gravois35
VTD: 189225 Gravois40
VTD: 189230 Gravois6&54
VTD: 189233 Hadley1&2
VTD: 189237 Hadley14
VTD: 189238 Hadley15&16
VTD: 189239 Hadley19&31
VTD: 189240 Hadley20&22&23
VTD: 189241 Hadley25&27
VTD: 189242 Hadley28&29
VTD: 189243 Hadley3
VTD: 189244 Hadley30CLA2
VTD: 189245 Hadley32
VTD: 189246 Hadley33
VTD: 189247 Hadley34
VTD: 189248 Hadley35
VTD: 189249 Hadley4&21&24&26
VTD: 189250 Hadley5
VTD: 189275 Jefferson10
VTD: 189276 Jefferson11
VTD: 189277 Jefferson12&15
VTD: 189278 Jefferson13&20
VTD: 189279 Jefferson14&19
VTD: 189280 Jefferson16&49&50
VTD: 189281 Jefferson18&24
VTD: 189283 Jefferson21&29
VTD: 189284 Jefferson22&25&26
VTD: 189285 Jefferson23&47
VTD: 189286 Jefferson27&28
VTD: 189287 Jefferson30&42&51
VTD: 189288 Jefferson31&44
VTD: 189293 Jefferson41
VTD: 189294 Jefferson43
VTD: 189295 Jefferson45&46
VTD: 189296 Jefferson48
VTD: 189297 Jefferson52
VTD: 189298 Jefferson6
VTD: 189299 Jefferson7&17
VTD: 189300 Jefferson8
VTD: 189301 Jefferson9
VTD: 189326 Lemay1&5
VTD: 189327 Lemay10
VTD: 189328 Lemay11&16&20&38&43
VTD: 189329 Lemay12
VTD: 189330 Lemay13
VTD: 189331 Lemay14CON17
VTD: 189332 Lemay15
VTD: 189333 Lemay17&24&29&32&46

VTD: 189334 Lemay19
VTD: 189335 Lemay2&3&34
VTD: 189336 Lemay21&42&44&37
VTD: 189337 Lemay22&40
VTD: 189338 Lemay23&31
VTD: 189339 Lemay25&26&27&28
VTD: 18934 Bonhomme14&15&28&29
VTD: 189340 Lemay30&36
VTD: 189341 Lemay33&35
VTD: 189343 Lemay39&45
VTD: 189344 Lemay4&6&8&41
VTD: 189345 Lemay7
VTD: 189346 Lemay9
VTD: 18939 Bonhomme24
VTD: 18945 Bonhomme4&48
VTD: 189540 Oakville1
VTD: 189541 Oakville10
VTD: 189542 Oakville11&22
VTD: 189543 Oakville12
VTD: 189544 Oakville15&28
VTD: 189545 Oakville17&20&27
VTD: 189546 Oakville18&25
VTD: 189547 Oakville19
VTD: 189548 Oakville2
VTD: 189549 Oakville21&26
VTD: 189550 Oakville3&16&23&30
VTD: 189551 Oakville31
VTD: 189552 Oakville4&14
VTD: 189553 Oakville5
VTD: 189554 Oakville6
VTD: 189555 Oakville7&13&32
VTD: 189556 Oakville8TSF40
VTD: 189557 Oakville9&24&29
VTD: 189619 TessonFerry17&18
VTD: 189620 TessonFerry19
VTD: 189621 TessonFerry20&26
VTD: 189622 TessonFerry21
VTD: 189623 TessonFerry22&23
VTD: 189624 TessonFerry24&29
VTD: 189625 TessonFerry25&27&28
VTD: 189627 TessonFerry30&31
VTD: 189628 TessonFerry32&39
VTD: 189629 TessonFerry33
VTD: 189630 TessonFerry34
VTD: 189631 TessonFerry35
VTD: 189632 TessonFerry36
VTD: 189633 TessonFerry37&38
VTD: 189634 TessonFerry41
VTD: 18975 Clayton11
VTD: 18980 Clayton19&20&27
VTD: 18981 Clayton21&52
VTD: 18982 Clayton22&54
VTD: 18983 Clayton23&33
VTD: 18986 Clayton28&38&39

VTD: 18987 Clayton29&41&42
VTD: 18988 Clayton3&10
VTD: 18989 Clayton30&31
VTD: 18990 Clayton32&35
VTD: 18991 Clayton4
VTD: 18992 Clayton43&46&48&49
VTD: 18993 Clayton50
VTD: 18994 Clayton51
VTD: 18995 Clayton53
VTD: 18998 Clayton8&44
VTD: 18999 Clayton9&17

St. Louis City

VTD: 510100 Ward16Pct18
VTD: 510101 Ward16Pct2
VTD: 510102 Ward16Pct3
VTD: 510103 Ward16Pct4
VTD: 510104 Ward16Pct5
VTD: 510105 Ward16Pct6
VTD: 510106 Ward16Pct7
VTD: 510107 Ward16Pct8
VTD: 510108 Ward16Pct9
VTD: 510111 Ward17Pct11
VTD: 510116 Ward17Pct16
VTD: 51015 Ward10Pct1
VTD: 51016 Ward10Pct10
VTD: 51017 Ward10Pct11
VTD: 51018 Ward10Pct2
VTD: 51019 Ward10Pct3
VTD: 51020 Ward10Pct4
VTD: 510200 Ward23Pct1
VTD: 510201 Ward23Pct10
VTD: 510202 Ward23Pct11
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VTD: 510204 Ward23Pct13
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VTD: 510209 Ward23Pct3
VTD: 51021 Ward10Pct5
VTD: 510210 Ward23Pct4
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VTD: 510213 Ward23Pct7
VTD: 510214 Ward23Pct8
VTD: 510215 Ward23Pct9
VTD: 510216 Ward24Pct1
VTD: 510217 Ward24Pct10
VTD: 510218 Ward24Pct11
VTD: 510219 Ward24Pct12
VTD: 51022 Ward10Pct6
VTD: 510220 Ward24Pct13
VTD: 510221 Ward24Pct14

VTD: 510222 Ward24Pct15
VTD: 510223 Ward24Pct2
VTD: 510224 Ward24Pct3
VTD: 510225 Ward24Pct4
VTD: 510226 Ward24Pct5
VTD: 510227 Ward24Pct6
VTD: 510228 Ward24Pct7
VTD: 510229 Ward24Pct8
VTD: 51023 Ward10Pct7
VTD: 510230 Ward24Pct9
VTD: 510231 Ward25Pct1
VTD: 510232 Ward25Pct10
VTD: 510233 Ward25Pct11
VTD: 510234 Ward25Pct12
VTD: 510235 Ward25Pct13
VTD: 510236 Ward25Pct14
VTD: 510237 Ward25Pct15
VTD: 510238 Ward25Pct2
VTD: 510239 Ward25Pct3
VTD: 51024 Ward10Pct8
VTD: 510240 Ward25Pct4
VTD: 510241 Ward25Pct5
VTD: 510242 Ward25Pct6
VTD: 510243 Ward25Pct7
VTD: 510244 Ward25Pct8
VTD: 510245 Ward25Pct9
VTD: 51025 Ward10Pct9
VTD: 51026 Ward11Pct1
VTD: 51027 Ward11Pct10
VTD: 510270 Ward28Pct1
VTD: 510277 Ward28Pct2
VTD: 51028 Ward11Pct11
VTD: 51029 Ward11Pct12
VTD: 51030 Ward11Pct2
VTD: 51031 Ward11Pct3
VTD: 51032 Ward11Pct4
VTD: 51033 Ward11Pct5
VTD: 510334 Ward7Pct13
VTD: 510338 Ward7Pct4
VTD: 510339 Ward7Pct5
VTD: 51034 Ward11Pct6
VTD: 510340 Ward7Pct6
VTD: 510343 Ward7Pct9
VTD: 510344 Ward8Pct1
VTD: 51035 Ward11Pct7
VTD: 510352 Ward8Pct2
VTD: 510358 Ward8Pct8
BLK: 174005000
BLK: 174005002
BLK: 174005003
BLK: 174005004
BLK: 174005005
VTD: 51036 Ward11Pct8
VTD: 510360 Ward9Pct1

VTD: 510361 Ward9Pct10
VTD: 510362 Ward9Pct2
VTD: 510363 Ward9Pct3
VTD: 510364 Ward9Pct4
VTD: 510365 Ward9Pct5
VTD: 510366 Ward9Pct6
VTD: 510367 Ward9Pct7
VTD: 510368 Ward9Pct8
VTD: 510369 Ward9Pct9
VTD: 51037 Ward11Pct9
VTD: 510373 Ward12Pct4
VTD: 510374 Ward12Pct7
VTD: 510375 Ward12Pct12
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VTD: 51055 Ward13Pct13
VTD: 51056 Ward13Pct14
VTD: 51057 Ward13Pct2
VTD: 51058 Ward13Pct3
VTD: 51059 Ward13Pct4
VTD: 51060 Ward13Pct5
VTD: 51061 Ward13Pct6
VTD: 51062 Ward13Pct7
VTD: 51063 Ward13Pct8
VTD: 51064 Ward13Pct9
VTD: 51065 Ward14Pct1
VTD: 51066 Ward14Pct10
VTD: 51067 Ward14Pct11
VTD: 51068 Ward14Pct12
VTD: 51069 Ward14Pct13
VTD: 51070 Ward14Pct14
VTD: 51071 Ward14Pct2
VTD: 51072 Ward14Pct3
VTD: 51073 Ward14Pct4
VTD: 51074 Ward14Pct5
VTD: 51075 Ward14Pct6
VTD: 51076 Ward14Pct7
VTD: 51077 Ward14Pct8
VTD: 51078 Ward14Pct9

VTD: 51079 Ward15Pct1
VTD: 51080 Ward15Pct10
VTD: 51081 Ward15Pct11
VTD: 51082 Ward15Pct12
VTD: 51083 Ward15Pct2
VTD: 51084 Ward15Pct3
VTD: 51085 Ward15Pct4
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VTD: 51088 Ward15Pct7
VTD: 51089 Ward15Pct8
VTD: 51090 Ward15Pct9
VTD: 51091 Ward16Pct1
VTD: 51092 Ward16Pct10
VTD: 51093 Ward16Pct11
VTD: 51094 Ward16Pct12
VTD: 51095 Ward16Pct13
VTD: 51096 Ward16Pct14
VTD: 51097 Ward16Pct15
VTD: 51098 Ward16Pct16
VTD: 51099 Ward16Pct17

Ste. Genevieve County"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Reid offered **House Substitute Amendment No. 1 for House Amendment No. 3.**

*House Substitute Amendment No. 1
for
House Amendment No. 3*

AMEND House Substitute for House Committee Substitute for House Bill No. 1000, Pages 2 to 23, Section 128.400, by deleting all of said section and inserting in lieu thereof the following:

"128.400. The first district shall be composed of the following:

St. Louis County

VTD: 18910 Airport26
VTD: 18911 Airport27&49&62
VTD: 18912 Airport29&53
VTD: 189126 CreveCoeur1
VTD: 189127 CreveCoeur11&12&13
VTD: 189128 CreveCoeur14&15&24&51
VTD: 189129 CreveCoeur16&82
VTD: 18913 Airport30
VTD: 189130 CreveCoeur17&47&58
VTD: 189131 CreveCoeur2&9&10
VTD: 189132 CreveCoeur20&28&30&38&46&60&63&64
VTD: 189133 CreveCoeur21&39&67&68&69&70&71&72
VTD: 189134 CreveCoeur22&40&61&75&76&77&78&79
VTD: 189135 CreveCoeur23&33
VTD: 189136 CreveCoeur25

VTD: 189137 CreveCoeur26
VTD: 189138 CreveCoeur27
VTD: 189139 CreveCoeur29&31&37&45
VTD: 18914 Airport31&33
VTD: 189140 CreveCoeur3&5
VTD: 189141 CreveCoeur34&66
VTD: 189142 CreveCoeur35
VTD: 189143 CreveCoeur36&55
VTD: 189144 CreveCoeur4&32&50&56&59
VTD: 189145 CreveCoeur42
VTD: 189146 CreveCoeur43&57&62
VTD: 189147 CreveCoeur44
VTD: 189148 CreveCoeur48
VTD: 189149 CreveCoeur49
VTD: 189150 CreveCoeur53&54
VTD: 189152 CreveCoeur6&8&18&19&41&52&83
VTD: 189153 CreveCoeur7MHT13&29
VTD: 189154 Ferguson1&12&21
VTD: 189155 Ferguson10
VTD: 189156 Ferguson11
VTD: 189157 Ferguson14&31&40&55
VTD: 189158 Ferguson16&17
VTD: 189159 Ferguson18&19&27
VTD: 18916 Airport32&37&41
VTD: 189160 Ferguson2&4&25&39
VTD: 189161 Ferguson20&60
VTD: 189162 Ferguson22&29
VTD: 189163 Ferguson24&26
VTD: 189164 Ferguson28&30
VTD: 189165 Ferguson3&13&15&23&51
VTD: 189166 Ferguson32&36
VTD: 189167 Ferguson33&56
VTD: 189168 Ferguson34&35
VTD: 189169 Ferguson42
VTD: 18917 Airport34&64
VTD: 189170 Ferguson43
VTD: 189171 Ferguson44&45&46&52
VTD: 189172 Ferguson47
VTD: 189173 Ferguson48&50
VTD: 189174 Ferguson49
VTD: 189175 Ferguson5
VTD: 189176 Ferguson58SPL9
VTD: 189177 Ferguson59
VTD: 189178 Ferguson6
VTD: 189179 Ferguson7&37
VTD: 18918 Airport4&28
VTD: 189180 Ferguson8&38&57
VTD: 189181 Ferguson9
VTD: 189183 Florissant1&2LC20SPL4
VTD: 189184 Florissant12&24&33&36&46
VTD: 189185 Florissant14&28&47
VTD: 189186 Florissant15
VTD: 189187 Florissant16&26&29&41&49
VTD: 189188 Florissant17

VTD: 189189 Florissant19&42&18&23
 VTD: 18919 Airport44
 VTD: 189190 Florissant20&37&48
 VTD: 189191 Florissant21&44&50
 VTD: 189192 Florissant22&32
 VTD: 189193 Florissant27&31&40
 VTD: 189194 Florissant3FER41
 VTD: 189195 Florissant30&35
 VTD: 189196 Florissant4&11
 VTD: 189197 Florissant5&25
 VTD: 189198 Florissant51&52
 VTD: 189199 Florissant6&13
 VTD: 1892 Airport1&2&3&6&20&48&51
 VTD: 18920 Airport47
 VTD: 189200 Florissant7&34&38&39
 VTD: 189201 Florissant8
 VTD: 189202 Florissant9&10&45
 VTD: 18921 Airport5&18&21&39&46&57&59&63
 VTD: 18922 Airport50
 VTD: 18923 Airport54
 VTD: 18924 Airport56
 VTD: 18925 Airport60
 VTD: 189251 Hadley6
 VTD: 189252 Hadley7&8&36
 VTD: 189254 HallsFerry1&2&3&6
 VTD: 189255 HallsFerry10
 VTD: 189256 HallsFerry11
 VTD: 189257 HallsFerry12&13
 VTD: 189258 HallsFerry14
 VTD: 189259 HallsFerry15
 VTD: 18926 Airport7&52
 VTD: 189260 HallsFerry16&17&18&19
 VTD: 189261 HallsFerry20
 VTD: 189262 HallsFerry21
 VTD: 189263 HallsFerry22
 VTD: 189264 HallsFerry23&24
 VTD: 189265 HallsFerry25&34&35
 VTD: 189266 HallsFerry26&27&28&31&32&33
 VTD: 189267 HallsFerry29&30FER61
 VTD: 189268 HallsFerry37&38&39
 VTD: 189269 HallsFerry4
 VTD: 18927 Airport8&12
 VTD: 189270 HallsFerry41&42
 VTD: 189271 HallsFerry5
 VTD: 189272 HallsFerry7
 VTD: 189273 HallsFerry8&9
 VTD: 18928 Airport9&13
 VTD: 1893 Airport10&36&43
 VTD: 189354 Lewis&Clark2&3
 VTD: 189355 Lewis&Clark21&31
 VTD: 189356 Lewis&Clark23&25&37FLO43
 VTD: 189358 Lewis&Clark36
 VTD: 189359 Lewis&Clark4
 VTD: 189363 Lewis&Clark8&22

VTD: 189365 MarylandHeights10&38&40
VTD: 189368 MarylandHeights14
VTD: 189370 MarylandHeights17&25
VTD: 189382 MarylandHeights8&21&28
VTD: 189383 MarylandHeights9
VTD: 1894 Airport11&40&55MID32&46
VTD: 189410 Midland1&10
VTD: 189411 Midland12
VTD: 189412 Midland13&40
VTD: 189413 Midland14
VTD: 189414 Midland15&16&36&51
VTD: 189415 Midland17&52
VTD: 189416 Midland18&24
VTD: 189417 Midland19&34&38
VTD: 189418 Midland2&3&45
VTD: 189419 Midland20&29
VTD: 189420 Midland21&41&47
VTD: 189421 Midland26&54
VTD: 189422 Midland27&44
VTD: 189423 Midland28&31
VTD: 189424 Midland33
VTD: 189425 Midland35&39&55
VTD: 189426 Midland37
VTD: 189427 Midland4
VTD: 189428 Midland42&50
VTD: 189429 Midland25&43
VTD: 189430 Midland48
VTD: 189431 Midland49
VTD: 189432 Midland5&8&53
VTD: 189433 Midland6&11
VTD: 189434 Midland7&22
VTD: 189435 Midland9&23&30
VTD: 189437 MissouriRiver10&12
VTD: 189438 MissouriRiver16&47
VTD: 189455 MissouriRiver68&72
VTD: 189457 MissouriRiver73&76&77
VTD: 189461 Normandy1
VTD: 189462 Normandy10&42&43&75
VTD: 189463 Normandy11&36&39&47&67&76
VTD: 189464 Normandy12&17&54NRW19
VTD: 189465 Normandy13&31
VTD: 189466 Normandy14&24
VTD: 189467 Normandy15&35&49
VTD: 189468 Normandy16&41&46&68
VTD: 189469 Normandy18&48
VTD: 189470 Normandy2
VTD: 189471 Normandy20&25&44
VTD: 189472 Normandy21
VTD: 189473 Normandy22&33&70&71
VTD: 189474 Normandy19&26&23&27&28
VTD: 189475 Normandy29
VTD: 189476 Normandy3
VTD: 189477 Normandy30&40&50&51&57&61
VTD: 189478 Normandy32

VTD: 189479 Normandy34
 VTD: 189480 Normandy38&AP58
 VTD: 189481 Normandy4&72
 VTD: 189482 Normandy45&73&74
 VTD: 189483 Normandy5&52
 VTD: 189484 Normandy53
 VTD: 189485 Normandy55&59&60
 VTD: 189486 Normandy56
 VTD: 189487 Normandy58
 VTD: 189488 Normandy6&7
 VTD: 189489 Normandy64&69&65&66&78
 VTD: 189490 Normandy77AP17NRW18&20
 VTD: 189491 Normandy9&37
 VTD: 189492 Northwest1
 VTD: 189493 Northwest10&53
 VTD: 189494 Northwest12&57
 VTD: 189496 Northwest14&15&16
 VTD: 189497 Northwest17&39&45AP35&38&42
 VTD: 189499 Northwest19
 VTD: 1895 Airport14&15
 VTD: 189500 Northwest2&4
 VTD: 189501 Northwest20&40
 VTD: 189504 Northwest26
 VTD: 189505 Northwest28&50
 VTD: 189507 Northwest3
 VTD: 189509 Northwest36&49
 VTD: 189510 Northwest37AP23
 VTD: 189511 Northwest43
 VTD: 189513 Northwest55
 VTD: 189514 Northwest59&62
 VTD: 189515 Northwest6
 VTD: 189519 Norwood1
 VTD: 189520 Norwood17
 VTD: 189521 Norwood2&3&4
 VTD: 189522 Norwood21&24
 VTD: 189523 Norwood22&23
 VTD: 189524 Norwood25&26
 VTD: 189525 Norwood27&28
 VTD: 189526 Norwood29
 VTD: 189527 Norwood30&32&33&36&57
 VTD: 189528 Norwood31&34HLF36
 VTD: 189529 Norwood35HLF40
 VTD: 189530 Norwood37&38&40
 VTD: 189531 Norwood39&41
 VTD: 189532 Norwood42&43&48&49&50
 VTD: 189533 Norwood44&51&53
 VTD: 189534 Norwood45&46
 VTD: 189535 Norwood47
 VTD: 189536 Norwood5&6&7
 VTD: 189537 Norwood52&54&55
 VTD: 189538 Norwood56NOR8
 VTD: 189539 Norwood8&9&10&11&12&13&14&15&16
 VTD: 189580 SpanishLake1&35
 VTD: 189581 SpanishLake10&34

VTD: 189582 SpanishLake11&29
 VTD: 189583 SpanishLake12&20
 VTD: 189584 SpanishLake14
 VTD: 189585 SpanishLake15&22
 VTD: 189586 SpanishLake16
 VTD: 189587 SpanishLake17
 VTD: 189588 SpanishLake2&3
 VTD: 189589 SpanishLake21&33
 VTD: 189590 SpanishLake23
 VTD: 189591 SpanishLake24&25
 VTD: 189592 SpanishLake26
 VTD: 189593 SpanishLake27
 VTD: 189594 SpanishLake30&31SF4
 VTD: 189595 SpanishLake32
 VTD: 189596 SpanishLake5&18
 VTD: 189597 SpanishLake6&28
 VTD: 189598 SpanishLake7
 VTD: 189599 SpanishLake8&13&19
 VTD: 1896 Airport16
 VTD: 189600 St.Ferdinand1
 VTD: 189601 St.Ferdinand10
 VTD: 189602 St.Ferdinand13&14
 VTD: 189603 St.Ferdinand15&16&24
 VTD: 189604 St.Ferdinand18&20&38
 VTD: 189605 St.Ferdinand19&28
 VTD: 189606 St.Ferdinand2
 VTD: 189607 St.Ferdinand23&35
 VTD: 189608 St.Ferdinand25
 VTD: 189609 St.Ferdinand26&36&37
 VTD: 189610 St.Ferdinand11712&17&21&22&27&30&
 VTD: 189611 St.Ferdinand29&33
 VTD: 189612 St.Ferdinand3
 VTD: 189613 St.Ferdinand31&32
 VTD: 189614 St.Ferdinand5
 VTD: 189615 St.Ferdinand6&8
 VTD: 189616 St.Ferdinand7&9
 VTD: 189638 University1&2&3
 VTD: 189639 University11&12
 VTD: 189640 University13&14
 VTD: 189641 University15&16
 VTD: 189642 University17
 VTD: 189643 University18&19
 VTD: 189644 University20&21
 VTD: 189648 University25&26
 VTD: 189649 University27&37
 VTD: 189650 University28&34
 VTD: 189653 University35&36&42
 VTD: 189654 University38
 VTD: 189655 University39
 VTD: 189656 University4&10
 VTD: 189657 University5&6&7NOR62&63
 VTD: 189658 University8&9
 VTD: 1897 Airport19&45&61NW5&11&60&61
 VTD: 18976 Clayton12

VTD: 18977 Clayton13&14&47
VTD: 18978 Clayton15&16
VTD: 1898 Airport22
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VTD: 18984 Clayton24&26&37
VTD: 18985 Clayton25&45
VTD: 1899 Airport24&25
VTD: 18990 Clayton32&35
VTD: 18997 Clayton7

St. Louis City

VTD: 51010 Ward1Pct5
VTD: 510109 Ward17Pct1
VTD: 51011 Ward1Pct6
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VTD: 510128 Ward18Pct13
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VTD: 510165 Ward20Pct11
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VTD: 510175 Ward20Pct9
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VTD: 510184 Ward21Pct5
VTD: 510185 Ward21Pct6
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VTD: 510187 Ward21Pct8
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VTD: 510189 Ward22Pct1
VTD: 51019 Ward10Pct3
VTD: 510190 Ward22Pct10
VTD: 510191 Ward22Pct11
VTD: 510192 Ward22Pct2
VTD: 510193 Ward22Pct3
VTD: 510194 Ward22Pct4
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VTD: 510198 Ward22Pct8
VTD: 510199 Ward22Pct9
VTD: 5102 Ward1Pct1
VTD: 510246 Ward26Pct1

VTD: 510247 Ward26Pct10
VTD: 510248 Ward26Pct11
VTD: 510249 Ward26Pct12
VTD: 510250 Ward26Pct2
VTD: 510251 Ward26Pct3
VTD: 510252 Ward26Pct4
VTD: 510253 Ward26Pct5
VTD: 510254 Ward26Pct6
VTD: 510255 Ward26Pct7
VTD: 510256 Ward26Pct8
VTD: 510257 Ward26Pct9
VTD: 510258 Ward27Pct1
VTD: 510259 Ward27Pct10
VTD: 510260 Ward27Pct11
VTD: 510261 Ward27Pct12
VTD: 510262 Ward27Pct2
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VTD: 510266 Ward27Pct6
VTD: 510267 Ward27Pct7
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VTD: 510269 Ward27Pct9
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VTD: 510274 Ward28Pct13
VTD: 510275 Ward28Pct14
VTD: 510276 Ward28Pct15
VTD: 510278 Ward28Pct3
VTD: 510281 Ward28Pct6
VTD: 510283 Ward28Pct8
VTD: 510285 Ward3Pct1
VTD: 510286 Ward3Pct10
VTD: 510287 Ward3Pct11
VTD: 510288 Ward3Pct12
VTD: 510289 Ward3Pct2
VTD: 510290 Ward3Pct3
VTD: 510291 Ward3Pct4
VTD: 510292 Ward3Pct5
VTD: 510293 Ward3Pct6
VTD: 510294 Ward3Pct7
VTD: 510295 Ward3Pct8
VTD: 510296 Ward3Pct9
VTD: 510297 Ward4Pct1
VTD: 510298 Ward4Pct10
VTD: 510299 Ward4Pct11
VTD: 5103 Ward1Pct10
VTD: 510300 Ward4Pct12
VTD: 510301 Ward4Pct13
VTD: 510302 Ward4Pct2
VTD: 510303 Ward4Pct3
VTD: 510304 Ward4Pct4
VTD: 510305 Ward4Pct5
VTD: 510306 Ward4Pct6

VTD: 510307 Ward4Pct7
VTD: 510308 Ward4Pct8
VTD: 510309 Ward4Pct9
VTD: 510310 Ward5Pct1
VTD: 510311 Ward5Pct2
VTD: 510312 Ward5Pct3
VTD: 510313 Ward5Pct4
VTD: 510314 Ward5Pct5
VTD: 510315 Ward5Pct6
VTD: 510316 Ward5Pct7
VTD: 510317 Ward5Pct8
VTD: 510318 Ward5Pct9
VTD: 510319 Ward6Pct1
VTD: 510320 Ward6Pct10
VTD: 510321 Ward6Pct11
VTD: 510322 Ward6Pct2
VTD: 510323 Ward6Pct3
VTD: 510324 Ward6Pct4
VTD: 510325 Ward6Pct5
VTD: 510326 Ward6Pct6
VTD: 510327 Ward6Pct7
VTD: 510328 Ward6Pct8
VTD: 510329 Ward6Pct9
VTD: 510330 Ward7Pct1
VTD: 510331 Ward7Pct10
VTD: 510332 Ward7Pct11
VTD: 510333 Ward7Pct12
VTD: 510334 Ward7Pct13
VTD: 510335 Ward7Pct14
VTD: 510336 Ward7Pct2
VTD: 510337 Ward7Pct3
VTD: 510338 Ward7Pct4
VTD: 510339 Ward7Pct5
VTD: 510340 Ward7Pct6
VTD: 510341 Ward7Pct7
VTD: 510342 Ward7Pct8
VTD: 510343 Ward7Pct9
VTD: 510345 Ward8Pct10
VTD: 510346 Ward8Pct11
VTD: 510347 Ward8Pct12
VTD: 510348 Ward8Pct13
VTD: 510349 Ward8Pct14
VTD: 510350 Ward8Pct15
VTD: 510351 Ward8Pct16
VTD: 510353 Ward8Pct3
VTD: 510354 Ward8Pct4
VTD: 510355 Ward8Pct5
VTD: 510356 Ward8Pct6
VTD: 510357 Ward8Pct7
VTD: 510358 Ward8Pct8
VTD: 510359 Ward8Pct9
VTD: 510360 Ward9Pct1
VTD: 510361 Ward9Pct10
VTD: 510362 Ward9Pct2

VTD: 510363 Ward9Pct3
VTD: 510364 Ward9Pct4
VTD: 510367 Ward9Pct7
VTD: 510368 Ward9Pct8
VTD: 510370 Ward17Pct4
VTD: 510371 Ward20Pct7
VTD: 510372 Ward21Pct10
VTD: 5104 Ward1Pct11
VTD: 5105 Ward1Pct12
VTD: 5106 Ward1Pct13
VTD: 5107 Ward1Pct2
VTD: 5108 Ward1Pct3
VTD: 5109 Ward1Pct4"; and

Further amend said bill, Pages 23 to 31, Section 128.405, by deleting all of said section and inserting in lieu thereof the following:

"128.405. The second district shall be composed of the following:

St. Charles County

St. Louis County

VTD: 189110 Concord24&32&46&48&49

VTD: 189111 Concord25

VTD: 189115 Concord31

VTD: 189119 Concord42&45

VTD: 189120 Concord43

VTD: 189226 Gravois41

VTD: 189232 Gravois9&45&46

VTD: 189274 Jefferson1&3

VTD: 189282 Jefferson2

VTD: 189290 Jefferson34&36

VTD: 189291 Jefferson37&38&39&40

VTD: 189292 Jefferson4&5

VTD: 18930 Bonhomme10

VTD: 189302 Lafayette1&3

VTD: 189303 Lafayette14&28

VTD: 189304 Lafayette15&16&17

VTD: 189305 Lafayette18&19&20&21&51

VTD: 189306 Lafayette2&53

VTD: 189307 Lafayette22&23&50

VTD: 189308 Lafayette24&48&49

VTD: 189309 Lafayette25&26&36&37

VTD: 18931 Bonhomme11&26&44&49

VTD: 189310 Lafayette27

VTD: 189311 Lafayette29

VTD: 189312 Lafayette32

VTD: 189313 Lafayette33

VTD: 189314 Lafayette34&35&40&44

VTD: 189315 Lafayette38

VTD: 189316 Lafayette39

VTD: 189317 Lafayette4&52

VTD: 189318 Lafayette41&42&47

VTD: 189319 Lafayette43

VTD: 189320 Lafayette45

VTD: 189321 Lafayette46

VTD: 189322 Lafayette5
 VTD: 189323 Lafayette6
 VTD: 189324 Lafayette7&13
 VTD: 189325 Lafayette8&9&10&11&12
 VTD: 189347 Lewis&Clark1&18
 VTD: 189348 Lewis&Clark10
 VTD: 189349 Lewis&Clark11&16&38NW33&63
 VTD: 18935 Bonhomme16&37&38&39
 VTD: 189350 Lewis&Clark14&28&42
 VTD: 189351 Lewis&Clark15&33&40
 VTD: 189352 Lewis&Clark17&26&30&35&39&24
 VTD: 189353 Lewis&Clark19&27
 VTD: 189357 Lewis&Clark29&43
 VTD: 18936 Bonhomme17&18&21
 VTD: 189360 Lewis&Clark5
 VTD: 189361 Lewis&Clark6&9
 VTD: 189362 Lewis&Clark7&13&34&41
 VTD: 189364 MarylandHeights1&4&5
 VTD: 189366 MarylandHeights11&23
 VTD: 189367 MarylandHeights12&16&22
 VTD: 189369 MarylandHeights15
 VTD: 189371 MarylandHeights18&36&37&42
 VTD: 189372 MarylandHeights19&33
 VTD: 189373 MarylandHeights2&24&26CHE59
 VTD: 189374 MarylandHeights20
 VTD: 189375 MarylandHeights27CHE47
 VTD: 189376 MarylandHeights3MR79
 VTD: 189377 MarylandHeights30&34
 VTD: 189378 MarylandHeights31&32&41&43
 VTD: 189379 MarylandHeights35MR17&75&78
 VTD: 189380 MarylandHeights6
 VTD: 189381 MarylandHeights7&39MR52
 VTD: 189384 Meramec1&2&40
 VTD: 189385 Meramec11&25&66
 VTD: 189386 Meramec12&44&70
 VTD: 189387 Meramec13&22&24&68&72
 VTD: 189388 Meramec15
 VTD: 189389 Meramec17
 VTD: 189390 Meramec18&19&20
 VTD: 189391 Meramec21&57&69
 VTD: 189392 Meramec23
 VTD: 189393 Meramec27&28&39&52&53&55CHE40&43
 VTD: 189394 Meramec29&45&48&50&58&60
 VTD: 189395 Meramec3&14&26&30&32
 VTD: 189396 Meramec37&63
 VTD: 189397 Meramec4&34&46&47
 VTD: 189398 Meramec42
 VTD: 189399 Meramec43&49&62&54
 VTD: 18940 Bonhomme25&34
 VTD: 189400 Meramec51
 VTD: 189402 Meramec56&67
 VTD: 189403 Meramec6&41
 VTD: 189404 Meramec61&71
 VTD: 189405 Meramec64

VTD: 189406 Meramec65
 VTD: 189407 Meramec7&10&33
 VTD: 189408 Meramec8&31&59CHE45
 VTD: 189409 Meramec9&16&35
 VTD: 18941 Bonhomme27
 VTD: 18942 Bonhomme3&36&42&43&46
 VTD: 18943 Bonhomme31&32
 VTD: 189436 MissouriRiver1&2
 VTD: 189439 MissouriRiver22&37&40&42
 VTD: 18944 Bonhomme33
 VTD: 189440 MissouriRiver23&34
 VTD: 189441 MissouriRiver25&31&44&45&61
 VTD: 189442 MissouriRiver26&55&60
 VTD: 189443 MissouriRiver3&67
 VTD: 189444 MissouriRiver30
 VTD: 189445 MissouriRiver35&50
 VTD: 189446 MissouriRiver36&46&69
 VTD: 189447 MissouriRiver38
 VTD: 189448 MissouriRiver4&13&14&18&28&32&80B
 VTD: 189449 MissouriRiver41&48&57&62
 VTD: 189450 MissouriRiver49&51&54
 VTD: 189451 MissouriRiver5&8&39&56&58&65&70&7
 VTD: 189452 MissouriRiver53&64
 VTD: 189453 MissouriRiver59&63&66&74&82
 VTD: 189454 MissouriRiver6&27&33
 VTD: 189456 MissouriRiver7&11&19&20&21
 VTD: 189458 MissouriRiver81
 VTD: 189459 MissouriRiver9&15&24&29&43
 VTD: 18946 Bonhomme40
 VTD: 18948 Bonhomme6&19&20&45
 VTD: 189495 Northwest13
 VTD: 189498 Northwest18&41
 VTD: 18950 Bonhomme8&22
 VTD: 189502 Northwest21&35&58
 VTD: 189503 Northwest25&27&46&47&54
 VTD: 189506 Northwest29&31&38&42
 VTD: 189508 Northwest34LC12&32
 VTD: 18951 Bonhomme9
 VTD: 189512 Northwest48
 VTD: 189516 Northwest7&24&30&44&56
 VTD: 189517 Northwest8&32
 VTD: 189518 Northwest9&22&23&51&52
 VTD: 18952 Chesterfield1&7&14&28&61&64
 VTD: 18953 Chesterfield10
 VTD: 18954 Chesterfield31&12&52&73LAF31
 VTD: 18955 Chesterfield13&26&27&63
 VTD: 189558 Queeny1&24
 VTD: 189559 Queeny10&11&19&32&36&39&42&46&50
 VTD: 18956 Chesterfield15&16&22
 VTD: 189560 Queeny12&17&40
 VTD: 189561 Queeny15&45
 VTD: 189562 Queeny2&3&22
 VTD: 189563 Queeny21
 VTD: 189564 Queeny23

VTD: 189565 Queeny25&28&35&38&51&52&53
 VTD: 189566 Queeny26&27
 VTD: 189567 Queeny29
 VTD: 189568 Queeny30&56
 VTD: 189569 Queeny31
 VTD: 18957 Chesterfield17&51
 VTD: 189570 Queeny33&43&48&54
 VTD: 189571 Queeny34&47&57
 VTD: 189572 Queeny37&55
 VTD: 189573 Queeny4&5&6
 VTD: 189574 Queeny41
 VTD: 189575 Queeny44
 VTD: 189576 Queeny58
 VTD: 189577 Queeny7
 VTD: 189578 Queeny8&13&14&16&18&49
 VTD: 189579 Queeny9&20
 VTD: 18958 Chesterfield18
 VTD: 18959 Chesterfield2&32
 VTD: 18960 Chesterfield21&24&75
 VTD: 18961 Chesterfield23&54&55&56
 VTD: 189617 TessonFerry1&2&5BON35&41
 VTD: 189618 TessonFerry12&15
 VTD: 189619 TessonFerry17&18
 VTD: 18962 Chesterfield3&11
 VTD: 189620 TessonFerry19
 VTD: 189621 TessonFerry20&26
 VTD: 189622 TessonFerry21
 VTD: 189623 TessonFerry22&23
 VTD: 189625 TessonFerry25&27&28
 VTD: 189626 TessonFerry3&4&42
 VTD: 18963 Chesterfield34&35&36&37&49&50&57&7
 VTD: 189630 TessonFerry34
 VTD: 189631 TessonFerry35
 VTD: 189632 TessonFerry36
 VTD: 189633 TessonFerry37&38
 VTD: 189635 TessonFerry6
 VTD: 189636 TessonFerry7&9&10&11
 VTD: 189637 TessonFerry8&13&14&16
 VTD: 18964 Chesterfield38&68&78
 VTD: 18965 Chesterfield39&42&46
 VTD: 18966 Chesterfield4&9&33
 VTD: 18967 Chesterfield41&48&71
 VTD: 18968 Chesterfield5&6&19&20&25&29&53
 VTD: 18969 Chesterfield58&60&66&67&69MER5
 VTD: 18970 Chesterfield65MER36&38
 VTD: 18971 Chesterfield70
 VTD: 18972 Chesterfield72&74LAF30
 VTD: 18973 Chesterfield8&30
 VTD: 18979 Clayton18&34&36&40&55"; and

Further amend said bill, Pages 32 to 45, Section 128.410, by deleting all of said section and inserting in lieu thereof the following:

"128.410. The third district shall be composed of the following:

Jefferson County

St. Louis County

VTD: 189100 Concord1&33

VTD: 189101 Concord10&22

VTD: 189102 Concord11&12&16&57

VTD: 189103 Concord13&28

VTD: 189104 Concord14

VTD: 189105 Concord18&56

VTD: 189106 Concord2&34

VTD: 189107 Concord20&55LEM18

VTD: 189108 Concord21&30&51

VTD: 189109 Concord23&29

VTD: 189112 Concord26&37

VTD: 189113 Concord19&38

VTD: 189114 Concord3&5&15&27&40&53

VTD: 189116 Concord35&36

VTD: 189117 Concord39

VTD: 189118 Concord4&6

VTD: 189121 Concord44

VTD: 189122 Concord47

VTD: 189123 Concord50

VTD: 189124 Concord7&41&54

VTD: 189125 Concord8&9&52

VTD: 189203 Gravois1&28&56

VTD: 189204 Gravois10&17

VTD: 189205 Gravois11&57

VTD: 189206 Gravois13

VTD: 189207 Gravois14&50

VTD: 189208 Gravois15&30

VTD: 189209 Gravois16&23&31

VTD: 189210 Gravois18&34&37&51

VTD: 189211 Gravois19&58

VTD: 189212 Gravois2

VTD: 189213 Gravois20&38

VTD: 189214 Gravois21&22&39

VTD: 189215 Gravois24

VTD: 189216 Gravois12&25

VTD: 189217 Gravois26

VTD: 189218 Gravois27&52&55

VTD: 189219 Gravois29&32&47&48

VTD: 189220 Gravois3&7&8

VTD: 189221 Gravois33&42

VTD: 189222 Gravois35

VTD: 189223 Gravois36&59

VTD: 189224 Gravois4

VTD: 189225 Gravois40

VTD: 189227 Gravois43&44&49

VTD: 189228 Gravois5

VTD: 189229 Gravois53&60

VTD: 189230 Gravois6&54

VTD: 189231 Gravois9&45&46

VTD: 189233 Hadley1&2

VTD: 189234 Hadley10&11

VTD: 189235 Hadley12&17&18
VTD: 189236 Hadley13
VTD: 189237 Hadley14
VTD: 189238 Hadley15&16
VTD: 189239 Hadley19&31
VTD: 189240 Hadley20&22&23
VTD: 189241 Hadley25&27
VTD: 189242 Hadley28&29
VTD: 189243 Hadley3
VTD: 189244 Hadley30CLA2
VTD: 189245 Hadley32
VTD: 189246 Hadley33
VTD: 189247 Hadley34
VTD: 189248 Hadley35
VTD: 189249 Hadley4&21&24&26
VTD: 189250 Hadley5
VTD: 189253 Hadley9
VTD: 189275 Jefferson10
VTD: 189276 Jefferson11
VTD: 189277 Jefferson12&15
VTD: 189278 Jefferson13&20
VTD: 189279 Jefferson14&19
VTD: 189280 Jefferson16&49&50
VTD: 189281 Jefferson18&24
VTD: 189283 Jefferson21&29
VTD: 189284 Jefferson22&25&26
VTD: 189285 Jefferson23&47
VTD: 189286 Jefferson27&28
VTD: 189287 Jefferson30&42&51
VTD: 189288 Jefferson31&44
VTD: 189289 Jefferson32&33&35
VTD: 18929 Bonhomme1
VTD: 189293 Jefferson41
VTD: 189294 Jefferson43
VTD: 189295 Jefferson45&46
VTD: 189296 Jefferson48
VTD: 189297 Jefferson52
VTD: 189298 Jefferson6
VTD: 189299 Jefferson7&17
VTD: 189300 Jefferson8
VTD: 189301 Jefferson9
VTD: 18932 Bonhomme12
VTD: 189326 Lemay1&5
VTD: 189327 Lemay10
VTD: 189328 Lemay11&16&20&38&43
VTD: 189329 Lemay12
VTD: 18933 Bonhomme13
VTD: 189330 Lemay13
VTD: 189331 Lemay14CON17
VTD: 189332 Lemay15
VTD: 189333 Lemay17&24&29&32&46
VTD: 189334 Lemay19
VTD: 189335 Lemay2&3&34
VTD: 189336 Lemay21&42&44&37

VTD: 189337 Lemay22&40
 VTD: 189338 Lemay23&31
 VTD: 189339 Lemay25&26&27&28
 VTD: 18934 Bonhomme14&15&28&29
 VTD: 189340 Lemay30&36
 VTD: 189341 Lemay33&35
 VTD: 189343 Lemay39&45
 VTD: 189344 Lemay4&6&8&41
 VTD: 189345 Lemay7
 VTD: 189346 Lemay9
 VTD: 18937 Bonhomme2
 VTD: 18938 Bonhomme23&47
 VTD: 18939 Bonhomme24
 VTD: 18945 Bonhomme4&48
 VTD: 18947 Bonhomme5
 VTD: 18949 Bonhomme7
 VTD: 189540 Oakville1
 VTD: 189541 Oakville10
 VTD: 189542 Oakville11&22
 VTD: 189543 Oakville12
 VTD: 189544 Oakville15&28
 VTD: 189545 Oakville17&20&27
 VTD: 189546 Oakville18&25
 VTD: 189547 Oakville19
 VTD: 189548 Oakville2
 VTD: 189549 Oakville21&26
 VTD: 189550 Oakville3&16&23&30
 VTD: 189551 Oakville31
 VTD: 189552 Oakville4&14
 VTD: 189553 Oakville5
 VTD: 189554 Oakville6
 VTD: 189555 Oakville7&13&32
 VTD: 189556 Oakville8TSF40
 VTD: 189557 Oakville9&24&29
 VTD: 189624 TessonFerry24&29
 VTD: 189627 TessonFerry30&31
 VTD: 189628 TessonFerry32&39
 VTD: 189629 TessonFerry33
 VTD: 189634 TessonFerry41
 VTD: 189645 University22
 VTD: 189646 University23&30
 VTD: 189647 University24&29
 VTD: 189651 University31&32&41CLA5&56
 VTD: 189652 University33&40
 VTD: 18974 Clayton1&6
 VTD: 18975 Clayton11
 VTD: 18981 Clayton21&52
 VTD: 18982 Clayton22&54
 VTD: 18983 Clayton23&33
 VTD: 18986 Clayton28&38&39
 VTD: 18987 Clayton29&41&42
 VTD: 18988 Clayton3&10
 VTD: 18989 Clayton30&31
 VTD: 18991 Clayton4

VTD: 18992 Clayton43&46&48&49
VTD: 18993 Clayton50
VTD: 18994 Clayton51
VTD: 18995 Clayton53
VTD: 18998 Clayton8&44
VTD: 18999 Clayton9&17

St. Louis City

VTD: 510100 Ward16Pct18
VTD: 510101 Ward16Pct2
VTD: 510102 Ward16Pct3
VTD: 510103 Ward16Pct4
VTD: 510104 Ward16Pct5
VTD: 510105 Ward16Pct6
VTD: 510106 Ward16Pct7
VTD: 510107 Ward16Pct8
VTD: 510108 Ward16Pct9
VTD: 510111 Ward17Pct11
VTD: 510116 Ward17Pct16
VTD: 51015 Ward10Pct1
VTD: 51016 Ward10Pct10
VTD: 51017 Ward10Pct11
VTD: 51018 Ward10Pct2
VTD: 51020 Ward10Pct4
VTD: 510200 Ward23Pct1
VTD: 510201 Ward23Pct10
VTD: 510202 Ward23Pct11
VTD: 510203 Ward23Pct12
VTD: 510204 Ward23Pct13
VTD: 510205 Ward23Pct14
VTD: 510206 Ward23Pct15
VTD: 510207 Ward23Pct16
VTD: 510208 Ward23Pct2
VTD: 510209 Ward23Pct3
VTD: 51021 Ward10Pct5
VTD: 510210 Ward23Pct4
VTD: 510211 Ward23Pct5
VTD: 510212 Ward23Pct6
VTD: 510213 Ward23Pct7
VTD: 510214 Ward23Pct8
VTD: 510215 Ward23Pct9
VTD: 510216 Ward24Pct1
VTD: 510217 Ward24Pct10
VTD: 510218 Ward24Pct11
VTD: 510219 Ward24Pct12
VTD: 51022 Ward10Pct6
VTD: 510220 Ward24Pct13
VTD: 510221 Ward24Pct14
VTD: 510222 Ward24Pct15
VTD: 510223 Ward24Pct2
VTD: 510224 Ward24Pct3
VTD: 510225 Ward24Pct4
VTD: 510226 Ward24Pct5
VTD: 510227 Ward24Pct6

VTD: 510228 Ward24Pct7
VTD: 510229 Ward24Pct8
VTD: 51023 Ward10Pct7
VTD: 510230 Ward24Pct9
VTD: 510231 Ward25Pct1
VTD: 510232 Ward25Pct10
VTD: 510233 Ward25Pct11
VTD: 510234 Ward25Pct12
VTD: 510235 Ward25Pct13
VTD: 510236 Ward25Pct14
VTD: 510237 Ward25Pct15
VTD: 510238 Ward25Pct2
VTD: 510239 Ward25Pct3
VTD: 51024 Ward10Pct8
VTD: 510240 Ward25Pct4
VTD: 510241 Ward25Pct5
VTD: 510242 Ward25Pct6
VTD: 510243 Ward25Pct7
VTD: 510244 Ward25Pct8
VTD: 510245 Ward25Pct9
VTD: 51025 Ward10Pct9
VTD: 51026 Ward11Pct1
VTD: 51027 Ward11Pct10
VTD: 510270 Ward28Pct1
VTD: 510272 Ward28Pct11
VTD: 510277 Ward28Pct2
VTD: 510279 Ward28Pct4
VTD: 51028 Ward11Pct11
VTD: 510280 Ward28Pct5
VTD: 510282 Ward28Pct7
VTD: 510284 Ward28Pct9
VTD: 51029 Ward11Pct12
VTD: 51030 Ward11Pct2
VTD: 51031 Ward11Pct3
VTD: 51032 Ward11Pct4
VTD: 51033 Ward11Pct5
VTD: 51034 Ward11Pct6
VTD: 510344 Ward8Pct1
VTD: 51035 Ward11Pct7
VTD: 510352 Ward8Pct2
VTD: 51036 Ward11Pct8
VTD: 510365 Ward9Pct5
VTD: 510366 Ward9Pct6
VTD: 510369 Ward9Pct9
VTD: 51037 Ward11Pct9
VTD: 510373 Ward12Pct4
VTD: 510374 Ward12Pct7
VTD: 510375 Ward12Pct12
VTD: 51038 Ward12Pct1
VTD: 51039 Ward12Pct10
VTD: 51040 Ward12Pct11
VTD: 51041 Ward12Pct13
VTD: 51042 Ward12Pct14
VTD: 51043 Ward12Pct15

VTD: 51044 Ward12Pct16
VTD: 51045 Ward12Pct2
VTD: 51046 Ward12Pct3
VTD: 51047 Ward12Pct5
VTD: 51048 Ward12Pct6
VTD: 51049 Ward12Pct8
VTD: 51050 Ward12Pct9
VTD: 51051 Ward13Pct1
VTD: 51052 Ward13Pct10
VTD: 51053 Ward13Pct11
VTD: 51054 Ward13Pct12
VTD: 51055 Ward13Pct13
VTD: 51056 Ward13Pct14
VTD: 51057 Ward13Pct2
VTD: 51058 Ward13Pct3
VTD: 51059 Ward13Pct4
VTD: 51060 Ward13Pct5
VTD: 51061 Ward13Pct6
VTD: 51062 Ward13Pct7
VTD: 51063 Ward13Pct8
VTD: 51064 Ward13Pct9
VTD: 51065 Ward14Pct1
VTD: 51066 Ward14Pct10
VTD: 51067 Ward14Pct11
VTD: 51068 Ward14Pct12
VTD: 51069 Ward14Pct13
VTD: 51070 Ward14Pct14
VTD: 51071 Ward14Pct2
VTD: 51072 Ward14Pct3
VTD: 51073 Ward14Pct4
VTD: 51074 Ward14Pct5
VTD: 51075 Ward14Pct6
VTD: 51076 Ward14Pct7
VTD: 51077 Ward14Pct8
VTD: 51078 Ward14Pct9
VTD: 51079 Ward15Pct1
VTD: 51080 Ward15Pct10
VTD: 51081 Ward15Pct11
VTD: 51082 Ward15Pct12
VTD: 51083 Ward15Pct2
VTD: 51084 Ward15Pct3
VTD: 51085 Ward15Pct4
VTD: 51086 Ward15Pct5
VTD: 51087 Ward15Pct6
VTD: 51088 Ward15Pct7
VTD: 51089 Ward15Pct8
VTD: 51090 Ward15Pct9
VTD: 51091 Ward16Pct1
VTD: 51092 Ward16Pct10
VTD: 51093 Ward16Pct11
VTD: 51094 Ward16Pct12
VTD: 51095 Ward16Pct13
VTD: 51096 Ward16Pct14
VTD: 51097 Ward16Pct15

VTD: 51098 Ward16Pct16

VTD: 51099 Ward16Pct17

Ste. Genevieve County"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Reid moved that **House Substitute Amendment No. 1 for House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Portwood moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Moore offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill No. 1000, Page 76, Section 128.440, Lines 8-24, by deleting said lines from page; and

Further amend said section, by deleting Pages 77 through 81; and

Further amend said section, Page 82, by deleting Lines 1 through 15, and inserting in lieu thereof the following:
"Callaway County."; and

Further amend said bill, Page 46, Section 128.415, Lines 5 to 24 of said page, by deleting all of said lines; and

Further amend said bill, Pages 47 to 50, Section 128.415, by deleting all of said pages; and

Further amend said bill, Page 51, Section 128.415, Lines 1 through 16, by deleting all of said lines.

Representative Moore moved that **House Amendment No. 4** be adopted.

Which motion was defeated.

Speaker Pro Tem Abel resumed the Chair.

Representative Crump moved the previous question on the motion to adopt **HS HCS HB 1000.**

Which motion was adopted by the following vote:

AYES: 085

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Haywood	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Kelly 27	Kelly 36	Kennedy	Koller
Lawson	Liese	Lowe	Luetkenhaus	Mays 50
McKenna	Merideth	Monaco	O'Connor	O'Toole
Overschmidt	Ransdall	Relford	Reynolds	Rizzo
Scheve	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Villa	Wagner	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 074

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Froelker	Gaskill	Griesheimer
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Hunter	Jetton	Kelley 47
Kelly 144	King	Legan	Levin	Linton
Lograsso	Long	Luetkemeyer	Marble	Marsh
May 149	Mayer	Miller	Moore	Murphy
Myers	Naeger	Nordwald	Ostmann	Phillips
Portwood	Purgason	Rector	Reid	Reinhart
Richardson	Ridgeway	Roark	Robirds	Ross
Schwab	Scott	Secrest	Shields	St. Onge
Surface	Townley	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 001

Wiggins

VACANCIES: 003

On motion of Representative Hosmer, **HS HCS HB 1000** was adopted.

On motion of Representative Hosmer, **HS HCS HB 1000** was ordered perfected and printed by the following vote:

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AYES: 086

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Haywood	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Kelly 27	Kelly 36	Kennedy	Koller
Lawson	Liese	Lowe	Luetkenhaus	Mays 50
McKenna	Merideth	Monaco	Murphy	O'Connor
O'Toole	Overschmidt	Ransdall	Relford	Reynolds
Rizzo	Scheve	Seigfreid	Selby	Shelton
Shoemyer	Skaggs	Smith	Thompson	Treadway
Troupe	Van Zandt	Villa	Wagner	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 072

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Froelker	Gaskill	Griesheimer
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Hunter	Jetton	Kelley 47
Kelly 144	King	Legan	Levin	Linton
Lograsso	Long	Luetkemeyer	Marble	May 149
Mayer	Miller	Moore	Myers	Naeger
Nordwald	Ostmann	Phillips	Portwood	Purgason
Rector	Reid	Reinhart	Richardson	Ridgeway
Roark	Robirds	Ross	Schwab	Scott
Secrest	Shields	St. Onge	Surface	Townley
Vogel	Wright			

PRESENT: 001

Marsh

ABSENT WITH LEAVE: 001

Wiggins

VACANCIES: 003

COMMITTEE REPORTS

Committee on Children, Families and Health, Chairman Barry reporting:

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **HB 478**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **SS #2 SCS SBs 22 & 106**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Commerce and Economic Development, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce and Economic Development, to which was referred **SB 392**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Local Government and Related Matters, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SS SCS SBs 433 & 248**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Miscellaneous Bills & Resolutions, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HR 922**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE RESOLUTION NO. 922

WHEREAS, the budget of the Missouri Department of Social Services has reached over five billion dollars out of a nineteen billion dollar state budget which represents twenty-seven percent of that total; and

WHEREAS, the Department of Social Services provides funding for important programs for over one million Missourians, primarily children, people with disabilities and the elderly; and

WHEREAS, the House of Representatives Committee on Appropriations for Social Services spends over two months every year evaluating the budget for the Department of Social Services but has no time to closely examine the core budget of the Department where the majority of the funding is located; and

WHEREAS, at a minimum seventy-six legislative districts will be represented by new legislators in 2003, greatly affecting the number of legislators with a working knowledge of the budget; and

WHEREAS, a detailed summary and analysis of the core of the budget of the Department of Social Services and a thorough evaluation of the effectiveness of the Department's programs in serving our young, disabled and elderly citizens and an appraisal of whether the Department uses the funds in a fiscally responsible manner would be a valuable guide to future legislators evaluating the budget for the Department of Social Services:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri House of Representatives of the Ninety-first General Assembly, First Regular Session, that a House Interim Committee of the General Assembly be created, to be appointed by the Speaker of the House of Representatives by June 1, 2001, and that said committee be authorized to function during the interim between the First Regular Session and the Second Regular Session of the Ninety-first General Assembly; and

BE IT FURTHER RESOLVED that said committee make an in-depth analysis of the budget of the Department of Social Services and evaluate the effectiveness of the Department's programs and appraise the Department's spending practices including the solicitation of information from appropriate state agencies and the public; and

BE IT FURTHER RESOLVED that the committee be authorized to hold hearings as it deems advisable, and that the staff of House Research provide such legal, research, clerical, technical services and staff of the Committee on Legislative Research provide such drafting services as requested by the committee; and

BE IT FURTHER RESOLVED that the committee, its members, and any staff personnel assigned to the committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the committee or any subcommittee thereof; and

BE IT FURTHER RESOLVED that the committee report its findings to the Missouri General Assembly by December 1, 2001, and the authority of such committee shall terminate on December 31, 2001.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **SJR 9**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Public Safety, Law Enforcement and Veteran Affairs, Chairman Boucher reporting:

Mr. Speaker: Your Committee on Public Safety, Law Enforcement and Veteran Affairs, to which was referred **SS SCS SB 351**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**.

House Committee Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 351, Section 57.010, Page 2, Line 23, by inserting after all of said line the following:

“57.020. Every sheriff shall,[within fifteen days after] **on or before he or she** [receives the certificate of his election or appointment] **is sworn into office**, give bond to the state in a sum not less than five thousand dollars nor more than fifty thousand dollars, with sureties approved by the presiding judge of the circuit court, conditioned for the faithful discharge of his **or her** duties; which bond shall be filed in the office of the clerk of the circuit court of the county.

57.030 Should any sheriff be reelected, he **or she** shall give a new bond and security [within fifteen days from his election] **on or before the date that he or she is sworn into office**; and should he **or she** fail to do so, his **or her** former sureties shall not be held liable for any business done by him **or her** after the fifteen days expire.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Committee on Utilities Regulation, Chairman Mays (50) reporting:

Mr. Speaker: Your Committee on Utilities Regulation, to which was referred **SS SCS SB 369**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SS #2 SCS SBs 22 & 106 - Fiscal Review and Government Reform (Fiscal Note)
SS SCS SBs 476, 427 & 62 - Elections

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2**

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 2, begs leave to report that we, after open, free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2, be truly agreed and finally passed.

FOR THE HOUSE:

/s/ Timothy P. Green
/s/ Yvonne Wilson
/s/ Chuck Graham
/s/ Charlie Shields
/s/ Roy Holand

FOR THE SENATE:

/s/ John Russell
/s/ Larry Rohrbach
/s/ Morris Westfall
/s/ Wayne Goode
/s/ Harry Wiggins

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 3**

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 3, begs leave to report that we, after open, free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 3.
2. That the House recede from its position on House Committee Substitute for House Bill No. 3.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 3, be truly agreed and finally passed.

FOR THE HOUSE:

/s/ Timothy P. Green
/s/ Yvonne Wilson
/s/ Chuck Graham
/s/ Charlie Shields
/s/ Carl Bearden

FOR THE SENATE:

/s/ John Russell
/s/ Larry Rohrbach
/s/ Morris Westfall
/s/ Wayne Goode
/s/ Harry Wiggins

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 4**

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 4, begs leave to report that we, after open, free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 4.
2. That the House recede from its position on House Committee Substitute for House Bill No. 4.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 4, be truly agreed and finally passed.

FOR THE HOUSE:

/s/ Timothy P. Green
/s/ Joan Bray
/s/ Dennis Bonner
/s/ Ken Legan
/s/ Peter Myers

FOR THE SENATE:

/s/ John Russell
/s/ Larry Rohrbach
/s/ Morris Westfall
/s/ Wayne Goode
/s/ Harry Wiggins

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 5**

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 5, begs leave to report that we, after open, free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 5.
2. That the House recede from its position on House Committee Substitute for House Bill No. 5.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 5, be truly agreed and finally passed.

FOR THE HOUSE:

/s/ Timothy P. Green
/s/ Yvonne Wilson
/s/ Dennis Bonner
/s/ Ken Legan
/s/ Larry Crawford

FOR THE SENATE:

/s/ John Russell
/s/ Larry Rohrbach
/s/ Morris Westfall
/s/ Wayne Goode
/s/ Harry Wiggins

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 6**

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 6, as amended, begs leave to report that we, after open, free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 6, as amended.
2. That the House recede from its position on House Committee Substitute for House Bill No. 6.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 6, be truly agreed and finally passed.

FOR THE HOUSE:

/s/ Timothy P. Green
/s/ Yvonne Wilson
/s/ Bill Ransdall
/s/ Ken Legan
/s/ Dan Hegeman

FOR THE SENATE:

/s/ John Russell
/s/ Larry Rohrbach
/s/ Morris Westfall
/s/ Wayne Goode
/s/ Harry Wiggins

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 7**

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 7, begs leave to report that we, after open, free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 7.
2. That the House recede from its position on House Committee Substitute for House Bill No. 7.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 7, be truly agreed and finally passed.

FOR THE HOUSE:

/s/ Timothy P. Green
/s/ Yvonne Wilson
/s/ Bill Ransdall
/s/ Charlie Shields
/s/ Peter Myers

FOR THE SENATE:

/s/ John Russell
/s/ Larry Rohrbach
/s/ Morris Westfall
/s/ Wayne Goode
/s/ Harry Wiggins

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 8**

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 8, begs leave to report that we, after open, free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 8.
2. That the House recede from its position on House Committee Substitute for House Bill No. 8.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 8, be truly agreed and finally passed.

FOR THE HOUSE:

/s/ Timothy P. Green
/s/ Yvonne Wilson
/s/ Glenda Kelly
/s/ Ken Legan
/s/ Carl Bearden

FOR THE SENATE:

/s/ John Russell
/s/ Larry Rohrbach
/s/ Morris Westfall
/s/ Wayne Goode
/s/ Harry Wiggins

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 9**

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 9, begs leave to report that we, after open, free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 9.
2. That the House recede from its position on House Committee Substitute for House Bill No. 9.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 9, be truly agreed and finally passed.

FOR THE HOUSE:

/s/ Timothy P. Green
/s/ Yvonne Wilson
/s/ Glenda Kelly
/s/ Ken Legan
/s/ Larry Crawford

FOR THE SENATE:

/s/ John Russell
/s/ Larry Rohrbach
/s/ Morris Westfall
/s/ Wayne Goode
/s/ Harry Wiggins

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 10**

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 10, as amended, begs leave to report that we, after open, free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 10, as amended.
2. That the House recede from its position on House Committee Substitute for House Bill No. 10.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 10, be truly agreed and finally passed.

FOR THE HOUSE:

/s/ Timothy P. Green
/s/ Charlie Shields
/s/ Pat Naeger

FOR THE SENATE:

/s/ John Russell
/s/ Larry Rohrbach
/s/ Morris Westfall
/s/ Wayne Goode
/s/ Harry Wiggins

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 11**

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 11, as amended, begs leave to report that we, after open, free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 11, as amended.
2. That the House recede from its position on House Committee Substitute for House Bill No. 11.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 11, be truly agreed and finally passed.

FOR THE HOUSE:

/s/ Timothy P. Green
/s/ Charles "Quincy" Troupe
/s/ Marsha Campbell
/s/ Pat Kelley
/s/ Pat Naeger

FOR THE SENATE:

/s/ John Russell
/s/ Larry Rohrbach
/s/ Morris Westfall
/s/ Wayne Goode
/s/ Harry Wiggins

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 12**

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 12, begs leave to report that we, after open, free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 12.
2. That the House recede from its position on House Committee Substitute for House Bill No. 12.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 12, be truly agreed and finally passed.

FOR THE HOUSE:

/s/ Timothy P. Green
/s/ Yvonne Wilson
/s/ Dennis Bonner
/s/ Ken Legan
/s/ Annie Reinhart

FOR THE SENATE:

/s/ John Russell
/s/ Larry Rohrbach
/s/ Morris Westfall
/s/ Wayne Goode
/s/ Harry Wiggins

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 13**

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 13, begs leave to report that we, after open, free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 13.
2. That the House recede from its position on House Committee Substitute for House Bill No. 13.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 13, be truly agreed and finally passed.

FOR THE HOUSE:

/s/ Timothy P. Green
/s/ Dennis Bonner
/s/ Louis Ford
/s/ Ken Legan
/s/ Chuck Purgason

FOR THE SENATE:

/s/ John Russell
/s/ Larry Rohrbach
/s/ Morris Westfall
/s/ Wayne Goode
/s/ Harry Wiggins

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 18**

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 18, as amended, begs leave to report that we, after open, free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 18, as amended.
2. That the House recede from its position on House Committee Substitute for House Bill No. 18.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 18, be truly agreed and finally passed.

FOR THE HOUSE:

/s/ Timothy P. Green
/s/ Chuck Graham
/s/ Louis Ford
/s/ Ken Legan
/s/ Carl Bearden

FOR THE SENATE:

/s/ John Russell
/s/ Larry Rohrbach
/s/ Morris Westfall
/s/ Wayne Goode
/s/ Harry Wiggins

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 19**

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 19, begs leave to report that we, after open, free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 19.
2. That the House recede from its position on House Committee Substitute for House Bill No. 19.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 19, be truly agreed and finally passed.

FOR THE HOUSE:

/s/ Timothy P. Green
/s/ Chuck Graham
/s/ Louis Ford
/s/ Charlie Shields
/s/ Carl Bearden

FOR THE SENATE:

/s/ John Russell
/s/ Larry Rohrbach
/s/ Morris Westfall
/s/ Wayne Goode
/s/ Harry Wiggins

**CONFERENCE COMMITTEE REPORT
ON
CONFERENCE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 491**

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on Senate Committee Substitute for House Bill No. 491, begs leave to report that we, after open, free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 491;
2. That the House recede from its position on House Bill No. 491;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 491 be adopted.

FOR THE HOUSE:

/s/ Rep. Thomas George
/s/ Rep. James Foley
/s/ Rep. Esther Haywood
/s/ Rep. Blaine Luetkemeyer
/s/ Rep. Rod Jetton

FOR THE SENATE:

/s/ Sen. Wayne Goode
/s/ Sen. Michael Gibbons
/s/ Sen. John Schneider
/s/ Sen. Betty Sims
/s/ Sen. Anita Yeckel

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, May 9, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-eighth Day, Monday, May 7, 2001, page 1647, line 5, by inserting immediately after said line the following:

COMMITTEE REPORT

Special Committee on Redistricting, Chairmen Hosmer and Treadway reporting:

Mr. Speaker: Your Special Committee on Redistricting, to which was referred **HB 1000**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Pages 1629 and 1630, roll call, by showing Representative Cooper voting "aye" rather than "absent with leave".

Pages 1631 and 1632, roll call, by showing Representatives Enz and Robirds voting "aye" rather than "absent with leave".

Pages 1632 and 1633, roll call, by showing Representative Franklin voting "aye" rather than "absent with leave".

Pages 1633 and 1634, roll call, by showing Representative Franklin voting "aye" rather than "absent with leave".

Page 1634, roll call, by showing Representative Franklin voting "aye" rather than "absent with leave".

Pages 1635 and 1636, roll call, by showing Representative Franklin voting "aye" rather than "absent with leave".

Pages 1636 and 1637, roll call, by showing Representatives Burcham and Franklin voting "aye" rather than "absent with leave".

Pages 1636 and 1637, roll call, by showing Representative Shields voting "no" rather than "absent with leave".

Pages 1639 and 1640, roll call, by showing Representatives Shields and Wilson (42) voting "no" rather than "absent with leave".

Pages 1641 and 1642, roll call, by showing Representatives Ridgeway and Shields voting "aye" rather than "absent with leave".

Pages 1641 and 1642, roll call, by showing Representative Wilson (42) voting "no" rather than "absent with leave".

Pages 1644 and 1645, roll call, by showing Representatives Behnen, Shields, Ward and Wilson (42) voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

APPROPRIATIONS - TRANSPORTATION

Wednesday, May 9, 2001, 8:30 am. Hearing Room 3.
MODOT presentation. CORRECTED.

CIVIL AND ADMINISTRATIVE LAW

Wednesday, May 9, 2001, 8:30 am. Hearing Room 1.
Executive Session may follow. AMENDED.
To be considered - SB 42, SB 135

CONFERENCE COMMITTEE - APPROPRIATIONS

Wednesday, May 9, 2001, 8:00 am. Hearing Room 3.
To be considered - HB 14, HB 16

CONFERENCE COMMITTEE - APPROPRIATIONS

Thursday, May 10, 2001, 8:00 am. Hearing Room 3.
House Bills 2 through 12

CONFERENCE COMMITTEE - APPROPRIATIONS

Friday, May 11, 2001, 8:00 am. Hearing Room 3.
House Bills 2 through 12

CRIMINAL LAW

Wednesday, May 9, 2001. Hearing Room 3 upon evening adjournment.
Executive Session may follow. AMENDED.
To be considered - SB 69

CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING

Wednesday, May 9, 2001. Hearing Room 6 upon morning adjournment.
Executive Session may follow. CANCELLED.
To be considered - SB 27

ELECTIONS

Wednesday, May 9, 2001, 8:30 am. Hearing Room 4.

Executive Session to follow.

To be considered - SB 476

FISCAL REVIEW AND GOVERNMENT REFORM

Wednesday, May 9, 2001, 8:30 am. Hearing Room 5.

Fiscal Review (Note). AMENDED.

To be considered - HB 366, SB 266, SB 288, SB 371, SB 374, SB 486, SJR 1

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Monday, May 14, 2001, 8:00 am. Hearing Room 1.

Quarterly business meeting. Release of Oversight reports.

AMENDED.

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, May 9, 2001, 8:30 am. Hearing Room 6.

Executive Session may follow. AMENDED.

To be considered - HCR 34, HR 1894, SB 226, SB 525, SB 578

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Thursday, May 10, 2001, 9:45 am. Side gallery.

To be considered - Executive Session - SB 52

HOUSE CALENDAR

SEVENTIETH DAY, WEDNESDAY, MAY 9, 2001

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 15 & 13 - Crawford

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 457, HA 2, as amended, tabled - Kreider
- 2 HCS HB 593 - Riback Wilson (25)
- 3 HCS HB 239 - Smith
- 4 HB 802 - Ransdall
- 5 HCS HB 374 - Fraser
- 6 HCS HB 635 - Barry
- 7 HCS HB 868 - Merideth
- 8 HCS HB 253 - Ross
- 9 HB 809, HCA 1 - Carnahan
- 10 HCS HB 340, 303 & 316 - Graham
- 11 HB 640 - Johnson (90)

- 12 HCS HB 723 - Mays (50)
- 13 HCS HB 117 - Riback Wilson (25)
- 14 HCS HB 307 - Wiggins
- 15 HCS HB 921 - Curls
- 16 HB 911 - Carnahan
- 17 HCS HB 511 - Johnson (90)
- 18 HB 63 - Reynolds
- 19 HCS HB 93 - Gaskill

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HCS HB 853 & 258 - Crump
- 3 HCS HB 186 & 172 - Troupe
- 4 HCS HB 888, 942 & 943 - Scheve
- 5 HCS HB 472 - Burton
- 6 HCS HB 293 - Kennedy
- 7 HCS HB 663 & 375 - Kennedy
- 8 HCS HB 170 - Froelker

HOUSE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING

HCR 33, (5-3-01, page 1611) - Lawson

HOUSE BILLS FOR THIRD READING

- 1 HB 527, (Fiscal Review 4-19-01) - Luetkenhaus
- 2 HS HB 286, E.C. - Smith
- 3 HS HB 715 - Foley
- 4 HS HCS HB 1000 - Hosmer

SENATE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 SCR 23, (4-4-01, pg. 950) - Bonner
- 2 SCR 27, (4-4-01, pgs. 950 & 951) - Hagan-Harrell
- 3 SCR 3, (2-15-01, pgs. 402 & 403) - Dempsey
- 4 SCR 18, (3-8-01, pgs. 644 & 645) - Mays (50)
- 5 HCS SCR 28, (5-7-01, pgs. 1657 & 1658) - Harding

SENATE JOINT RESOLUTIONS FOR THIRD READING

- 1 HCS SS SCS SJR 1 & 4, (Fiscal Review 5-2-01) - O'Toole
- 2 SS SJR 9 - Gambaro

SENATE BILLS FOR THIRD READING

- 1 HS HCS SB 371, (Fiscal Review 5-7-01) - O'Toole
- 2 HCS SB 125 - Hoppe
- 3 HCS SB 319, E.C. - Johnson (61)
- 4 HCS SB 460 - Kennedy
- 5 HCS SB 72 - Smith
- 6 HCS SCS SB 236, E.C. - Ladd Baker
- 7 SB 416 - Wagner
- 8 SB 500 - Rizzo
- 9 SB 370, HCA 1 - Smith
- 10 SCS SB 290 - Rizzo
- 11 HCS SCS SB 486 & SB 422, (Fiscal Review 5-7-01) - Hoppe
- 12 HCS SS SB 244 - Koller
- 13 HCS SB 365 - Overschmidt
- 14 HCS SCS SB 591 - Hoppe
- 15 HCS SCS SB 617 - Rizzo
- 16 HCS SB 288, E.C.(Fiscal Review 5-7-01) - Monaco
- 17 HCS SCS SB 266, (Fiscal Review 5-7-01) - Barry
- 18 SCS SB 393, E.C. - Treadway
- 19 SCS SB 374, (Fiscal Review 5-3-01) - Ransdall
- 20 HCS SS SCS SB 48 - Hollingsworth
- 21 SS#2 SCS SB 22 & 106, E.C. (Fiscal Review 5-8-01) - Scheve
- 22 HCS SS SCS SB 369 - Burton
- 23 SS SCS SB 351, HCA 1 - Hosmer
- 24 HCS SB 392 - Rizzo
- 25 HCS SS SCS SB 433 & 248 - Hoppe

SENATE BILL FOR THIRD READING - INFORMAL

SB 123 - Hampton

SENATE BILL FOR THIRD READING - CONSENT - INFORMAL

SB 556 - Hoppe

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 HB 955, SCA 1 - Green (73)
- 2 SS HCR 5, as amended - Mays(50)
- 3 SCS HB 17, as amended - Green (73)
- 4 SCS HB 648, HB 477 & HB 805, E.C. - Ostmann
- 5 SCS HB 691 - Barnett

- 6 SS SCS HS HB 421, as amended - Hoppe
- 7 SCS HB 881 - Scott
- 8 SCS HB 606 - Kennedy

BILLS CARRYING REQUEST MESSAGES

- 1 HS HJR 11, SA 1 (request Senate recede/grant conf.) - Gambaro
- 2 HS SS SCS SB 323 & 230, as amended (request House recede/grant conf.) - Koller

BILLS IN CONFERENCE

- 1 CCR SCS HCS HB 2 - Green (73)
- 2 CCR SCS HCS HB 3 - Green (73)
- 3 CCR SCS HCS HB 4 - Green (73)
- 4 CCR SCS HCS HB 5 - Green (73)
- 5 CCR SCS HCS HB 6, as amended - Green (73)
- 6 CCR SCS HCS HB 7 - Green (73)
- 7 CCR SCS HCS HB 8 - Green (73)
- 8 CCR SCS HCS HB 9 - Green (73)
- 9 CCR SCS HCS HB 10, as amended - Green (73)
- 10 CCR SCS HCS HB 11, as amended - Green (73)
- 11 CCR SCS HCS HB 12 - Green (73)
- 12 CCR SCS HCS HB 13 - Green (73)
- 13 SCS HCS HB 14 - Green (73)
- 14 SCS HB 16 - Green (73)
- 15 CCR SCS HCS HB 18, as amended - Green (73)
- 16 CCR SCS HCS HB 19 - Green (73)
- 17 CCR SCS HB 491 - George
- 18 HCS SCS SB 151 - Gaskill
- 19 HCS SB 462, as amended, E.C. - Legan
- 20 HCS SS SB 193, as amended - Ward
- 21 HCS SB 610 - Hoppe
- 22 HS HCS SS SCS SB 267, as amended - Monaco
- 23 SS SCS HCS HB 567, as amended, E.C. - Treadway
- 24 SCS HCS HB 302 & 38, as amended, E.C. - Hosmer
- 25 SS SCS HCS HB 144 & 46, as amended - Bonner

HOUSE RESOLUTION

- HR 922, (5-8-01) - Ladd Baker

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

SEVENTIETH DAY, WEDNESDAY, MAY 9, 2001

Speaker Pro Tem Abel in the Chair.

Prayer by Reverend Rudy Beard.

O Lord, in the midst of the activity and pressure of this day, we ask that You keep us aware of Your presence. There is much before the men and women of this House. Grant them the gift to distinguish between the hot words and hot air of debate and the way that opens to progress and service for Missouri. Bless this House and the staff that works to support its members.

To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Hannah Schweigert, Ethan Schweigert, Levi Schweigert, Deanna Leible, Lindsay Holt, Mathew Urness, Elisa Orr, Casey Zook, Damon Offield, Jeff Jones, Megan Attebury, Meghan Stubbs, Amy Bryan and Krystyl Kercher.

The Journal of the sixty-ninth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1944	-	Representatives Legan and Long
House Resolution No. 1945	-	Representative Boatright
House Resolution No. 1946	-	Representative Naeger
House Resolution No. 1947		
through		
House Resolution No. 1949	-	Representative Hartzler
House Resolution No. 1950	-	Representative Cunningham
House Resolution No. 1951	-	Representative Hohulin
House Resolution No. 1952	-	Representative Portwood
House Resolution No. 1953		
through		
House Resolution No. 1956	-	Representative Britt
House Resolution No. 1957	-	Representative Crump
House Resolution No. 1958	-	Representatives Phillips and Harding

House Resolution No. 1959

through

House Resolution No. 1972 - Representative Levin
House Resolution No. 1973 - Representatives Boucher and Lowe
House Resolution No. 1974 - Representative Johnson (61)
House Resolution No. 1975 - Representative Riback Wilson (25)
House Resolution No. 1976 - Representatives Lawson and Shields

COMMITTEE REPORTS

Committee on Rules, Joint Rules, and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules, and Bills Perfected and Printed, to which was referred **HS HCS HB 1000**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 52** and **HB 207**, begs leave to report it has examined the foregoing bills and finds the same to be truly and correctly printed as agreed to and finally passed.

Committee on Fiscal Review and Government Reform, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HB 366 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS SCS SB 266 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HS HCS SB 371 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **SCS SB 374 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HB 648, HB 477 & HB 805, relating to temporary driver's permits, was taken up by Representative Ostmann.

On motion of Representative Ostmann, **SCS HB 648, HB 477 & HB 805** was adopted by the following vote:

AYES: 153

Abel	Baker	Ballard	Barnett	Barnitz
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Barry 100	Berkstresser	Kelly 144	Kelly 27	Lograsso
Long	Wiggins			

VACANCIES: 003

On motion of Representative Ostmann, **SCS HB 648, HB 477 & HB 805** was truly agreed to and finally passed by the following vote:

AYES: 157

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright

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Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Lograsso Shields Wiggins

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 153

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73

Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 003

Hendrickson	Hunter	Roark
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PRESENT: 000

ABSENT WITH LEAVE: 004

Baker	Harlan	Lograsso	Wiggins
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VACANCIES: 003

SCS HB 691, relating to motor vehicle registration, was taken up by Representative Barnett.

On motion of Representative Barnett, **SCS HB 691** was adopted by the following vote:

AYES: 149

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Levin	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus

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Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Crump	Franklin	Harlan	Kennedy
Legan	Lograsso	Ridgeway	Seigfreid	Wiggins
Wilson 25				

VACANCIES: 003

On motion of Representative Barnett, **SCS HB 691** was truly agreed to and finally passed by the following vote:

AYES: 150

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields

Shoemyer	Skaggs	Smith	St. Onge	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Baker	Behnen	Crump	Fares	Harlan
Hilgemann	Lograsso	Ridgeway	Surface	Wiggins

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

SCS HB 881, relating to nursing home districts, was taken up by Representative Scott.

On motion of Representative Scott, **SCS HB 881** was adopted by the following vote:

AYES: 155

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

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PRESENT: 000

ABSENT WITH LEAVE: 005

Kelly 27	Lograsso	Secrest	Seigfreid	Wiggins
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VACANCIES: 003

On motion of Representative Scott, **SCS HB 881** was truly agreed to and finally passed by the following vote:

AYES: 154

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 36	King	Koller	Lawson
Legan	Levin	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Baker	Kelly 27	Kennedy	Lograsso	Ridgeway
Wiggins				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

SCS HB 606, relating to recorders of deeds, was taken up by Representative Kennedy.

On motion of Representative Kennedy, **SCS HB 606** was adopted by the following vote:

AYES: 150

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Curls	Davis	Dempsey	Dolan	Enz
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambara	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 003

Hoppe	Shoemyer	Smith
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PRESENT: 000

ABSENT WITH LEAVE: 007

Champion	Cunningham	Fares	Lograsso	Purgason
Wiggins	Williams			

VACANCIES: 003

On motion of Representative Kennedy, **SCS HB 606** was truly agreed to and finally passed by the following vote:

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AYES: 152

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 002

Shoemyer Smith

PRESENT: 000

ABSENT WITH LEAVE: 006

Boatright	Crawford	Lograsso	Purgason	Wiggins
Williams				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

SS SCS HS HB 421, as amended, relating to intoxication torts, was taken up by Representative Hoppe.

Representative Hoppe moved that the House refuse to adopt **SS SCS HS HB 421, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted by the following vote:

AYES: 131

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Boatright	Bonner	Boucher
Bowman	Boykins	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Crawford	Crowell
Cunningham	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Hegeman	Hendrickson	Hickey	Hilgemann
Hohulin	Holt	Hoppe	Hunter	Jetton
Johnson 61	Kelley 47	Kelly 144	Kelly 27	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Long	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Ransdall	Rector	Reid	Reinhart	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Wilson 42	Wright
Mr. Speaker				

NOES: 022

Bland	Bray 84	Britt	Copenhaver	Franklin
Green 73	Harding	Harlan	Haywood	Holand
Hollingsworth	Hosmer	Johnson 90	Jolly	Kelly 36
Lowe	Monaco	Relford	Smith	Williams
Willoughby	Wilson 25			

PRESENT: 001

Curls

ABSENT WITH LEAVE: 006

Baker	Crump	Hartzler	Henderson	Purgason
Wiggins				

VACANCIES: 003

Speaker Kreider assumed the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SA 1 to HS HJR 11** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Goode, Gibbons, Gross, Klarich and Scott.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate conferees on **SCS HB 16** are allowed to exceed the differences.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCS HCR 24**.

SENATE COMMITTEE SUBSTITUTE FOR HOUSE CONCURRENT RESOLUTION NO. 24

WHEREAS, recent high fuel prices have alerted us to the need to improve our nation's policies on fuel production; and

WHEREAS, the Organization of Petroleum Exporting Countries (OPEC) has recently suggested that they will reduce crude oil production again in an attempt to manipulate prices; and

WHEREAS, reductions in crude oil production have resulted in sharp increases in prices for natural gas, gasoline and home heating oil; and

WHEREAS, the United States has become dangerously dependent on foreign petroleum; and

WHEREAS, with natural gas selling at record highs, the production of reformulated gasolines containing MTBE, an additive made from natural gas, has been significantly reduced, resulting in shortages of reformulated gasoline in regions of the country dependent on the use of such gasoline blends to meet the federal government's antipollution standards; and

WHEREAS, Missouri consumers are experiencing higher prices at the pump and in home heating costs, and the economic stability of many areas of the state which rely on tourism may be jeopardized if the number of persons traveling to Missouri's vacation destinations is significantly reduced due to increased gasoline prices; and

WHEREAS, the trucking industry, heavily dependent on the availability and price of gasoline and diesel fuel, has been especially hard hit by the increase in fuel cost that have resulted in a significant increase in the transportation costs associated with the delivery of consumer goods throughout the state. Such an increase in cost to the trucking industry will inevitably be passed along to consumers as an increase in the price of consumer goods; and

WHEREAS, the increased petroleum fuel costs is particularly detrimental to Missouri family farmers because it comes at a time when overall market prices are low; and

WHEREAS, fuel prices could be reduced by increasing domestic production and encouraging the development of markets for products that can be used as the source material for renewable alternative fuels:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-first General Assembly, First Regular Session, the Senate concurring therein, hereby urge the United States Congress to actively address the issue of fuel prices and take immediate actions necessary to reduce our nation's dependency on foreign petroleum sources and boost our own economy by:

- (1) Encouraging exploration for domestic petroleum sources in a manner that does not adversely impact the environment;
- (2) Encouraging and creating incentives for fuel conservation measures that do not harm the economy; and
- (3) Encouraging and creating incentives for research, development and use of solar and other alternative fuel sources, including ethanol and other fuels made from renewable materials that would not only reduce our dependency on foreign petroleum, but also have the potential to improve environmental protection and boost local economies; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Speaker of the United States House of Representatives, the President of the United States Senate and each member of the Missouri Congressional delegation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 202**, entitled:

An act to repeal sections 238.207, 238.216, 238.220, 238.235 and 238.252, RSMo 2000, relating to transportation development districts, and to enact in lieu thereof five new sections relating to the same subject, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 242**, entitled:

An act to repeal sections 67.1003 and 67.1360, RSMo 2000, relating to tourism taxes in certain cities, and to enact in lieu thereof two new sections relating to the same subject.

With Senate Amendment No. 1

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Bill No. 242, Page 2, Section 67.1003, Line 30, by striking the word “class” and inserting in lieu thereof the word “**classification**”; and

Further amend said bill, Page 4, Section 67.1360, Line 59, by striking the word “seven” and inserting in lieu thereof the word “**three**”; and

Further amend said line, by striking the word “five” and inserting in lieu thereof the word “**four**”; and

Further amend said line, by inserting before the word “inhabitants” the words “**five hundred**”; and

Further amend Line 61, by striking the word “seventeen” and inserting in lieu thereof the word “**sixteen**”; and

Further amend said line, by striking the word “eighteen” and inserting in lieu thereof the word “**sixteen**”; and

Further amend Line 62, by inserting after the word “thousand” the words “**two hundred**”; and

Further amend Line 64, by striking the word “seventeen” and inserting in lieu thereof the word “**sixteen**”; and

Further amend Line 65, by striking the word “eighteen” and inserting in lieu thereof the word “**sixteen**”; and

Further amend said line, by inserting after the word “thousand” the words “**two hundred**”; and

Further amend Line 66, by striking the word “three” and inserting in lieu thereof the word “**two**”; and

Further amend Line 67, by striking the word “two” and inserting in lieu thereof the word “**four**”; and

Further amend said line, by striking the word “four” and inserting in lieu thereof the word “**two**”; and

Further amend said line by inserting before the word “inhabitants” the words “**six hundred**”.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 361**, entitled:

An act to authorize the conveyance of certain state property to the Clarence Cannon Wholesale Water Commission, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 473**, entitled:

An act to amend chapter 263, RSMo, by adding thereto one new section relating to noxious weeds.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 498**, entitled:

An act to repeal section 78.450, RSMo 2000, relating to ballot questions for maintaining the city manager form of government, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 679**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 904**, entitled:

An act to repeal sections 252.303, 252.306, 252.309, 252.315, 252.321, 252.324, 252.330 and 252.333, RSMo 2000, relating to agroforestry, and to enact in lieu thereof eight new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HS HB 421, as amended**, and grants the House a conference thereon.

RECONSIDERATION

Representative Villa, having voted on the prevailing side, moved that the vote by which **HCS SB 304** was defeated on third reading and final passage, be reconsidered.

Which motion was adopted by the following vote:

AYES: 102

Abel	Baker	Barnitz	Barry 100	Bartle
Berkowitz	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burton
Byrd	Campbell	Carnahan	Champion	Clayton
Coleman	Copenhaver	Crowell	Crump	Curls
Davis	Dolan	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Haywood
Hickey	Hilgemann	Hollingsworth	Holt	Hoppe
Jetton	Johnson 61	Johnson 90	Jolly	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Liese	Linton	Lowe	Luetkenhaus
Marble	Mayer	Mays 50	McKenna	Monaco
Myers	O'Connor	O'Toole	Overschmidt	Portwood
Ransdall	Relford	Reynolds	Richardson	Rizzo
Ross	Scheve	Seigfreid	Selby	Shelton
Shoemyer	Skaggs	Smith	St. Onge	Thompson
Treadway	Troupe	Van Zandt	Villa	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 052

Ballard	Barnett	Bartelsmeyer	Bearden	Behnen
Berkstresser	Boatright	Burcham	Cierpiot	Cooper
Crawford	Cunningham	Dempsey	Enz	Fares
Gaskill	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Hunter	Kelley 47	Kelly 144
Levin	Luetkemeyer	Marsh	May 149	Merideth
Miller	Moore	Murphy	Naeger	Nordwald
Ostmann	Phillips	Purgason	Rector	Reid
Reinhart	Ridgeway	Roark	Robirds	Schwab
Scott	Secrest	Shields	Surface	Townley
Vogel	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 006

Brooks	Harlan	Hosmer	Lograsso	Long
Wiggins				

VACANCIES: 003

THIRD READING OF SENATE BILL - CONSENT

HCS SB 304, relating to removal of corporate trustees, was taken up by Representative Monaco.

On motion of Representative Monaco, **HCS SB 304** was read the third time and passed by the following vote:

AYES: 105

Abel	Baker	Barnitz	Barry 100	Bartle
Berkowitz	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Byrd	Campbell	Carnahan	Champion	Clayton
Coleman	Copenhaver	Crowell	Crump	Curls
Davis	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	George	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Haywood	Hickey	Hilgemann
Hollingsworth	Holt	Hoppe	Jetton	Johnson 61
Johnson 90	Jolly	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Liese
Linton	Lowe	Luetkemeyer	Luetkenhaus	Mayer
Mays 50	McKenna	Monaco	Myers	Naeger
O'Connor	O'Toole	Overschmidt	Portwood	Ransdall
Reid	Relford	Reynolds	Richardson	Rizzo
Ross	Scheve	Schwab	Secrest	Seigfreid
Selby	Shelton	Shoemyer	Skaggs	Smith
St. Onge	Thompson	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 050

Ballard	Barnett	Bartelsmeyer	Bearden	Behnen
Berkstresser	Boatright	Burcham	Burton	Cierpiot
Cooper	Crawford	Cunningham	Dempsey	Dolan
Enz	Fares	Gaskill	Green 73	Hartzler
Hegeman	Henderson	Hendrickson	Holand	Hunter
Kelley 47	Kelly 144	Levin	Long	Marble
Marsh	May 149	Merideth	Miller	Moore
Murphy	Nordwald	Ostmann	Phillips	Purgason
Rector	Reinhart	Ridgeway	Roark	Robirds
Scott	Shields	Surface	Townley	Wright

PRESENT: 000

ABSENT WITH LEAVE: 005

Harlan

Hohulin

Hosmer

Lograsso

Wiggins

VACANCIES: 003

Speaker Kreider declared the bill passed.

SIGNING OF HOUSE BILLS

All other business of the House was suspended while **HB 52** and **HCS HB 207** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HB 52** and **HCS HB 207** were delivered to the Governor by the Chief Clerk of the House.

BILL CARRYING REQUEST MESSAGE

HS SS SCS SBs 323 & 230, as amended, relating to sales tax, was taken up by Representative Koller.

Representative Koller moved that the House refuse to recede from its position on **HS SS SCS SBs 323 & 230, as amended**, and grant the Senate a conference.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

HS SS SCS SBs 323 & 230: Representatives Koller, Overschmidt, Hampton, Robirds and Berkstresser

HS HJR 11: Representatives Gambaro, O'Toole, Ford, Hanaway and Levin

SS SCS HS HB 421: Representatives Lograsso, Dempsey, Hoppe, Holt and Graham

BILLS IN CONFERENCE

CCR SCS HCS HB 2, relating to appropriations, was taken up by Representative Graham.

On motion of Representative Graham, **CCR SCS HCS HB 2** was adopted by the following vote:

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AYES: 144

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Fraser
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Jetton	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Lawson	Legan	Levin	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 009

Boatright	Byrd	Froelker	Hanaway	Hohulin
Hunter	Johnson 61	Merideth	Roark	

PRESENT: 000

ABSENT WITH LEAVE: 007

Franklin	Harlan	Hosmer	Kennedy	Koller
Lograsso	Wiggins			

VACANCIES: 003

Representative Smith assumed the Chair.

On motion of Representative Graham, **CCS SCS HCS HB 2** was read the third time and passed by the following vote:

AYES: 142

Abel	Ballard	Barnett	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boucher	Bowman	Boykins
Bray 84	Britt	Burcham	Burton	Campbell

Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Jetton	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 013

Barnitz	Boatright	Byrd	Coleman	Hanaway
Hohulin	Hunter	Johnson 61	Kelly 27	Linton
Merideth	Relford	Roark		

PRESENT: 000

ABSENT WITH LEAVE: 005

Baker	Bonner	Brooks	Long	Wiggins
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VACANCIES: 003

Representative Smith declared the bill passed.

Speaker Pro Tem Abel resumed the Chair.

CCR SCS HCS HB 3, relating to appropriations, was taken up by Representative Graham.

On motion of Representative Graham, **CCR SCS HCS HB 3** was adopted by the following vote:

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AYES: 140

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Burcham	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Fraser	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Harding	Harlan	Hartzler	Hegeman
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Jetton	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Lograsso	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 011

Boatright	Cunningham	Froelker	Hanaway	Henderson
Hohulin	Hunter	Johnson 61	Kelly 27	Linton
Roark				

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker	Berkstresser	Brooks	Burton	Franklin
Haywood	Long	Ridgeway	Wiggins	

VACANCIES: 003

On motion of Representative Graham, **CCS SCS HCS HB 3** was read the third time and passed by the following vote:

AYES: 142

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Burcham	Burton	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver

Crawford	Crowell	Crump	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Harding
Harlan	Hartzler	Hegeman	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Jetton	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 009

Boatright	Cunningham	Hanaway	Henderson	Hunter
Johnson 61	Kelly 27	Linton	Roark	

PRESENT: 000

ABSENT WITH LEAVE: 009

Brooks	Byrd	Franklin	Haywood	Hohulin
Hosmer	Long	McKenna	Wiggins	

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

CCR SCS HCS HB 4, relating to appropriations, was taken up by Representative Bray.

On motion of Representative Bray, **CCR SCS HCS HB 4** was adopted by the following vote:

AYES: 136

Abel	Ballard	Barnett	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Burcham	Burton
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Copenhaver	Crawford	Crowell	Crump
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Harding	Harlan	Hartzler	Haywood	Hegeman

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Hendrickson	Hickey	Hollingsworth	Holt	Hoppe
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 012

Barnitz	Byrd	Cooper	Cunningham	Froelker
Hanaway	Henderson	Hohulin	Hunter	Nordwald
Purgason	Roark			

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Boatright	Brooks	Gaskill	Hilgemann
Holand	Hosmer	Kennedy	Long	McKenna
Troupe	Wiggins			

VACANCIES: 003

On motion of Representative Bray, **CCS SCS HCS HB 4** was read the third time and passed by the following vote:

AYES: 142

Abel	Ballard	Barnett	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Burcham	Burton
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Copenhaver	Crawford	Crowell	Crump
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Harding	Hartzler	Haywood
Hegeman	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	Merideth
Miller	Monaco	Moore	Murphy	Myers

Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 012

Barnitz	Boatright	Byrd	Cooper	Cunningham
Hanaway	Henderson	Hohulin	Hunter	Nordwald
Purgason	Roark			

PRESENT: 000

ABSENT WITH LEAVE: 006

Baker	Brooks	Harlan	Hosmer	McKenna
Wiggins				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

CCR SCS HCS HB 5, relating to appropriations, was taken up by Representative Bonner.

On motion of Representative Bonner, **CCR SCS HCS HB 5** was adopted by the following vote:

AYES: 117

Abel	Baker	Barnett	Barnitz	Barry 100
Bearden	Behnen	Berkowitz	Black	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burton	Campbell	Carnahan
Champion	Coleman	Copenhaver	Crawford	Crump
Curls	Davis	Dempsey	Dolan	Farnen
Foley	Ford	Franklin	Fraser	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Harding
Hartzler	Haywood	Hegeman	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Mays 50	McKenna	Merideth
Monaco	Moore	Murphy	Myers	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Ransdall
Rector	Relford	Reynolds	Rizzo	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
St. Onge	Thompson	Townley	Treadway	Troupe

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Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 040

Ballard	Bartelsmeyer	Bartle	Berkstresser	Boatright
Burcham	Byrd	Cierpiot	Clayton	Cooper
Crowell	Cunningham	Enz	Fares	Froelker
Hanaway	Henderson	Hendrickson	Hohulin	Hosmer
Hunter	Jetton	Kelly 144	Lograsso	Marble
Marsh	May 149	Mayer	Miller	Naeger
Phillips	Purgason	Reid	Reinhart	Richardson
Ridgeway	Roark	Robirds	Smith	Surface

PRESENT: 000

ABSENT WITH LEAVE: 003

Harlan	Portwood	Wiggins
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VACANCIES: 003

On motion of Representative Bonner, **CCS SCS HCS HB 5** was read the third time and passed by the following vote:

AYES: 109

Abel	Baker	Barnett	Barnitz	Barry 100
Berkowitz	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Carnahan	Coleman	Copenhaver
Crawford	Crump	Curls	Davis	Dolan
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Harding	Harlan	Hartzler	Haywood
Hegeman	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Long	Lowe	Luetkemeyer	Luetkenhaus	Mays 50
McKenna	Merideth	Monaco	Myers	O'Connor
O'Toole	Ostmann	Overschmidt	Relford	Reynolds
Richardson	Rizzo	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	St. Onge	Thompson
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 050

Ballard	Bartelsmeyer	Bartle	Bearden	Behnen
Berkstresser	Boatright	Burcham	Byrd	Champion
Cierpiot	Clayton	Cooper	Crowell	Cunningham
Dempsey	Enz	Fares	Hanaway	Henderson
Hendrickson	Hohulin	Hosmer	Hunter	Jetton

Kelly 144	Linton	Lograsso	Marble	Marsh
May 149	Mayer	Miller	Moore	Murphy
Naeger	Nordwald	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Ridgeway
Roark	Robirds	Smith	Surface	Townley

PRESENT: 000

ABSENT WITH LEAVE: 001

Wiggins

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

CCR SCS HCS HB 6, relating to appropriations, was taken up by Representative Ransdall.

On motion of Representative Ransdall, **CCR SCS HCS HB 6** was adopted by the following vote:

AYES: 138

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Curls
Davis	Dolan	Fares	Farnen	Foley
Ford	Franklin	Fraser	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Hagan-Harrell	Hampton	Harding	Harlan	Hartzler
Haywood	Hegeman	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Jetton	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Rizzo	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

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NOES: 015

Byrd	Cunningham	Dempsey	Enz	Froelker
Griesheimer	Hanaway	Henderson	Hohulin	Hunter
Johnson 61	Nordwald	Purgason	Roark	Townley

PRESENT: 000

ABSENT WITH LEAVE: 007

Baker	Kelly 36	Lograsso	Portwood	Ridgeway
Robirds	Wiggins			

VACANCIES: 003

On motion of Representative Ransdall, **CCS SCS HCS HB 6** was read the third time and passed by the following vote:

AYES: 139

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Bowman	Boykins	Bray 84	Britt	Burcham
Burton	Campbell	Carnahan	Champion	Cierpiot
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Curls	Davis	Dolan	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Hagan-Harrell	Hampton
Harding	Harlan	Hartzler	Haywood	Hegeman
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Jetton	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 013

Byrd	Cunningham	Dempsey	Enz	Griesheimer
Hanaway	Henderson	Hendrickson	Hohulin	Hunter
Johnson 61	Purgason	Roark		

PRESENT: 000

ABSENT WITH LEAVE: 008

Baker	Boucher	Brooks	Clayton	Kelly 36
Lograsso	Portwood	Wiggins		

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

CCR SCS HCS HB 7, relating to appropriations, was taken up by Representative Ransdall.

On motion of Representative Ransdall, **CCR SCS HCS HB 7** was adopted by the following vote:

AYES: 138

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Bowman
Boykins	Bray 84	Britt	Burcham	Burton
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Gambaro	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Harding	Hartzler	Haywood	Hegeman
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Jetton	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 011

Bartle	Byrd	Cunningham	Froelker	Hanaway
Henderson	Hohulin	Hunter	Johnson 61	Linton
Roark				

PRESENT: 000

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ABSENT WITH LEAVE: 011

Baker	Boucher	Brooks	Gaskill	Harlan
Kelly 36	Lograsso	McKenna	Portwood	Treadway
Wiggins				

VACANCIES: 003

On motion of Representative Ransdall, **CCS SCS HCS HB 7** was read the third time and passed by the following vote:

AYES: 143

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burcham
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Harding
Hartzler	Haywood	Hegeman	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Jetton	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 009

Bartle	Cunningham	Hanaway	Henderson	Hohulin
Hunter	Johnson 61	Linton	Roark	

PRESENT: 000

ABSENT WITH LEAVE: 008

Baker	Brooks	Byrd	Harlan	Kelly 36
Lograsso	Portwood	Wiggins		

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

CCR SCS HCS HB 8, relating to appropriations, was taken up by Representative Kelly (27).

On motion of Representative Kelly (27), **CCR SCS HCS HB 8** was adopted by the following vote:

AYES: 146

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Crawford
Crowell	Crump	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Harding	Hartzler
Haywood	Hegeman	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Jetton	Johnson 61	Johnson 90	Jolly
Kelly 47	Kelly 144	Kelly 27	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 008

Boatright	Byrd	Cunningham	Froelker	Hanaway
Henderson	Hunter	Roark		

PRESENT: 000

ABSENT WITH LEAVE: 006

Baker	Copenhaver	Harlan	Kelly 36	Lograsso
Wiggins				

VACANCIES: 003

On motion of Representative Kelly (27), **CCS SCS HCS HB 8** was read the third time and passed by the following vote:

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AYES: 138

Abel	Ballard	Barnett	Barry 100	Bartelsmeyer
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Burton	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Harding	Hartzler	Haywood	Hegeman
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 27	Kennedy
King	Koller	Lawson	Levin	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Rizzo	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 008

Barnitz	Boatright	Cunningham	Hanaway	Henderson
Hohulin	Hunter	Roark		

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker	Bartle	Brooks	Burcham	Byrd
Harlan	Kelly 144	Kelly 36	Legan	Lograsso
McKenna	Portwood	Ridgeway	Wiggins	

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

CCR SCS HCS HB 9, relating to appropriations, was taken up by Representative Kelly (27).

On motion of Representative Kelly (27), **CCR SCS HCS HB 9** was adopted by the following vote:

AYES: 138

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Burton	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Hagan-Harrell	Hampton
Harding	Hartzler	Haywood	Hegeman	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 013

Ballard	Boatright	Burcham	Byrd	Cunningham
Froelker	Griesheimer	Hanaway	Henderson	Hunter
Purgason	Ridgeway	Roark		

PRESENT: 000

ABSENT WITH LEAVE: 009

Berkstresser	Brooks	Harlan	Hohulin	Kelly 36
Lograsso	McKenna	Wiggins	Williams	

VACANCIES: 003

On motion of Representative Kelly (27), **CCS SCS HCS HB 9** was read the third time and passed by the following vote:

AYES: 131

Abel	Baker	Barnett	Barry 100	Bartelsmeyer
Bartle	Behnen	Berkowitz	Black	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Burton	Campbell	Carnahan	Champion
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Curls	Davis	Dempsey	Dolan

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Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Harding	Hartzler
Haywood	Hegeman	Hendrickson	Hickey	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Ransdall
Rector	Reid	Relford	Reynolds	Richardson
Rizzo	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 014

Ballard	Bearden	Boatright	Byrd	Cunningham
Hanaway	Henderson	Hunter	Phillips	Purgason
Reinhart	Ridgeway	Roark	Ward	

PRESENT: 000

ABSENT WITH LEAVE: 015

Barnitz	Berkstresser	Brooks	Burcham	Cierpiot
Crump	Harlan	Hilgemann	Hohulin	Kelly 27
Kelly 36	Lograsso	McKenna	Portwood	Wiggins

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

Representative Smith resumed the Chair.

CCR SCS HCS HB 10, as amended, relating to appropriations, was taken up by Representative Green (73).

On motion of Representative Green (73), **CCR SCS HCS HB 10, as amended**, was adopted by the following vote:

AYES: 107

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Boatright	Bonner	Boucher
Britt	Burcham	Burton	Champion	Cierpiot
Coleman	Cooper	Crawford	Crowell	Cunningham
Davis	Dempsey	Dolan	Enz	Ford

Froelker	Gambaro	Gaskill	George	Gratz
Green 15	Green 73	Griesheimer	Hampton	Hartzler
Hegeman	Henderson	Hendrickson	Hickey	Holand
Holt	Hoppe	Hunter	Jetton	Kelley 47
Kelly 144	Kelly 36	Kennedy	King	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	McKenna	Merideth	Miller
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Schwab	Scott	Secrest	Seigfreid
Selby	Shields	Shoemyer	Smith	St. Onge
Surface	Townley	Treadway	Villa	Vogel
Wagner	Wright			

NOES: 046

Baker	Bland	Bowman	Boykins	Bray 84
Brooks	Byrd	Campbell	Carnahan	Clayton
Copenhaver	Curls	Farnen	Franklin	Fraser
Graham	Hagan-Harrell	Hanaway	Harding	Harlan
Haywood	Hilgemann	Hollingsworth	Hosmer	Johnson 61
Johnson 90	Jolly	Kelly 27	Lowe	Mays 50
Monaco	Ostmann	Relford	Roark	Scheve
Shelton	Skaggs	Thompson	Van Zandt	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

PRESENT: 002

Fares Troupe

ABSENT WITH LEAVE: 005

Crump	Foley	Hohulin	Koller	Wiggins
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VACANCIES: 003

Speaker Pro Tem Abel resumed the Chair.

On motion of Representative Green (73), **CCS SCS HCS HB 10** was read the third time and passed by the following vote:

AYES: 103

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Boatright	Bonner	Boucher
Britt	Burcham	Burton	Champion	Coleman
Cooper	Crawford	Crowell	Cunningham	Davis
Dempsey	Dolan	Enz	Farnen	Ford
Froelker	Gambaro	Gaskill	George	Gratz
Green 15	Green 73	Griesheimer	Hampton	Hartzler
Hegeman	Hendrickson	Hickey	Holand	Holt
Hoppe	Jetton	Kelley 47	Kelly 36	King

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Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Long	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	McKenna
Merideth	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Schwab	Scott	Secrest
Seigfreid	Selby	Shields	Shoemyer	Smith
St. Onge	Surface	Townley	Treadway	Villa
Vogel	Wagner	Wright		

NOES: 045

Bland	Bowman	Boykins	Bray 84	Brooks
Byrd	Campbell	Carnahan	Clayton	Copenhaver
Curls	Franklin	Fraser	Graham	Hagan-Harrell
Hanaway	Harding	Harlan	Haywood	Henderson
Hilgemann	Hollingsworth	Hosmer	Johnson 61	Johnson 90
Jolly	Kelly 27	Lowe	Mays 50	Monaco
Ostmann	Relford	Roark	Scheve	Shelton
Skaggs	Thompson	Van Zandt	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

PRESENT: 002

Fares	Troupe
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ABSENT WITH LEAVE: 010

Baker	Cierpiot	Crump	Foley	Hohulin
Hunter	Kelly 144	Kennedy	Miller	Wiggins

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

CCR SCS HCS HB 11, as amended, relating to appropriations, was taken up by Representative Troupe.

On motion of Representative Troupe, **CCR SCS HCS HB 11, as amended**, was adopted by the following vote:

AYES: 112

Abel	Baker	Barnitz	Barry 100	Bearden
Behnen	Berkowitz	Black	Bland	Bonner
Bowman	Boykins	Bray 84	Britt	Burcham
Burton	Campbell	Carnahan	Champion	Clayton
Coleman	Copenhaver	Crawford	Crowell	Curls
Davis	Dempsey	Dolan	Fares	Farnen
Foley	Ford	Franklin	Fraser	Gambara
Gaskill	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Hartzler
Haywood	Hegeman	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Jetton	Johnson 61

Johnson 90	Jolly	Kelley 47	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Liese
Lowe	Luetkemeyer	Luetkenhaus	May 149	Mayer
Mays 50	McKenna	Merideth	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Ransdall	Relford
Reynolds	Richardson	Rizzo	Robirds	Ross
Scheve	Schwab	Secrest	Seigfreid	Selby
Shelton	Shoemyer	Skaggs	St. Onge	Surface
Thompson	Treadway	Troupe	Villa	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 031

Ballard	Bartelsmeyer	Bartle	Berkstresser	Boatright
Byrd	Cooper	Cunningham	Enz	Griesheimer
Hanaway	Henderson	Hendrickson	Hunter	Kelly 144
Levin	Linton	Long	Marble	Marsh
Miller	Phillips	Purgason	Rector	Reid
Reinhart	Ridgeway	Roark	Townley	Vogel
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 017

Barnett	Boucher	Brooks	Cierpiot	Crump
Froelker	Harlan	Hohulin	Hosmer	Kelly 27
Lograsso	Portwood	Scott	Shields	Smith
Van Zandt	Wiggins			

VACANCIES: 003

On motion of Representative Troupe, **CCS SCS HCS HB 11** was read the third time and passed by the following vote:

AYES: 117

Abel	Barnett	Barnitz	Barry 100	Behnen
Berkowitz	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burcham
Burton	Campbell	Carnahan	Champion	Clayton
Coleman	Copenhaver	Crawford	Crowell	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Harding	Hartzler	Haywood	Hegeman	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Long
Lowe	Luetkemeyer	Luetkenhaus	May 149	Mayer
Mays 50	McKenna	Merideth	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
Ostmann	Overschmidt	Ransdall	Relford	Reynolds
Richardson	Rizzo	Robirds	Ross	Scheve

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Schwab	Secrest	Seigfreid	Selby	Shelton
Shoemyer	Skaggs	St. Onge	Surface	Thompson
Treadway	Troupe	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 026

Ballard	Bartelsmeyer	Bartle	Bearden	Berkstresser
Boatright	Byrd	Cooper	Cunningham	Hanaway
Henderson	Hendrickson	Hunter	Linton	Lograsso
Marble	Marsh	Miller	Phillips	Purgason
Rector	Reid	Ridgeway	Roark	Townley
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 017

Baker	Brooks	Cierpiot	Crump	Froelker
Harlan	Hohulin	Hosmer	Kelly 27	O'Toole
Portwood	Reinhart	Scott	Shields	Smith
Van Zandt	Wiggins			

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

MOTION

Representative Green (73) moved that Rule 26 be suspended to allow the Conference Committee on **SCS HCS HB 14** to meet in the rear of the Senate Chamber while the House is in session.

Which motion was adopted by the following vote:

AYES: 117

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boucher	Bowman
Boykins	Bray 84	Britt	Burton	Byrd
Campbell	Carnahan	Champion	Clayton	Coleman
Copenhaver	Crawford	Curls	Davis	Dolan
Enz	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Harding	Hartzler	Haywood
Hegeman	Hickey	Hollingsworth	Holt	Hoppe
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	May 149
Mayer	Mays 50	McKenna	Miller	Monaco
Moore	Murphy	Myers	O'Connor	Overschmidt
Phillips	Ransdall	Reid	Reinhart	Relford

Richardson	Rizzo	Robirds	Ross	Scheve
Schwab	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Troupe	Villa	Vogel
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 021

Bartle	Boatright	Burcham	Cooper	Cunningham
Fares	Hanaway	Henderson	Hendrickson	Hunter
Jetton	Lograsso	Marsh	Naeger	Nordwald
Ostmann	Purgason	Rector	Ridgeway	Roark
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 022

Bonner	Brooks	Cierpiot	Crowell	Crump
Dempsey	Harlan	Hilgemann	Hohulin	Holand
Hosmer	Kelly 27	Merideth	O'Toole	Portwood
Reynolds	Scott	Shoemyer	Treadway	Van Zandt
Wagner	Wiggins			

VACANCIES: 003

THIRD READING OF SENATE BILL

HCS SB 319, relating to the assessment of students, was taken up by Representative Johnson (61).

Speaker Kreider resumed the Chair.

Representative Walton offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 319, Page 6, Section 167.645, Line 80, by inserting after all of said line the following:

"167.680. 1. There is hereby established within the department of elementary and secondary education the "After- School Retreat Reading and Assessment Grant Program". Beginning with the 2002-2003 school year, the program shall award grants to schools on a competitive grant basis. School districts may develop after-school reading and assessment programs and submit proposals to the department, pursuant to criteria established by the department for grant approval and on forms promulgated by the department for grant applications. Copies of the criteria established pursuant to this section shall be provided by the department to all school districts in this state. In awarding such grants, the department shall grant preference to school districts with a higher percentage of at-risk students, as the department may determine. In addition, the criteria for grant approval by the department may include, but shall not be limited to:

(1) The development of programs which are educational in nature, with emphasis in reading and student assessment thereof as opposed to day-care oriented programs; or

(2) Other criteria as the department may deem appropriate.

2. Subject to appropriation, beginning with the 2002-2003 school year, the department shall award grants

to school districts for the development and implementation of after-school retreat programs consistent with this section. In the event that the appropriations or other moneys available for such grants are less than the amount necessary to fully fund all approved grants for the 2002-2003 school year or any subsequent school year, the moneys shall be distributed to approved schools on a pro rata basis.

3. The fund shall be administered by the department. The fund shall consist of moneys appropriated annually by the general assembly from general revenue to such fund, any moneys paid into the state treasury and required by law to be credited to such fund and any gifts, bequests or donations to such fund. The fund shall be kept separate and apart from all other moneys in the state treasury and shall be paid out by the state treasurer pursuant to chapter 33, RSMo. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the fund at the end of the biennium shall not be transferred to the credit of the general revenue fund. All interest and moneys earned on the fund shall be credited to the fund.

4. No rule or portion of a rule promulgated pursuant to this section shall take effect unless such rule has been promulgated pursuant to chapter 536, RSMo.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Walton, **House Amendment No. 1** was adopted.

Representative Linton offered **House Amendment No. 2**.

Representative Franklin raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Reid offered **House Amendment No. 2**.

Representative Relford raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Holand offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 319, Page 3, Section 167.640, Line 19, by deleting the opening bracket “[“ immediately before the figure “4”; and

Further amend said bill, Page 3, Section 167.640, Line 20, by inserting immediately after the word “RSMo,” the following: “**except students receiving special education services pursuant to section 162.670 to 162.999, RSMo,**”; and

Further amend said bill, Page 3, Section 167.640, Line 34, by deleting the closing bracket “]” immediately following the word “RSMo.”; and

Further amend said bill, Pages 3 through 6, Section 167.645, Lines 1 to 80, by deleting all of said section from the bill; and

Further amend said title, enacting clause, and intersectional references accordingly.

Representative Holand moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Marble offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 319, Page 2, Section 160.518, Line 47, by adding after said line the following:

“6. The score on any assessment test developed pursuant to this section or this chapter of students receiving special education services pursuant to Section 162.670 to 162.999 RSMo shall not be counted.”.

On motion of Representative Marble, **House Amendment No. 3** was adopted.

Representative Cunningham offered **House Amendment No. 4**.

Representative Relford raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Scheve offered **House Amendment No. 4**.

Representative Relford raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Crowell offered **House Amendment No. 4**.

House Amendment No. 4 was withdrawn.

Representative Graham offered **House Amendment No. 4**.

Representative Franklin raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Campbell offered **House Amendment No. 4**.

Representative Relford raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Linton offered **House Amendment No. 4**.

Representative Franklin raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Cunningham offered **House Amendment No. 4**.

Representative Relford raised a point of order that **House Amendment No. 4** is dilatory.

The Chair ruled the point of order well taken.

Representative Reid offered **House Amendment No. 4**.

Representative Berkowitz raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Johnson (61), **HCS SB 319, as amended**, was adopted.

On motion of Representative Johnson (61), **HCS SB 319, as amended**, was read the third time and passed by the following vote:

AYES: 133

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Behnen	Berkowitz	Black	Bland
Bonner	Boucher	Bowman	Boykins	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Curls	Davis
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hollingsworth	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelly 144	Kelly 27	King	Koller
Lawson	Legan	Liese	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott

Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	Surface	Thompson	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 016

Ballard	Bearden	Boatright	Cunningham	Dempsey
Hanaway	Hohulin	Holand	Holt	Levin
Linton	Phillips	Portwood	Purgason	Secrest
St. Onge				

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Berkstresser	Bray 84	Cierpiot	Clayton
Kelley 47	Kelly 36	Kennedy	Naeger	Townley
Wiggins				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 126

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Britt	Burton	Byrd
Campbell	Carnahan	Clayton	Coleman	Copenhaver
Crawford	Crowell	Crump	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hickey
Hilgemann	Hollingsworth	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Kelly 144	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Liese
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Rizzo
Robirds	Ross	Scheve	Schwab	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

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NOES: 023

Ballard	Bearden	Burcham	Champion	Cooper
Cunningham	Hanaway	Hendrickson	Hohulin	Holand
Holt	Hunter	Levin	Linton	Marble
Murphy	Phillips	Portwood	Roark	Scott
Secrest	St. Onge	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 011

Bray 84	Brooks	Cierpiot	Froelker	Green 73
Hoppe	Kelley 47	Kelly 27	Ridgeway	Wiggins
Williams				

VACANCIES: 003

THIRD READING OF HOUSE BILL

HS HCS HB 1000, relating to redistricting, was taken up by Representative Hosmer.

Representative Smith resumed the Chair.

Speaker Kreider resumed the Chair.

Representative Crump moved the previous question on the motion to third read and finally pass **HS HCS HB 1000**.

Which motion was adopted by the following vote:

AYES: 085

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Haywood	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Kelly 27	Kelly 36	Kennedy	Koller
Lawson	Liese	Lowe	Luetkenhaus	Mays 50
McKenna	Merideth	Monaco	O'Connor	O'Toole
Overschmidt	Ransdall	Relford	Reynolds	Rizzo
Scheve	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Villa	Wagner	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 069

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Burcham	Burton
Byrd	Champion	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Dolan	Enz
Fares	Froelker	Gaskill	Griesheimer	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Hunter	Jetton	Kelly 144	King
Legan	Levin	Linton	Lograsso	Long
Luetkemeyer	Marble	Marsh	May 149	Mayer
Miller	Moore	Myers	Naeger	Nordwald
Ostmann	Phillips	Portwood	Purgason	Rector
Reid	Reinhart	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Secrest	St. Onge
Surface	Townley	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 006

Boatright	Kelley 47	Murphy	Richardson	Shields
Wiggins				

VACANCIES: 003

On motion of Representative Hosmer, **HS HCS HB 1000** was read the third time and passed by the following vote:

AYES: 085

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Haywood	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Kelly 27	Kelly 36	Kennedy	Koller
Lawson	Liese	Lowe	Luetkenhaus	Mays 50
McKenna	Merideth	Monaco	Murphy	O'Connor
O'Toole	Overschmidt	Ransdall	Relford	Reynolds
Rizzo	Scheve	Seigfreid	Selby	Shelton
Shoemyer	Skaggs	Smith	Thompson	Treadway
Van Zandt	Villa	Wagner	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 070

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Burcham	Burton
Byrd	Champion	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Dolan	Enz
Fares	Froelker	Gaskill	Griesheimer	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Hunter	Jetton	Kelly 144	King

Legan	Levin	Linton	Lograsso	Long
Luetkemeyer	Marble	May 149	Mayer	Miller
Moore	Myers	Naeger	Nordwald	Ostmann
Phillips	Portwood	Purgason	Rector	Reid
Reinhart	Richardson	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Secrest	Shields
St. Onge	Surface	Townley	Vogel	Wright

PRESENT: 001

Marsh

ABSENT WITH LEAVE: 004

Boatright	Kelley 47	Troupe	Wiggins
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VACANCIES: 003

Speaker Kreider declared the bill passed.

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SS SCS SBs 510, 512 & 133 - Education-Elementary and Secondary

COMMITTEE REPORTS

Committee on Elections, Chairman Seigfreid reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **SS SCS SBs 476, 427 & 62**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Judiciary, Chairman Monaco reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SCS SB 10**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Motor Vehicle and Traffic Regulations, Chairman O'Connor reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **SB 275**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 2**, and has taken up and passed **CCS SCS HCS HB 2**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 3**, and has taken up and passed **CCS SCS HCS HB 3**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 4**, and has taken up and passed **CCS SCS HCS HB 4**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 5**, and has taken up and passed **CCS SCS HCS HB 5**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SS SCS HS HB 421, as amended**: Senators Kinder, Gross, Loudon, Wiggins and Depasco.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HS SS SCS SBs 323 & 230, as amended**: Senators Childers, Johnson, Bentley, Steelman and Mathewson.

CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 16

Mr. Speaker: Your Conference Committee appointed to confer with a like Committee from the Senate on Senate Committee Substitute for House Bill No. 16, begs leave to report that we, after open, free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 16.
2. That the House recede from its position on House Bill No. 16.

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 16 be truly agreed and finally passed.

FOR THE HOUSE:

/s/ Timothy P. Green
/s/ Chuck Graham
/s/ Louis Ford
/s/ Charlie Shields
/s/ Carl Bearden

FOR THE SENATE:

/s/ John Russell
/s/ Larry Rohrbach
/s/ Morris Westfall
/s/ Wayne Goode
/s/ Harry Wiggins

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 151**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate, on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 151, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 151;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 151; and
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 151 be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Sam Gaskill
/s/ Blaine Luetkemeyer
/s/ Dan Ward
/s/ Bill Luetkenhaus
/s/ Chris Liese

FOR THE SENATE:

/s/ Doyle Childers
/s/ Roseann Bentley
/s/ Chuck Gross
/s/ Stephen Stoll
/s/ Sidney Johnson

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 567**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 567 with Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 8, Senate Amendment No. 9, Senate Amendment No. 10, Senate Amendment No. 15 and Senate Amendment No. 16, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 567, as amended;
2. That the House recede from its position on House Committee Substitute for House Bill No. 567;
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 567 be adopted.

FOR THE HOUSE:

/s/ Rep. Charles Nordwald
/s/ Rep. Larry Crawford
/s/ Rep. Joseph Treadway
/s/ Rep. Rick Johnson
/s/ Rep. Wes Shoemyer

FOR THE SENATE:

/s/ Sen. David Klarich
/s/ Sen. Bill Kenney
/s/ Sen. Morris Westfall
/s/ Sen. Patrick Dougherty
/s/ Sen. Harry Wiggins

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m, Thursday, May 10, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-ninth Day, Tuesday, May 8, 2001, page 1691, line 7, by inserting immediately after said line the following:

SCS HCS HB 10: Representatives Green (73), Wilson (42), Riback Wilson (25), Shields and Naeger

Pages 1667 and 1668, roll call, by showing Representative Copenhaver voting "aye" rather than "absent with leave".

Pages 1668 and 1669, roll call, by showing Representatives Hunter and Miller voting "aye" rather than "absent with leave".

Pages 1669 and 1670, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

Page 1671, roll call, by showing Representatives Behnen, Copenhaver, Fares and Hosmer voting "aye" rather than "absent with leave".

Pages 1673 and 1674, roll call, by showing Representatives Fares, Scott and Thompson voting "aye" rather than "absent with leave".

Page 1674, roll call, by showing Representatives Behnen, Myers and Thompson voting "aye" rather than "absent with leave".

Page 1675, roll call, by showing Representatives Reinhart and Thompson voting "aye" rather than "absent with leave".

Pages 1675 and 1676, roll call, by showing Representatives Fares, Kennedy, Scott and Shoemyer voting "aye" rather than "absent with leave".

Pages 1676 and 1677, roll call, by showing Representative Froelker voting "aye" rather than "absent with leave".

Pages 1676 and 1677, roll call, by showing Representative Crowell voting "no" rather than "absent with leave".

Pages 1677 and 1678, roll call, by showing Representatives Froelker and Hampton voting "aye" rather than "absent with leave".

Page 1679, roll call, by showing Representative Hosmer voting "no" rather than "absent with leave".

Pages 1689 and 1690, roll call, by showing Representatives Scott and Surface voting "no" rather than "absent with leave".

Pages 1689 and 1690, roll call, by showing Representative Myers voting "present" rather than "absent with leave".

Correct House Journal, Sixty-eighth Day, Monday, May 7, 2001, pages 1641 and 1642, roll call, by showing Representative Riback Wilson (25) voting "no" rather than "aye".

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Friday, May 11, 2001, 9:30 am. Room 414.

CONFERENCE COMMITTEE - APPROPRIATIONS

Thursday, May 10, 2001, 8:00 am. Hearing Room 3.

To be considered - HB 14

CONFERENCE COMMITTEE - APPROPRIATIONS

Friday, May 11, 2001, 8:00 am. Hearing Room 3.

FISCAL REVIEW AND GOVERNMENT REFORM

Thursday, May 10, 2001, 8:30 am. Hearing Room 5.

To be considered - SB 288, SB 486, SB 509

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Monday, May 14, 2001, 8:00 am. Hearing Room 1.

Quarterly business meeting. Release of Oversight reports.

AMENDED.

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Thursday, May 10, 2001, 9:45 am. Side gallery.

To be considered - Executive Session - SB 52

HOUSE CALENDAR

SEVENTY-FIRST DAY, THURSDAY, MAY 10, 2001

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 15 & 13 - Crawford

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 457, HA 2, as amended, tabled - Kreider
- 2 HCS HB 593 - Riback Wilson (25)
- 3 HCS HB 239 - Smith
- 4 HB 802 - Ransdall

- 5 HCS HB 374 - Fraser
- 6 HCS HB 635 - Barry
- 7 HCS HB 868 - Merideth
- 8 HCS HB 253 - Ross
- 9 HB 809, HCA 1 - Carnahan
- 10 HCS HB 340, 303 & 316 - Graham
- 11 HB 640 - Johnson (90)
- 12 HCS HB 723 - Mays (50)
- 13 HCS HB 117 - Riback Wilson (25)
- 14 HCS HB 307 - Wiggins
- 15 HCS HB 921 - Curls
- 16 HB 911 - Carnahan
- 17 HCS HB 511 - Johnson (90)
- 18 HB 63 - Reynolds
- 19 HCS HB 93 - Gaskill

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HCS HB 853 & 258 - Crump
- 3 HCS HB 186 & 172 - Troupe
- 4 HCS HB 888, 942 & 943 - Scheve
- 5 HCS HB 472 - Burton
- 6 HCS HB 293 - Kennedy
- 7 HCS HB 663 & 375 - Kennedy
- 8 HCS HB 170 - Froelker

HOUSE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING

HCR 33, (5-3-01, page 1611) - Lawson

HOUSE BILLS FOR THIRD READING

- 1 HB 527, (Fiscal Review 4-19-01) - Luetkenhaus
- 2 HB 366, E.C. - Champion
- 3 HS HB 286, E.C. - Smith
- 4 HS HB 715 - Foley

SENATE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 SCR 23, (4-4-01, pg. 950) - Bonner
- 2 SCR 27, (4-4-01, pgs. 950 & 951) - Hagan-Harrell
- 3 SCR 3, (2-15-01, pgs. 402 & 403) - Dempsey
- 4 SCR 18, (3-8-01, pgs. 644 & 645) - Mays (50)
- 5 HCS SCR 28, (5-7-01, pgs. 1657 & 1658) - Harding

SENATE JOINT RESOLUTIONS FOR THIRD READING

- 1 HCS SS SCS SJR 1 & 4, (Fiscal Review 5-2-01) - O'Toole
- 2 SS SJR 9 - Gambaro

SENATE BILLS FOR THIRD READING

- 1 HS HCS SB 371 - O'Toole
- 2 HCS SB 125 - Hoppe
- 3 HCS SB 460 - Kennedy
- 4 HCS SB 72 - Smith
- 5 HCS SCS SB 236, E.C. - Ladd Baker
- 6 SB 416 - Wagner
- 7 SB 500 - Rizzo
- 8 SB 370, HCA 1 - Smith
- 9 SCS SB 290 - Rizzo
- 10 HCS SCS SB 486 & SB 422, (Fiscal Review 5-7-01) - Hoppe
- 11 HCS SS SB 244 - Koller
- 12 HCS SB 365 - Overschmidt
- 13 HCS SCS SB 591 - Hoppe
- 14 HCS SCS SB 617 - Rizzo
- 15 HCS SB 288, E.C.(Fiscal Review 5-7-01) - Monaco
- 16 HCS SCS SB 266 - Barry
- 17 SCS SB 393, E.C. - Treadway
- 18 SCS SB 374 - Ransdall
- 19 HCS SS SCS SB 48 - Hollingsworth
- 20 SS#2 SCS SB 22 & 106, E.C. (Fiscal Review 5-8-01) - Scheve
- 21 HCS SS SCS SB 369 - Burton
- 22 SS SCS SB 351, HCA 1 - Hosmer
- 23 HCS SB 392 - Rizzo
- 24 HCS SS SCS SB 433 & 248 - Hoppe
- 25 HCS SCS SB 10 - Monaco
- 26 HCS SS SCS SB 476, 427 & 62 - Seigfreid
- 27 HCS SB 275 - Levin

SENATE BILL FOR THIRD READING - INFORMAL

SB 123 - Hampton

SENATE BILL FOR THIRD READING - CONSENT - INFORMAL

SB 556 - Hoppe

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 HB 955, SCA 1 - Green (73)
- 2 SS HCR 5, as amended - Mays (50)
- 3 SCS HB 17, as amended - Green (73)
- 4 SCS HB 904 - Merideth
- 5 SCS HB 473 - Robirds
- 6 SCS HB 498 - Wagner
- 7 SCS HB 361, E.C. - Shoemyer
- 8 SCS HB 202, E.C. - Rizzo
- 9 SCS HB 242, as amended - Smith
- 10 SCS HCR 24 - Boucher
- 11 SCS HB 157 - Hosmer

BILLS IN CONFERENCE

- 1 CCR SCS HCS HB 12 - Green (73)
- 2 CCR SCS HCS HB 13 - Green (73)
- 3 SCS HCS HB 14 - Green (73)
- 4 CCR SCS HB 16 - Green (73)
- 5 CCR SCS HCS HB 18, as amended - Green (73)
- 6 CCR SCS HCS HB 19 - Green (73)
- 7 CCR SCS HB 491 - George
- 8 CCR HCS SCS SB 151 - Gaskill
- 9 HCS SB 462, as amended, E.C. - Legan
- 10 HCS SS SB 193, as amended - Ward
- 11 HCS SB 610 - Hoppe
- 12 HS HCS SS SCS SB 267, as amended - Monaco
- 13 CCR SS SCS HCS HB 567, as amended, E.C. - Treadway
- 14 SCS HCS HB 302 & 38, as amended, E.C. - Hosmer
- 15 SS SCS HCS HB 144 & 46, as amended - Bonner
- 16 HS HJR 11, SA 1 - Gambaro
- 17 HS SS SCS SB 323 & 230, as amended - Koller
- 18 SS SCS HS HB 421, as amended - Hoppe

HOUSE RESOLUTION

HR 922, (5-8-01, pages 1734 & 1735) - Ladd Baker

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

SEVENTY-FIRST DAY, THURSDAY, MAY 10, 2001

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

God of our Fathers and Mothers, as we unite in this prayer for Your blessings upon the members of this body and their staff, we confess that we are too anxious to have the approval of others. Do not let us forget that it is Your approval that brings peace and a clear conscience.

Keep us aware of Your writing. Strengthen these men and women as they serve You and the people of Missouri this day. To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Caitlin Jewett, Lindsey Kingsolver, Joshua Hosmer-Quint, John Taylor Hosmer-Quint and Dylan Hosmer-Quint.

The Journal of the seventieth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1977	-	Representative Barry
House Resolution No. 1978	-	Representative Miller
House Resolution No. 1979	-	Representatives Holt and Dempsey
House Resolution No. 1980		
and		
House Resolution No. 1981	-	Representative Wright
House Resolution No. 1982	-	Representative Harlan
House Resolution No. 1983	-	Representative Berkowitz
House Resolution No. 1984	-	Representative Graham
House Resolution No. 1985		
through		
House Resolution No. 1988	-	Representative Reinhart
House Resolution No. 1989	-	Representative Kennedy
House Resolution No. 1990	-	Representative Reinhart
House Resolution No. 1991	-	Representative Riback Wilson (25)
House Resolution No. 1992	-	Representative Gratz

House Resolution No. 1993	-	Representative McKenna
House Resolution No. 1994	-	Representative Kennedy
House Resolution No. 1995	-	Representative Schwab
House Resolution No. 1996	-	Representative Vogel
House Resolution No. 1997	-	Representative Townley
House Resolution No. 1998	-	Representative Moore
House Resolution No. 1999	-	Representative Harding
House Resolution No. 2000		
through		
House Resolution No. 2013	-	Representative Skaggs
House Resolution No. 2014		
and		
House Resolution No. 2015	-	Representative Rector
House Resolution No. 2016	-	Representatives Rector and Lograsso
House Resolution No. 2017	-	Representatives Rector and Bartle
House Resolution No. 2018	-	Representatives Rector and Monaco
House Resolution No. 2019	-	Representative Gratz
House Resolution No. 2020	-	Representative Graham
House Resolution No. 2021	-	Representative Britt
House Resolution No. 2022	-	Representatives Boucher and Harding
House Resolution No. 2023	-	Representative Skaggs

COMMITTEE REPORTS

Committee on Rules, Joint Rules, and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules, and Bills Perfected and Printed, to which was referred **SCS HB 801**, begs leave to report it has examined the foregoing bill and finds the same to be truly and correctly printed as agreed to and finally passed.

Committee on Fiscal Review and Government Reform, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS SCS SB 486 & SB 422 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 6, as amended**, and has taken up and passed **CCS SCS HCS HB 6**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 7**, and has

taken up and passed **CCS SCS HCS HB 7**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 8**, and has taken up and passed **CCS SCS HCS HB 8**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 9**, and has taken up and passed **CCS SCS HCS HB 9**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 10**, as **amended**, and has taken up and passed **CCS SCS HCS HB 10**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 11**, as **amended**, and has taken up and passed **CCS SCS HCS HB 11**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 31**.

SENATE CONCURRENT RESOLUTION NO. 31

WHEREAS, the citizens of Missouri believe in the principles of free markets, limited government, federalism and individual liberty are essential to providing the greatest amount of economic and political freedom for our citizens; and

WHEREAS, careful stewardship of our nation's precious natural resources is essential if future generations are to enjoy and prosper from them; and

WHEREAS, voluntary industry leadership in the private sector is the best method of productive and economically viable environmental stewardship of our land, forests, water and wild life; and

WHEREAS, the General Assembly believes that voluntary forest product management and leadership by the private sector in sustaining forest resources is preferable to government imposed resource management mandates; and

WHEREAS, Americans have taken pride in their nations' rich bounty of natural resources, and careful stewardship of these precious assets is essential if future generations are to enjoy and benefit from them; and

WHEREAS, the forest products industry, an essential component of the nation's economy sustaining businesses, families, and rural communities since its founding, is comprised of more than 34,000 employees and 400,000 forest landowners; and

WHEREAS, close to one-third of the nation's land is forested, with 14 million acres in Missouri alone, the vital importance of the industry underscores the necessity for intelligent management of the over 736 million acres of America's forest land; and

WHEREAS, the forest products industry relies on forest resources to make this state one of the leading producers of wood flooring, staves, furniture, cabinetry, lumber, pallets, charcoal, and other wood products, and to meet society's increasing demand for wood and wood-related products important to our nation's quality of life; and

WHEREAS, America's forest products companies have made considerable capital improvements in recycling, and the industry nationally has voluntarily set a goal to recover 50% of the paper it produces; and

WHEREAS, Missouri's forest products industry, in recognition of its stewardship responsibilities in nurturing the forest resources, has pledged itself to the continuing principles of sustainable forestry by initiating the "Sustainable Forestry Initiative Program", a comprehensive program committed to responsible environmental stewardship of the forests, water resources and wild life; and

WHEREAS, the goal of the Sustainable Forestry Initiative Program is to educate the public as to the importance of industry leadership in voluntarily protecting these valuable resources, and to promote and monitor the progress made toward this worthy goal; and

WHEREAS, the Missouri Forest Products Association's members are actively demonstrating a commitment to the principles of sustainable forestry and are benchmarking this commitment by implementing Sustainable Forestry Initiative Program principles and practices, such as prompt reforestation and protection of water quality and wildlife habitat:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninety-first General Assembly, First Regular Session, the House of Representatives concurring therein, recognize the Missouri Forest Products Association's member companies, forest landowners and loggers and the state's forest products industry for its commitment to the responsible use of natural resources, and commend the creation and implementation of the Sustainable Forestry Initiative Program as a means to this end; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare copies of this resolution for the Missouri Forest Products Association.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SCS SB 151**, and has taken up and passed **CCS HCS SCS SB 151**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 304**, and requests that the House recede from its position and failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HBs 205, 323 & 549**, entitled:

An act to repeal sections 135.305, 252.040, 252.043, 254.020, 254.040 and 270.170, RSMo 2000, relating to conservation, and to enact in lieu thereof thirteen new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

ADOPTION AND THIRD READING OF HOUSE CONCURRENT RESOLUTION

HCR 33, relating to a waiver for rural development, was taken up by Representative Lawson.

On motion of Representative Lawson, **HCR 33** was read the third time and passed by the

following vote:

AYES: 152

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Baker	Boucher	Franklin	Hohulin	Long
Naeger	Wagner	Wiggins		

VACANCIES: 003

Speaker Kreider declared the bill passed.

BILL IN CONFERENCE

CCR SCS HB 491, relating to third class cities, was taken up by Representative George.

On motion of Representative George, **CCR SCS HB 491** was adopted by the following vote:

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AYES: 152

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITHLEAVE: 008

Baker	Franklin	Green 73	Hagan-Harrell	Lograsso
Long	Wagner	Wiggins		

VACANCIES: 003

On motion of Representative George, **CCS SCS HB 491** was read the third time and passed by the following vote:

AYES: 151

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner

Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Liese	Linton	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reinhart	Relford	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 002

Reid Reynolds

PRESENT: 000

ABSENT WITH LEAVE: 007

Baker	Franklin	Levin	Long	Moore
Wagner	Wiggins			

VACANCIES: 003

Speaker Kreider declared the bill passed.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HB 904, relating to agroforestry, was taken up by Representative Merideth.

On motion of Representative Merideth, **SCS HB 904** was adopted by the following vote:

AYES: 154

Abel	Ballard	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher

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Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Fraser
Froelker	Gambara	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITHLEAVE: 006

Baker	Barnett	Franklin	Long	Wagner
Wiggins				

VACANCIES: 003

On motion of Representative Merideth, **SCS HB 904** was truly agreed to and finally passed by the following vote:

AYES: 152

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Fraser	Froelker	Gambara	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan

Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Baker	Franklin	Kennedy	Lograsso	Long
Relford	Wagner	Wiggins		

VACANCIES: 003

Speaker Kreider declared the bill passed.

SCS HB 473, relating to noxious weeds, was taken up by Representative Robirds.

On motion of Representative Robirds, **SCS HB 473** was adopted by the following vote:

AYES: 152

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson

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Legan	Levin	Liese	Linton	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Walton	Ward	Williams	Willoughby	Wilson 25
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITHLEAVE: 008

Baker	Boucher	Franklin	Long	Reynolds
Wagner	Wiggins	Wilson 42		

VACANCIES: 003

On motion of Representative Robirds, **SCS HB 473** was truly agreed to and finally passed by the following vote:

AYES: 152

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby

Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Baker	Carnahan	Crowell	Franklin	Lograsso
Long	Wagner	Wiggins		

VACANCIES: 003

Speaker Kreider declared the bill passed.

SCS HB 361, relating to the conveyance of water rights, was taken up by Representative Shoemyer.

On motion of Representative Shoemyer, **SCS HB 361** was adopted by the following vote:

AYES: 147

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lowe	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Thompson
Townley	Treadway	Troupe	Villa	Vogel
Walton	Ward	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

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NOES: 000

PRESENT: 000

ABSENT WITHLEAVE: 013

Baker	Crowell	Franklin	Kelly 144	Kennedy
Lograsso	Long	Luetkemeyer	Surface	Van Zandt
Wagner	Wiggins	Williams		

VACANCIES: 003

On motion of Representative Shoemyer, **SCS HB 361** was truly agreed to and finally passed by the following vote:

AYES: 152

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITHLEAVE: 008

Baker	Franklin	Kennedy	Long	Mays 50
Richardson	Wagner	Wiggins		

VACANCIES: 003

Speaker Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 138

Abel	Ballard	Barnett	Barry 100	Bartelsmeyer
Bartle	Behnen	Berkowitz	Berkstresser	Black
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Copenhaver	Crawford	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Fraser
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 015

Barnitz	Bearden	Boatright	Burcham	Cooper
Crowell	Froelker	Hendrickson	Hohulin	Hunter
Kelly 144	May 149	Portwood	Roark	Wright

PRESENT: 000

ABSENT WITHLEAVE: 007

Baker	Franklin	Lograsso	Long	Smith
Wagner	Wiggins			

VACANCIES: 003

SCS HB 202, relating to transportation districts, was taken up by Representative Rizzo.

On motion of Representative Rizzo, **SCS HB 202** was adopted by the following vote:

AYES: 147

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Walton	Ward	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 002

Murphy Purgason

PRESENT: 000

ABSENT WITHLEAVE: 011

Baker	Franklin	Green 15	Hilgemann	Hohulin
Hunter	Kelly 144	Long	Wagner	Wiggins
Williams				

VACANCIES: 003

On motion of Representative Rizzo, **SCS HB 202** was truly agreed to and finally passed by the following vote:

AYES: 132

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Carnahan	Champion	Clayton
Coleman	Copenhaver	Crawford	Crump	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Fraser	Gambaro
Gaskill	George	Graham	Gratz	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Myers
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Ransdall	Rector	Reinhart	Relford
Reynolds	Richardson	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 019

Boatright	Burcham	Byrd	Cierpiot	Cooper
Crowell	Cunningham	Froelker	Hendrickson	Jetton
Linton	Lograsso	Murphy	Portwood	Purgason
Reid	Ridgeway	Roark	St. Onge	

PRESENT: 001

Hickey

ABSENT WITHLEAVE: 008

Baker	Franklin	Green 15	Hohulin	Long
Naeger	Wagner	Wiggins		

VACANCIES: 003

Speaker Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

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AYES: 115

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Behnen	Berkowitz
Berkstresser	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Copenhaver	Crawford	Crump
Curls	Davis	Dolan	Fares	Farnen
Foley	Ford	Fraser	Gambaro	Gaskill
George	Graham	Gratz	Green 73	Griesheimer
Hagan-Harrell	Hampton	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hickey	Hilgemann
Hollingsworth	Holt	Hoppe	Hosmer	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 27	Kelly 36
Kennedy	Koller	Lawson	Liese	Lowe
Luetkenhaus	Marble	Marsh	Mays 50	McKenna
Merideth	Miller	Monaco	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Ransdall
Rector	Reinhart	Relford	Reynolds	Rizzo
Robirds	Ross	Scheve	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 038

Bearden	Black	Burcham	Byrd	Cooper
Crowell	Cunningham	Dempsey	Enz	Froelker
Hanaway	Hendrickson	Holand	Hunter	Jetton
Kelly 144	King	Legan	Levin	Linton
Lograsso	Luetkemeyer	May 149	Mayer	Moore
Murphy	Myers	Nordwald	Portwood	Reid
Richardson	Ridgeway	Roark	Schwab	Scott
Secrest	St. Onge	Wright		

PRESENT: 001

Purgason

ABSENT WITHLEAVE: 006

Franklin	Green 15	Hohulin	Long	Wagner
Wiggins				

VACANCIES: 003

SCS HB 242, as amended, relating to tourism taxes, was taken up by Representative Smith.

On motion of Representative Smith, **SCS HB 242, as amended**, was adopted by the following vote:

AYES: 130

Abel	Ballard	Barnett	Barnitz	Barry 100
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Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Carnahan	Champion
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crump	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Fraser	Froelker	Gambara	Gaskill	George
Gratz	Green 73	Griesheimer	Hagan-Harrell	Hampton
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 27	Kelly 36
Kennedy	King	Koller	Legan	Levin
Liese	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	Ostmann
Overschmidt	Phillips	Purgason	Ransdall	Reinhart
Reynolds	Richardson	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Walton	Ward
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 013

Burcham	Cierpiot	Crowell	Cunningham	Hanaway
Hendrickson	Hunter	Portwood	Rector	Reid
Ridgeway	Roark	St. Onge		

PRESENT: 000

ABSENT WITH LEAVE: 017

Baker	Byrd	Franklin	Graham	Green 15
Hohulin	Kelly 144	Lawson	Linton	Lograsso
Long	O'Toole	Relford	Shoemyer	Wagner
Wiggins	Williams			

VACANCIES: 003

On motion of Representative Smith, **SCS HB 242, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 137

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Carnahan	Champion	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crump
Curls	Davis	Dolan	Enz	Fares
Farnen	Foley	Ford	Fraser	Gambara
Gaskill	George	Graham	Gratz	Green 15

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Green 73	Griesheimer	Hagan-Harrell	Hampton	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 014

Burcham	Cierpiot	Crowell	Cunningham	Dempsey
Hanaway	Hendrickson	Hohulin	Linton	Lograsso
Rector	Ridgeway	Roark	St. Onge	

PRESENT: 000

ABSENT WITHLEAVE: 009

Baker	Ballard	Byrd	Franklin	Froelker
Hunter	Long	Wagner	Wiggins	

VACANCIES: 003

Speaker Kreider declared the bill passed.

MOTION

Representative Green (73) moved that the conferees on **SCS HCS HB 14** be allowed to exceed the differences.

Which motion was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate conferees on **SCS HCS HB 14** are allowed to exceed the differences.

BILLS IN CONFERENCE

Speaker Pro Tem Abel assumed the Chair.

CCR SCS HCS HB 13, relating to appropriations, was taken up by Representative Green (73).

On motion of Representative Green (73), **CCR SCS HCS HB 13** was adopted by the following vote:

AYES: 142

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Fraser	Froelker	Gambara
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Harding
Harlan	Hartzler	Haywood	Hegeman	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Walton	Ward	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 008

Byrd	Cunningham	Hanaway	Henderson	Hohulin
Hunter	Kelly 144	Roark		

PRESENT: 000

ABSENT WITHLEAVE: 010

Baker	Cierpiot	Franklin	Lograsso	Long
Lowe	Seigfreid	Wagner	Wiggins	Williams

VACANCIES: 003

On motion of Representative Green (73), **CCS SCS HCS HB 13** was read the third time and passed by the following vote:

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AYES: 145

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Brooks
Burcham	Burton	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Ross	Scheve
Schwab	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Walton	Ward
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 004

Cunningham	Hanaway	Hunter	Roark
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PRESENT: 000

ABSENT WITHLEAVE: 011

Baker	Britt	Byrd	Franklin	Linton
Long	Robirds	Scott	Wagner	Wiggins
Williams				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

CCR SCS HB 16, relating to appropriations, was taken up by Representative Green (73).

On motion of Representative Green (73), **CCR SCS HB 16** was adopted by the following vote:

AYES: 145

Abel	Baker	Ballard	Barnett	Barnitz
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Barry 100	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Harding	Hartlan	Hartzler	Haywood	Hegeman
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Walton	Ward
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 007

Bartelsmeyer	Cunningham	Hanaway	Henderson	Hohulin
Hunter	Roark			

PRESENT: 000

ABSENT WITH LEAVE: 008

Byrd	Franklin	Kelly 27	Long	O'Toole
Wagner	Wiggins	Williams		

VACANCIES: 003

On motion of Representative Green (73), **CCS SCS HB 16** was read the third time and passed by the following vote:

AYES: 146

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Fraser	Froelker

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Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Harding	Harlan	Hartzler	Haywood	Hegeman
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Treadway
Troupe	Van Zandt	Villa	Vogel	Walton
Ward	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 007

Byrd	Cunningham	Hanaway	Henderson	Hohulin
Hunter	Roark			

PRESENT: 000

ABSENT WITHLEAVE: 007

Baker	Franklin	Long	Townley	Wagner
Wiggins	Williams			

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HOUSE BILL WITH SENATE AMENDMENTS

SCS HB 17, as amended, relating to appropriations, was taken up by Representative Green (73).

On motion of Representative Green (73), **SCS HB 17, as amended**, was adopted by the following vote:

AYES: 126

Abel	Barnett	Barry 100	Bearden	Berkowitz
Berkstresser	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Copenhaver	Crawford	Crump
Curls	Davis	Dempsey	Dolan	Fares
Farnen	Foley	Fraser	Gambaro	Gaskill

George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Harding	Hartzler
Haywood	Hegeman	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	Nordwald
O'Connor	Ostmann	Overschmidt	Phillips	Portwood
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Scheve	Schwab	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Villa	Vogel	Walton
Ward	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				
NOES: 023				

Ballard	Barnitz	Bartelsmeyer	Bartle	Behnen
Boatright	Burcham	Byrd	Cooper	Crowell
Cunningham	Enz	Froelker	Hanaway	Henderson
Hendrickson	Hohulin	Kelly 144	Linton	Murphy
Purgason	Roark	Scott		

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Ford	Franklin	Harlan	Hunter
Lograsso	O'Toole	Van Zandt	Wagner	Wiggins
Williams				

VACANCIES: 003

On motion of Representative Green (73), **SCS HB 17, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 126

Abel	Ballard	Barnett	Barry 100	Bearden
Berkowitz	Berkstresser	Black	Bland	Bonner
Boucher	Bowman	Boykins	Britt	Brooks
Burcham	Burton	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Copenhaver	Crawford
Crump	Curls	Davis	Dempsey	Dolan
Fares	Farnen	Foley	Ford	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Harding	Hartzler	Haywood	Hickey	Hilgemann
Holand	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Long	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer

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Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Myers	Naeger	Nordwald	O'Connor
Ostmann	Overschmidt	Phillips	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 021

Barnitz	Bartelsmeyer	Bartle	Behnen	Boatright
Byrd	Cooper	Crowell	Cunningham	Enz
Hanaway	Henderson	Hendrickson	Hohulin	Hunter
Kelly 144	Linton	Murphy	Portwood	Purgason
Roark				

PRESENT: 000

ABSENT WITHLEAVE: 013

Baker	Bray 84	Franklin	Gratz	Harlan
Hegeman	Hollingsworth	Lograsso	Lowe	O'Toole
Van Zandt	Wagner	Wiggins		

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

BILLS IN CONFERENCE

CCR SCS HCS HB 18, as amended, relating to appropriations, was taken up by Representative Green (73).

On motion of Representative Green (73), **CCR SCS HCS HB 18, as amended**, was adopted by the following vote:

AYES: 141

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Britt	Brooks
Burcham	Burton	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Fraser	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Harding	Hartzler
Haywood	Hegeman	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer

Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Villa	Vogel	Walton
Ward	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 010

Byrd	Cunningham	Froelker	Hanaway	Henderson
Hohulin	Hunter	Murphy	Purgason	Roark

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker	Bray 84	Franklin	Harlan	Lograsso
Van Zandt	Wagner	Wiggins	Williams	

VACANCIES: 003

On motion of Representative Green (73), **CCS SCS HCS HB 18** was read the third time and passed by the following vote:

AYES: 140

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Britt	Brooks
Burcham	Burton	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Harding
Hartzler	Haywood	Hegeman	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Levin	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds

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Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Villa	Vogel	Ward
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 009

Byrd	Cunningham	Hanaway	Henderson	Hohulin
Hunter	Murphy	Purgason	Roark	

PRESENT: 000

ABSENT WITHLEAVE: 011

Baker	Bray 84	Franklin	Harlan	Kennedy
Lograsso	Van Zandt	Wagner	Walton	Wiggins
Williams				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

CCRSCS HCS HB 19, relating to appropriations, was taken up by Representative Green (73).

On motion of Representative Green (73), **CCR SCS HCS HB 19** was adopted by the following vote:

AYES: 139

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Bonner	Boucher
Bowman	Boykins	Britt	Brooks	Burcham
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Copenhaver	Crawford	Crowell
Crump	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Fraser	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Harding	Hartzler	Haywood	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Phillips
Portwood	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Villa

Vogel	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 011

Boatright	Byrd	Cooper	Cunningham	Froelker
Hanaway	Henderson	Hohulin	Murphy	Purgason
Roark				

PRESENT: 000

ABSENT WITH LEAVE: 010

Baker	Bray 84	Franklin	Harlan	Hegeman
Hunter	Overschmidt	Van Zandt	Wagner	Wiggins

VACANCIES: 003

On motion of Representative Green (73), **CCS SCS HCS HB 19** was read the third time and passed by the following vote:

AYES: 134

Abel	Ballard	Barnett	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Bonner	Boucher	Bowman
Boykins	Britt	Brooks	Burcham	Burton
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Copenhaver	Crawford	Crump	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Harding	Hartzler	Haywood	Hendrickson	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Levin	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Rizzo	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Walton	Ward	Williams
Willoughby	Wilson 25	Wright	Mr. Speaker	

NOES: 011

Barnitz	Boatright	Cooper	Cunningham	Hanaway
Henderson	Hohulin	Hunter	Murphy	Purgason
Roark				

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PRESENT: 000

ABSENT WITHLEAVE: 015

Baker	Bray 84	Byrd	Crowell	Franklin
Harlan	Hegeman	Hickey	Kennedy	Lograsso
Ridgeway	Van Zandt	Wagner	Wiggins	Wilson 42

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HS HJR 11, with Senate Amendment No. 1, relating to the City of St. Louis, was taken up by Representative Gambaro.

Representative Gambaro moved that the conference committee on **HS HJR 11, with Senate Amendment No. 1**, be dissolved and that the House concur in **Senate Amendment No. 1 to HS HJR 11**.

Which motion was adopted by the following vote:

AYES: 093

Abel	Baker	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bray 84	Burcham	Burton	Byrd
Carnahan	Champion	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Dolan	Fares
Farnen	Foley	Gambaro	Gaskill	Griesheimer
Hampton	Hanaway	Hartzler	Haywood	Hegeman
Henderson	Hickey	Hohulin	Holand	Hollingsworth
Holt	Hunter	Jetton	Kelley 47	Kelly 144
Kennedy	King	Koller	Legan	Levin
Liese	Lograsso	Long	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	McKenna
Merideth	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Rector	Reid
Reinhart	Richardson	Ridgeway	Roark	Robirds
Ross	Scheve	Schwab	Secrest	Shields
St. Onge	Surface	Townley	Treadway	Van Zandt
Vogel	Ward	Wright		

NOES: 050

Barry 100	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Britt	Brooks	Campbell
Clayton	Coleman	Curls	Davis	Enz
Ford	Fraser	George	Green 15	Hagan-Harrell
Harding	Hendrickson	Hilgemann	Hoppe	Hosmer
Johnson 61	Jolly	Kelly 27	Lowe	Mays 50
Miller	Monaco	Ransdall	Relford	Reynolds
Rizzo	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	Thompson	Troupe	Villa
Walton	Williams	Willoughby	Wilson 25	Wilson 42

PRESENT: 005

Copenhaver	Crump	Johnson 90	Kelly 36	Lawson
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ABSENT WITH LEAVE: 012

Ballard	Franklin	Froelker	Graham	Gratz
Green 73	Harlan	Linton	Scott	Wagner
Wiggins	Mr. Speaker			

VACANCIES: 003

On motion of Representative Gambaro, **HS HJR 11, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 109

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Boatright	Bray 84	Burcham
Burton	Byrd	Carnahan	Champion	Cierpiot
Cooper	Crawford	Crowell	Cunningham	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Fraser	Froelker	Gambaro	Gaskill	George
Gratz	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Hollingsworth	Holt	Hunter	Jetton	Kelley 47
Kelly 144	Kelly 36	Kennedy	King	Legan
Levin	Liese	Long	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Rector	Reid	Reinhart	Relford	Richardson
Ridgeway	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Shields
Shoemyer	Skaggs	St. Onge	Surface	Townley
Van Zandt	Vogel	Ward	Wright	

NOES: 035

Bland	Bonner	Boucher	Bowman	Boykins
Britt	Brooks	Campbell	Clayton	Coleman
Curls	Davis	Ford	Green 15	Hoppe
Johnson 61	Jolly	Kelly 27	Koller	Lowe
Mays 50	Ransdall	Reynolds	Rizzo	Selby
Shelton	Smith	Thompson	Troupe	Villa
Walton	Williams	Willoughby	Wilson 25	Wilson 42

PRESENT: 006

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Copenhaver	Crump	Graham	Johnson 90	Lawson
Treadway				

ABSENT WITHLEAVE: 010

Ballard	Franklin	Harlan	Holand	Hosmer
Linton	Lograsso	Wagner	Wiggins	Mr. Speaker

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

ADOPTION AND THIRD READING OF SENATE CONCURRENT RESOLUTIONS

SCR 23, relating to steel imports, was taken up by Representative Bonner.

On motion of Representative Bonner, **SCR 23** was truly agreed to and finally passed by the following vote:

AYES: 148

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Ransdall
Rector	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITHLEAVE: 012

Ballard	Bray 84	Franklin	Hanaway	Harlan
Johnson 61	Linton	Long	Purgason	Reid
Wagner	Wiggins			

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

SCR 27, relating to state retiree health subsidy, was taken up by Representative Hagan-Harrell.

On motion of Representative Hagan-Harrell, **SCR 27** was truly agreed to and finally passed by the following vote:

AYES: 142

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Campbell	Carnahan	Champion
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curis	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Griesheimer
Hagan-Harrell	Hampton	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Villa	Vogel	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITHLEAVE: 018

Ballard	Berkstresser	Byrd	Cierpiot	Franklin
Green 15	Green 73	Hanaway	Harlan	Holand
Johnson 61	Linton	Long	Purgason	Roark
Van Zandt	Wagner	Wiggins		

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

THIRD READING OF SENATE BILL

HS HCS SB 371, relating to public retirement systems, was taken up by Representative O'Toole.

Representative Richardson offered **House Perfecting Amendment No. 1**.

House Perfecting Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Bill No. 371, Section 1, as adopted by House Amendment No. 5, by deleting both occurrences of the following: "**286.010**" and inserting in lieu thereof the following: "**286.070**".

On motion of Representative Richardson, **House Perfecting Amendment No. 1** was adopted.

On motion of Representative O'Toole, **HS HCS SB 371, as amended**, was read the third time and passed by the following vote:

AYES: 141

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hanaway
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hunter	Jetton	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Toole	Ostmann	Overschmidt	Portwood	Purgason

Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Villa
Vogel	Walton	Ward	Willoughby	Wright
Mr. Speaker				

NOES: 003

Phillips	Wilson 25	Wilson 42
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PRESENT: 000

ABSENT WITHLEAVE: 016

Bray 84	Cierpiot	Franklin	Green 73	Hampton
Harding	Harlan	Hosmer	Johnson 61	Long
Merideth	O'Connor	Van Zandt	Wagner	Wiggins
Williams				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

Representative Villa assumed the Chair.

ADOPTION AND THIRD READING OF SENATE CONCURRENT RESOLUTIONS

SCR 3, relating to Lewis and Clark, was taken up by Representative Dempsey.

Representative Sanders Brooks offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Concurrent Resolution No. 3 by amending the clause that begins “NOW THEREFORE BE IT RESOLVED” by adding after the second occurrence of the phrase “Lewis and Clark Expedition” the following: “, to include material on Sacajawea and York,”.

On motion of Representative Sanders Brooks, **House Amendment No. 1** was adopted.

On motion of Representative Dempsey, **SCR 3, as amended**, was read the third time and passed by the following vote:

AYES: 137

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Bowman
Boykins	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Crawford	Crowell
Crump	Curls	Davis	Dempsey	Dolan

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Fares	Farnen	Foley	Ford	Fraser
Froelker	Gambaro	Gaskill	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Holand
Holt	Hoppe	Jetton	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Villa
Vogel	Walton	Ward	Williams	Willoughby
Wilson 42	Wright			

NOES: 004

Copenhaver	Hunter	Wilson 25	Mr. Speaker
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PRESENT: 001

Cunningham

ABSENT WITHLEAVE: 018

Baker	Bartelsmeyer	Boucher	Bray 84	Enz
Franklin	George	Harlan	Hohulin	Hollingsworth
Hosmer	Johnson 61	Lograsso	Nordwald	Robirds
Van Zandt	Wagner	Wiggins		

VACANCIES: 003

Representative Villa declared the bill passed.

Speaker Pro Tem Abel resumed the Chair.

SCR 18, relating to the joint interim committee on telecommunications and energy, was taken up by Representative Mays (50).

Representative Smith offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Concurrent Resolution No. 18, Page 3, Line 12, by inserting immediately after the word "**relevant**;" the following:

“with such studies to specifically include an analysis of (i) the existing and projected demands in this state for electric power and energy over the next ten years, and the basis for determining the projected demand; (ii) the adequacy and reliability of available and planned electric generation to serve the needs of customers in this state; (iii) permitting retail customers having load at a single premises in excess of 1 or 2 MW to utilize alternative sources of supply without adversely affecting state and municipal tax revenues; (iv) the adequacy and availability of available and planned transmission facilities used to transfer electricity into and within the state; and (v) incentives that would encourage the ongoing investment needed to ensure adequate generation and transmission capacity within the state;”; and

Further amend said resolution, Page 3, Line 14, by inserting immediately after the word “**report**” the following:

“**which must at a minimum include a detailed summary of the committee's analysis of the adequacy and reliability of available and planned electric generation and transmission capacity to serve the projected needs of customers in this state currently and over the next ten years and incentives for ongoing investment and allowing retail customers having load at a single premises in excess of 1 or 2 MW to utilize alternative sources of supply without adversely affecting state and municipal tax revenues,**”; and

Further amend said resolution, Page 3, Line 17, by inserting immediately after the word “**Assembly**” the following: “**but in any event no later than December 1, 2001,**”.

On motion of Representative Smith, **House Amendment No. 1** was adopted.

On motion of Representative Mays (50), **SCR 18, as amended**, was read the third time and passed by the following vote:

AYES: 141

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Fraser	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hunter
Jetton	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Troupe	Villa	Vogel	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Wright

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Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITHLEAVE: 019

Baker	Ballard	Bartelsmeyer	Bray 84	Franklin
Froelker	Green 73	Hampton	Harlan	Hohulin
Hosmer	Johnson 61	Liese	Relford	Shields
Treadway	Van Zandt	Wagner	Wiggins	

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HCS SCR 28, relating to fuel prices, was taken up by Representative Harding.

Representative O'Toole offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Concurrent Resolution No. 28 as printed in the House Journal for the Sixty-eighth day, May 7, 2001, Journal Page 1657, fifth "WHEREAS" clause, by inserting immediately after all of said clause the following:

"WHEREAS, the regulatory standards specified in the federal Public Utility Regulatory Policies Act of 1978 could encourage energy conservation and assist consumers and utilities in dealing with price volatility; and";
and

Further amend said resolution, Journal Page 1658, the "NOW, THEREFORE, BE IT RESOLVED" clause, by inserting immediately after all of said clause the following:

"BE IT FURTHER RESOLVED that the members of the Missouri Senate of the Ninety-first General Assembly, First Regular Session, the House of Representatives concurring therein, also urge the Missouri Public Service Commission to consider or reconsider the regulatory standards specified in the Public Utility Regulatory Policies Act of 1978 and adopt such standards where appropriate; and"; and

Further amend said resolution, Journal Page 1658, in the "BE IT FURTHER RESOLVED" clause, Line 6 of said clause, by inserting immediately after the word "Budget" the following: **", the Missouri Public Service Commission"**.

Representative Marble raised a point of order that **House Amendment No. 1** goes beyond the scope of the resolution.

The Chair ruled the point of order not well taken.

Representative Purgason raised a point of order that **House Amendment No. 1** goes beyond the scope of the resolution.

The Chair ruled the point of order not well taken.

Representative O'Toole moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Speaker Kreider resumed the Chair.

On motion of Representative Harding, **HCS SCR 28** was adopted and read the third time and passed by the following vote:

AYES: 142

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reinhart
Relford	Reynolds	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Villa	Vogel	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 001

Selby

PRESENT: 000

ABSENT WITHLEAVE: 017

Baker	Bartelsmeyer	Berkstresser	Franklin	Green 73
Hampton	Harlan	Hohulin	Jetton	Johnson 61
Ostmann	Reid	Richardson	Troupe	Van Zandt
Wagner	Wiggins			

VACANCIES: 003

Speaker Kreider declared the bill passed.

SIGNING OF HOUSE BILL

All other business of the House was suspended while **HCS HB 801** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HCS HB 801** was delivered to the Governor by the Chief Clerk of the House.

THIRD READING OF SENATE BILL

HCS SB 125, relating to political subdivisions, was taken up by Representative Hoppe.

Representative Hoppe offered **HS HCS SB 125**.

Representative Shelton raised a point of order that **HS HCS SB 125** is not a true substitute and goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Hoppe offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Page 72, Section 135.530, Line 16, by inserting after all of said line the following:

"137.100. The following subjects are exempt from taxation for state, county or local purposes:

- (1) Lands and other property belonging to this state;
- (2) Lands and other property belonging to any city, county or other political subdivision in this state, including market houses, town halls and other public structures, with their furniture and equipments, and on public squares and lots kept open for health, use or ornament;
- (3) Nonprofit cemeteries;
- (4) The real estate and tangible personal property which is used exclusively for agricultural or horticultural societies organized in this state, including not-for-profit agribusiness associations;
- (5) All property, real and personal, actually and regularly used exclusively for religious worship, for schools and colleges, or for purposes purely charitable and not held for private or corporate profit, except that the exemption herein granted does not include real property not actually used or occupied for the purpose of the organization but held or used as investment even though the income or rentals received therefrom is used wholly for religious, educational or charitable purposes;
- (6) Household goods, furniture, wearing apparel and articles of personal use and adornment, as defined by the state tax commission, owned and used by a person in his home or dwelling place.
- (7) **All personal property leased for a period of at least one year to this state, any city, county or political subdivision; or to any religious, educational or charitable organization, provided such property is actually and**

regularly used exclusively for religious worship, for school and colleges, or for purposes purely charitable.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hoppe, **House Amendment No. 1** was adopted.

Representative George offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Page 6, Section 64.170, Line 21, by inserting immediately after the word “installation” the following: “, **plumbing or drain laying**”; and

Further amend said bill, Page 9, Section 64.180, Line 20, by inserting immediately after the word “agencies” the following: “**consistent with section 64.196**”; and

Further amend said bill, Page 13, Section 64.190, Line 6, by inserting immediately after all of said line the following:

“64.196. After August 28, 2001, any county seeking to adopt a building code in a manner set forth in section 64.180 shall, in creating or amending such code, adopt a current, calendar year 1999 or later edition, nationally recognized building code, as amended.”; and

Further amend said bill by amending the title and enacting clause accordingly.

On motion of Representative George, **House Amendment No. 2** was adopted.

Representative Williams offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Page 18, Section 214.035, Line 80, by inserting after all of said line the following:

"215.036. 1. Housing trust fund moneys shall be used to financially assist, in whole or in part by loans or grants, the development of housing stock and to provide housing assistance to persons and families with incomes at or below the levels described in [subsections] **subsection 2** [and 3] of this section, **and to provide housing assistance and related services to tenants of qualified low-income housing projects as defined in Section 42 of the Internal Revenue Code of 1986, as amended, or any successor provision.** [At least fifty percent of the loan or grant funds awarded over each two-year period, coincident with the biennium described in section 33.080, RSMo, shall be awarded for such activities and projects for residential occupancy by persons and families with incomes at or below the levels described in subsection 3 of this section.]

2. Persons or families are eligible [under] **pursuant to** this subsection if the household combined adjusted gross income is equal to or less than the following percentages of the median family income for the geographical area:

Percent of State or Geographic	
Size of Household	Area Family Median Income
One person	35%
Two persons	40%
Three persons	45%
Four persons	50%
Five persons	54%
Six persons	58%

Seven persons	62%
Eight persons	66%

As used in this section, the term "geographical area" shall be based upon the metropolitan area or county designated as an area by the federal Department of Housing and Urban Development under section 8 of the United States Housing Act of 1937, as amended, for purposes of determining fair market rental rates in which the residential unit is located, or the median family income for the state of Missouri, whichever is larger.

[3. Persons or families are eligible under this subsection if the household combined adjusted gross income is equal to or less than the following percentages of the median family income for the geographic area in which the residential unit is located, or the median family income for the state of Missouri, whichever is larger:

Size of Household	Percent of State or Geographic Area Family Median Income
One person	18%
Two persons	20%
Three persons	23%
Four persons	25%
Five persons	27%
Six persons	29%
Seven persons	31%
Eight persons	33%

4. During each two-year period described in subsection 1 of this section, at least thirty percent of the funds dispersed under this act shall be allocated to housing provider organizations which qualify as a "not-for-profit" organization as defined in chapter 355, RSMo, or section 42(h)(5)(C) of the Internal Revenue Code of 1986.]

215.038. The following are projects eligible for assistance under sections 215.034 to 215.039:

(1) Limited equity cooperatives in multifamily units, which shall be considered rental housing, and the monthly cooperative fee shall be considered the rental rate, or detached units, in urban, rural, or suburban areas;

(2) Rent subsidies for newly constructed units or rehabilitated multifamily units [otherwise assisted under this act], **whether tenant-based or project-based;**

(3) Rent subsidies for existing units which are not in violation of municipal or county housing codes, **whether tenant-based or project based;**

(4) Capacity building grants for not-for-profit housing corporations, as defined in subsection 4 of section 215.036, where the recipient serves a rural area and has been involved in housing construction, rehabilitation or services of the nature described in section 215.036 for less than four years;

(5) [Matching funds for social services directly related to special needs] **Facilities, equipment and services related to after-school learning centers, day care and continuing educational services for tenants in assisted projects;**

(6) Infrastructure improvement for eligible projects;

(7) New construction of permanent rental housing;

(8) Rehabilitation of [vacant] rental houses, or [vacant] multifamily units;

(9) New construction or rehabilitation of single-room occupancy units;

(10) New construction or rehabilitation of single-family housing;

(11) Shelters and related services for the homeless;

(12) Emergency aid such as temporary rental and mortgage payment and repairs to prevent homelessness;

(13) Provisions for rental housing for elderly and low-income residents of rural areas of Missouri by the Farmers Home Administration, or its successor agency;

(14) Mortgage insurance guarantees or payments for eligible projects; and

(15) Housing related services, including, but not limited to, home maintenance programs."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Williams, **House Amendment No. 3** was adopted.

Representative Lograsso offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Page 102, Section 247.165, Line 5, by deleting the year "1999" and inserting in lieu thereof the following: "1996"; and

Further amend said bill, Page 102, Section 247.165, Line 8, by inserting after the word "section" the following:

"except that such territory annexed in a county of the first classification without a charter form of government and with a population of more than sixty-three thousand eight hundred but less than seventy thousand inhabitants must have been annexed between January 1, 1999, and the effective date of this section"; and

Further amend said bill, Page 106, Section 247.165, Line 1, by inserting after all of said line the following:

"247.171. The proportion of the sum of all outstanding bonds and debt, with interest thereon, that is required to be paid to the water supply district, pursuant to subsection 1 of section 247.031 and subdivision (5) of subsection 1 of section 247.170, shall be the same as the proportion of the assessed valuation of the real and tangible personal property within the area sought to be detached and excluded bears to the assessed valuation of all of the real and tangible personal property within the entire area of the water supply district."; and

Further amend said bill, Page 130, Section 1, Line 10, by inserting after all of said line the following:

"[247.224. Any person who resides within the boundary of a public water supply district located in any county of the first classification with a population of more than eighty thousand and less than eighty-three thousand inhabitants and who is unable to receive services from such district due to the district's failure to provide such services may elect to be removed from such district by sending a written and signed request for removal via certified mail to the district. The district shall, upon receipt of such request, remove such resident from the district. If the resident elects to be removed from the district, the resident shall compensate the district for any costs incurred by the district for such resident's removal from the district and for any attempts by the district to provide service to such resident prior to the certified date that the district received the request for removal.]; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Lograsso, **House Amendment No. 4** was adopted.

Representative Gratz offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Page 87, Section 214.035, Line 15, by inserting after all of said line the following:

"217.900. 1. There is hereby established the "Missouri State Penitentiary Redevelopment Commission".

2. The commission shall consist of ten commissioners who shall be qualified voters of the state of Missouri. Three commissioners, no more than two of whom shall belong to the same political party, shall be residents of Jefferson City and shall be appointed by the mayor of that city; three commissioners, no more than two of whom shall belong to the same political party, shall be residents of Cole County but not of Jefferson City and shall be appointed by the county commission; and four commissioners, no more than three of whom shall belong to the same political party, none of whom shall be residents of Cole County or of Jefferson City, shall be appointed by the governor with the advice and consent of the senate. The governor shall appoint one of the commissioners who is not a resident of Cole County or Jefferson City to be the chair of the commission. No elected or appointed official of the state of Missouri or of any city or county in this state shall be appointed to the commission.

3. The commissioners shall serve for terms of three years, except that the first person appointed by each the mayor, the county commission and the governor shall serve for two years and the second person appointed by the governor shall serve for four years. Each commissioner shall hold office until a successor has been appointed and qualified. In the event a vacancy exists or in the event a commissioner's term expires, a successor commissioner shall be appointed by whomever appointed the commissioner who initially held the vacant positions and if no person is so selected within sixty days of the creation of the vacancy, the unexpired term of such commissioner may be filled by a majority vote of the remainder of the commissioners, provided such successor commissioner shall meet the requirements set forth by this section. Pending any such appointment to fill any vacancy, the remaining commissioners may conduct commission business. Commissioners shall serve without compensation but shall be entitled to reimbursement from the Missouri state penitentiary redevelopment commission fund established in subsection 7 of this section for expenses incurred in conducting the commission's business.

4. The commission shall have the following powers:

(1) To acquire title to the property historically utilized as the Missouri state penitentiary and to acquire by gift, bequest, purchase, lease or sublease from public or private sources property adjacent thereto and necessary or appropriate to the successful redevelopment of the Missouri state penitentiary property;

(2) To lease or sell real property to developers who will utilize the property consistent with the master plan for the property;

(3) To adopt bylaws for the regulation of its affairs and the conduct of its business;

(4) To hire employees necessary to perform the commission's work;

(5) To contract and to be contracted with, including, but without limitation, the authority to enter into contracts with cities, counties and other political subdivisions, agencies of the state of Missouri and public agencies pursuant to sections 70.210 to 70.325, RSMo, and otherwise, and to enter into contracts with other entities, in connection with the acquisition by gift, bequest, purchase, lease or sublease and in connection with the planning, construction, financing, leasing, subleasing, operation and maintenance of any real property or facility and for any other lawful purpose, and to sue and to be sued;

(6) To receive for its lawful activities any rentals, proceeds from the sale of real estate, contributions or moneys appropriated or otherwise designated for payment to the authority by municipalities, counties, state or other political subdivisions or public agencies or by the federal government or any agency or officer thereof or from any other sources and to apply for grants and other funding;

(7) To disburse funds for its lawful activities and fix salaries and wages of its employees;

(8) To invest any of the commission's funds in such types of investments as shall be determined by a resolution adopted by the commission;

(9) To borrow money for the acquisition, construction, equipping, operation, maintenance, repair, remediation or improvement of any facility or real property to which the commission holds title and for any other proper purpose, and to issue negotiable notes, bonds and other instruments in writing as evidence of sums borrowed;

(10) To perform all other necessary and incidental functions, and to exercise such additional powers as shall be conferred by the general assembly; and

(11) To purchase insurance, including self-insurance, of any property or operations of the commission or its members, directors, officers and employees, against any risk or hazard, and to indemnify its members, agents, independent contractors, directors, officers and employees against any risk or hazard.

5. In no event shall the state be liable for any deficiency or indebtedness incurred by the commission.

6. The income of the commission and all properties any time owned by the authority shall be exempt from all taxation in the state of Missouri.

7. There is hereby created in the state treasury the "Missouri State Penitentiary Redevelopment Commission Fund", which shall consist of money collected pursuant to this section. The fund shall be administered by the Missouri state penitentiary redevelopment commission. Money in the fund shall be used solely for the purposes of the Missouri state penitentiary redevelopment commission.

8. Notwithstanding the provisions of section 33.080, RSMo, no portion of the fund shall be transferred to the general revenue fund, and any appropriation made to the fund shall not lapse. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Interest and moneys earned on such investments shall be credited to the fund.

9. Upon the dissolving of the commission, any funds remaining in the Missouri State Penitentiary

Commission Fund shall be transferred to the general revenue fund."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Gratz, **House Amendment No. 5** was adopted.

Representative Shields offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Page 130, Section 650.411, Line 10, by inserting after all of said line the following:

"205.968. 1. As set forth in section 205.971, when a levy is approved by the voters, the governing body of any county or city not within a county of this state shall establish a board of directors. The board of directors shall be a legal entity empowered to establish and/or operate a sheltered workshop as defined in section 178.900, RSMo, residence facilities, or [related services, for the care or employment, or both, of handicapped persons] **any other services or programs for persons with developmental disabilities and their families.** The [facility] **sheltered workshop, residential facilities, or any other services or programs** may operate at one or more locations in the county or city not within a county. Once established, the board **or directors** may, in its own name engage in and contract for any and all types of services, actions or endeavors, not contrary to the law, necessary to the successful and efficient prosecution and continuation of the business and purposes for which it is created, and may purchase, receive, lease or otherwise acquire, own, hold, improve, use, sell, convey, exchange, transfer, and otherwise dispose of real and personal property, or any interest therein, or other assets wherever situated and may incur liability and may borrow money at rates of interest up to the market rate published by the Missouri division of finance. The board shall be taken and considered as a "political subdivision" **as the term is defined in section 70.210, RSMo, for purposes of sections 70.210 to 70.320, RSMo, and** as the term is defined in section 70.600, RSMo, for the purposes of sections 70.600 to 70.755, RSMo.

2. Services may only be provided for those persons defined as [handicapped persons in section 178.900, RSMo, and those persons defined as handicapped persons] **having a developmental disability** in this section whether or not employed [at the facility] **in a sheltered workshop** or in the community[, and for persons who are handicapped due to developmental disability]. Persons having substantial functional limitations due to a mental illness as defined in section 630.005, RSMo, shall not be eligible for services [under] **pursuant to** the provisions of sections 205.968 to [205.972] **205.973** except that those persons may participate in services under the provisions of sections 205.968 to [205.972] **205.973**. All persons otherwise eligible for [facilities or services under] **services pursuant to** this section shall be eligible regardless of their age; except that, individuals employed in sheltered workshops must be at least sixteen years of age. The board **of directors** may, in its discretion, impose limitations with respect to individuals to be served and services to be provided. Such limitations shall be reasonable in [the] light of available funds, needs of the persons and community to be served as assessed by the board, and the appropriateness and efficiency of combining services to persons with various types of [handicaps or] disabilities. **The board of directors shall devise and conduct an annual assessment of the needs of persons with developmental disabilities, their families and the community. Such assessment shall allow for reasonable input from diverse populations of persons with developmental disabilities and their families.**

3. For the purposes of sections 205.968 to [205.972] **205.973**, the term

[(1) "Developmental disability" shall mean either or both paragraph (a) or (b) of this subsection:

(a) A disability which is attributable to mental retardation, cerebral palsy, autism, epilepsy, a learning disability related to a brain dysfunction or a similar condition found by comprehensive evaluation to be closely related to such conditions, or to require habilitation similar to that required for mentally retarded persons; and

a. Which originated before age eighteen; and

b. Which can be expected to continue indefinitely;

(b) A developmental disability as defined in section 630.005, RSMo;

(2) "Handicapped person" shall mean a person who is lower range educable or upper range trainable mentally retarded or a person who has a developmental disability.] **"developmental disability" shall mean:**

(1) **A disability that:**

(a) Is manifested before the person attains twenty-two years of age; and
 (b) Is likely to continue indefinitely; and
 (c) Results in substantial functional limitations in two or more of the following areas of major life activities:

- a. Self-care;
 - b. Receptive and expressive language development and use;
 - c. Learning;
 - d. Self-direction;
 - e. Capacity for independent living or economic self-sufficiency; and
 - f. Mobility; and
- (d) Reflects the person's need for a combination and sequence of special interdisciplinary or generic care, or other services; and
- (e) Reflects the person's need for services and supports that may be lifelong or extending in duration, and which are individually planned and coordinated.

205.969. 1. The board of directors may provide a sheltered workshop program for the county or city not within a county and as part of the **workshop's** program shall conduct work and developmental programs as provided by section 178.910, RSMo, pursuant to rules and standards developed and adopted by the department of elementary and secondary education.

2. The board may provide places of residence and [related] activity or social centers for those eligible persons.

3. The board may provide any other services or programs pursuant to rules and standards developed and adopted by the board of directors or other governmental agencies having jurisdiction.

205.970. 1. When approved by the voters pursuant to section 205.971, the governing body of the county or city not within a county shall appoint a board of directors consisting of a total of nine members, two of whom shall be related by blood or marriage within the third degree to a [handicapped] person **with a development disability** as defined in section 205.968, and four of whom shall be public members. At least seven of the board members shall be residents of the county or city not within a county where the [facility is] **sheltered workshop, residence facilities, or other services or programs** are located. After September 28, 1979, all board members shall be appointed to serve for a term of three years, except that of the first board appointed after September 28, 1979, three members shall be appointed for one-year terms, three members for two-year terms and three members for three-year terms. Board members may be reappointed. The [directors] **board members** shall not receive compensation for their services, but may be reimbursed for their actual and necessary expenses.

2. The [administrative control and management of the facility shall rest solely with the board, and the] board shall employ all necessary personnel, fix their compensation, and provide suitable quarters and equipment [for the operation of the facility] from funds made available for this purpose.

3. Notwithstanding any provision of law to the contrary, and irrespective of whether or not a county sheltered workshop or residence facility has been established, the board of directors may **provide or** contract to provide [services relating in whole or in part to the services which the board may provide to handicapped persons as defined in this law] **any other services or programs that it deems are needed, based on its most recent needs assessment. Such services may be provided to persons with developmental disabilities and their families as defined in section 205.968, and for such [purpose] purposes the board** may expend the tax funds or other funds.

4. The board shall elect a chairman, vice chairman, treasurer, and such other officers as it deems necessary for its membership. Before taking office, the treasurer shall furnish a surety bond, in an amount to be determined and in a form to be approved by the board, for the faithful performance of his **or her** duties and faithful accounting of all moneys that may come into his **or her** hands. The treasurer shall enter into the surety bond with a surety company authorized to do business in Missouri, and the cost of such bond shall be paid by the board of directors.

5. The board of directors shall set rules for admission to [the facility, and] **its services and programs; except that, rules for admission to a sheltered workshop shall be those established and adopted by the department of elementary and secondary education. The board** shall do all other things necessary to carry out the purposes of sections 205.968 to [205.972] **205.973.**

6. The board may contract with any not for profit corporation including any corporation which is incorporated for the purpose of implementing the provisions of sections 178.900 to 178.970, RSMo, for any common services, or for the common use of any property of either group.

7. The board of directors may accept any gift of property or money for the [use and benefit of the facility] **provision of its services and programs**, and the board is authorized to sell or exchange any such property which it

believes would [be to the benefit of the facility] **benefit its services and programs** so long as the proceeds are used exclusively for [facility purposes] **its services and programs**. The board shall have exclusive control of all gifts, property or money it may accept; of all interest or other proceeds which may accrue from the investment of such gifts or money or from the sale of such property; of all tax revenues collected by the county **or city not within a county** on behalf of the [facilities or] **services and programs**; and of all other funds granted, appropriated, or loaned to it by the federal government, the state, or its political subdivisions so long as these resources are used solely to benefit the [facility or related] **services or programs** except those paid for transportation purposes [under] **pursuant to** the provisions of section 94.645, RSMo.

8. Any board member may, following notice and an opportunity to be heard, be removed from office by a majority vote of the other members of the board for any of the following grounds:

- (1) Failure to attend five consecutive meetings, without good cause;
- (2) Conduct prejudicial to the good order and efficient operation of the [facility or] **services or programs**; or
- (3) Neglect of duty. The chairman of the board shall preside at such removal hearing, unless he or she is the person sought to be removed. In which case the hearing shall be presided over by another member elected by the majority vote of the other board members. All interested parties may present testimony and arguments at such hearing, and the witnesses shall be sworn by oath or affirmation before testifying. Any interested party may, at his or her own expense, record the proceedings.

9. Vacancies in the board occasioned by removals, resignations or otherwise shall be reported by the board chairman to the mayor's office of a city not within a county or the county commission or county executive officer and shall be filled in like manner as original appointments; except that, if the vacancy occurs during an unexpired term, the appointment shall be for only the unexpired portion of that term.

10. Individual board members shall not be eligible for employment by the board within twelve months of termination of service as a member of the board.

11. No person shall be employed by the board who is related within the third degree by blood or by marriage to any member of the board.

205.971. The board of aldermen or other governing body of a city not within a county and the county commission or other governing body of the county, except for a county of the first classification having a charter form of government containing in part a city with a population of more than three hundred fifty thousand inhabitants, or a county of the first classification having a charter form of government with a population of at least nine hundred thousand inhabitants may, upon approval of a majority of the qualified voters of such city or county thereon, levy and collect a tax not to exceed four mills per dollar of assessed valuation upon all taxable property within the city or county for the purpose of establishing and maintaining [the county] **a sheltered workshop, residence, facility [and/or related services], or any other services or programs**. The county commission or other governing body of a county of the first classification having a charter form of government containing in whole or part a city with a population of more than three hundred fifty thousand inhabitants, or a county of the first classification having a charter form of government with a population of at least nine hundred thousand inhabitants may, upon approval of a majority of the qualified voters of such county or city voting thereon, levy and collect a tax not to exceed two mills per dollar of assessed valuation upon all taxable property within such county or city for the purpose of establishing and maintaining [the county or city] **a sheltered workshop, residence, facility [and/or related services] or any other services or programs**. The tax so levied shall be collected along with other county taxes, or in the case of a city not within a county, with other city taxes, in the manner provided by law. All funds collected for this purpose shall be deposited in a special fund and shall be used for no other purpose. Deposits in the fund shall be expended only upon approval of the board.

205.972. 1. The tax may not be levied to exceed forty cents per each one hundred dollars assessed valuation therefor except for a county of the first classification having a charter form of government containing in whole or part a city with a population of more than three hundred fifty thousand inhabitants, or a county of the first classification having a charter form of government with a population of at least nine hundred thousand inhabitants voting thereon shall not levy a tax to exceed twenty cents per each one hundred dollars assessed valuation therefor.

2. The question shall be submitted in substantially the following form:

OFFICIAL BALLOT

Shall (name of county or city not within a county) establish, improve, (and) (or) maintain a sheltered workshop (and) (or) residence facility (and) (or) [related services for developmentally disabled and handicapped persons] **any other services or programs for persons with developmental disabilities and their families**, and for which the county or city shall levy a tax of (insert exact amount to be voted upon) cents per each one hundred dollars assessed valuation therefor?

☐ YES

☐ NO

205.973. No employer of a [handicapped or developmentally disabled] person **with developmental disabilities** employed in a sheltered workshop shall be liable for any head tax imposed by any city in this state.

Section B. Because immediate action is necessary to avoid disruption in service to persons with developmental disabilities, section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section A of this act shall be in full force and effect on July 1, 2001, or upon its passage and approval, whichever later occurs."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Shields moved that **House Amendment No. 6** be adopted.

Which motion was defeated by the following vote:

AYES: 047

Baker	Bearden	Behnen	Bland	Bray 84
Burcham	Byrd	Campbell	Cunningham	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Graham	Green 15	Green 73	Harding	Hegeman
Hickey	Holand	Hollingsworth	Holt	Kelley 47
Kelly 27	Kelly 36	King	Legan	Luetkenhaus
May 149	Moore	Murphy	Myers	Naeger
O'Connor	Ostmann	Portwood	Reid	Robirds
Schwab	Shields	Shoemyer	Skaggs	Surface
Williams	Wilson 25			

NOES: 103

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Berkowitz	Berkstresser	Black	Boatright
Bonner	Boucher	Bowman	Boykins	Britt
Brooks	Burton	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Crawford	Crowell
Crump	Curls	Davis	Ford	Fraser
Froelker	Gambaro	Gaskill	George	Gratz
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Hartzler
Haywood	Henderson	Hendrickson	Hilgemann	Hohulin
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelly 144	Kennedy	Koller
Levin	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Marble	Marsh	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Nordwald	O'Toole	Overschmidt	Phillips	Ransdall
Rector	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Ross	Scheve
Scott	Secrest	Seigfreid	Selby	Smith
St. Onge	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Walton	Ward	Willoughby
Wilson 42	Wright	Mr. Speaker		

PRESENT: 001

Copenhaver

ABSENT WITH LEAVE: 009

Bartelsmeyer
Shelton

Franklin
Van Zandt

Harlan
Wagner

Lawson
Wiggins

Purgason

VACANCIES: 003

Representative Scheve offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Page 32, Section 67.1545, Line 14, by inserting after all of said line the following:

"67.1809. There is hereby established a "Regional Taxicab District", the boundaries of which shall encompass each constitutional charter city not within a county and each constitutional charter county adjoining such city, including all incorporated municipalities located within such constitutional charter county.

67.1810. For each regional taxicab district, there is hereby established a "Regional Taxicab Commission", which shall be a body politic and corporate, vested with all the powers expressly granted to it herein, created for the public purposes of recognizing taxicab service as a public transportation system, improving the quality of the system and exercising primary authority over the provision of licensing, control and regulations of taxicab services within the district.

67.1811. For purposes of sections 67.1809 to 67.1825, the following terms shall mean:

(1) "Airport commission", an entity established by city ordinance regarding governance of the airport with representatives appointed by the chief executives of the city, county and other approximate counties within the region;

(2) "Airport", Lambert-St. Louis International Airport and any other airport located within the district and designated by a chief executive;

(3) "Airport taxicab", a taxicab which picks up passengers for hire at the airport, transports them to places they designate by no regular or specific route, and the charge therefor is made on the basis of distance traveled as indicated by the taximeter;

(4) "Chief executive", the mayor of the city and the county executive of the county;

(5) "City", a city not within a county;

(6) "Commission", the regional taxicab commission created by section 67.1809;

(7) "County", a county of the first classification with a charter form of government adjacent to a city not within a county;

(8) "District", the geographical area encompassed by the regional taxicab commission;

(9) "Hotel and restaurant industry", the group of enterprises actively engaged in the business of operating lodging and dining facilities for transient guests;

(10) "Municipality", a city, town or village which has been duly incorporated in accordance with the laws of the state of Missouri;

(11) "On-call/reserve taxicab", any motor vehicle engaged in the business of carrying persons for hire on the streets of the district, whether the same is hailed on the streets by a passenger or is operated from a street stand or from a garage on a regular route or between fixed termini on a schedule; where no regular or specific route is traveled; passengers are taken to and from such places as they may designate; and the charge therefor is made on the basis of distance traveled as indicated by a taximeter;

(12) "Premium sedan", any motor vehicle engaged in the business of carrying persons for hire on the streets of the district which seats a total of five or less passengers in addition to a driver; and which carries in each vehicle a manifest or trip ticket containing the name and pickup address of the passenger or passengers who have arranged for the use of the vehicle; the charge therefor is a prearranged, fixed contract price quoted for transportation between termini selected by the passenger;

(13) "Taxicab"; airport taxicabs, on-call/reserve taxicabs and premium sedans referred to collectively as taxicabs;

(14) "Taxicab company", the use of one or more taxicabs operated as a business carrying persons for hire;

(15) "Taximeter", a meter instrument or device attached to an on-call taxicab or airport taxicab which

measures mechanically or electronically the distance driven and the waiting time upon which the fare is based.

67.1812. 1. The regional taxicab commission shall consist of a chairperson plus six members, three of whom shall be appointed by the chief executive of the city, and three of whom shall be appointed by the chief executive of the county. Of the six members first appointed, one city appointee and one county appointee shall be appointed to a four-year term, one city appointee and one county appointee shall be appointed to a three-year term, and one city appointee and one county appointee shall be appointed to a one-year term. Members appointed after the expiration of these initial terms shall serve a four-year term. The chief executive officer of the city and then the chief executive officer of the county shall alternately appoint a chairperson who shall serve a term of three years. The respective chief executive who appoints the members of the commission shall appoint members to fill unexpired terms resulting from any vacancy of a person appointed by that chief executive. All members and the chairman must reside within the district while serving as a member. All members as well as the chairman shall serve without compensation.

2. In making the six appointments set forth in subsection 1 of this section, the chief executive officer of the city and the chief executive officer of the county shall each select at least one taxicab company representative. Should any such taxicab company representative resign or be otherwise unable to serve out the term for which that representative was appointed, a taxicab company representative shall be appointed to complete the specified term.

67.1813. The regional taxicab commission is empowered to:

(1) Develop and implement plans, policies, and programs to improve the quality of taxicab service within the district;

(2) Cooperate and collaborate with the hotel and restaurant industry to restrict the activities of those doormen employed by hotels and restaurants who accept payment from taxicab drivers and/or taxicab companies in exchange for the doormen's assistance in obtaining passengers for such taxicab drivers and companies, and to obtain the adherence of hotel shuttle vehicles to the requirement that they operate solely on scheduled trips between fixed termini;

(3) Cooperate and collaborate with other governmental entities, including the government of the United States, the state of Missouri, and political subdivisions of this and other states;

(4) Cooperate and collaborate with governmental entities whose boundaries adjoin those of the district to assure that any taxicab or taxicab company neither licensed by the commission nor officed within its boundaries shall nonetheless be subject to those aspects of the taxicab code applicable to taxicabs operating within the district's boundaries;

(5) Contract with any public or private agency, individual, partnership, association, corporation or other entity, consistent with law, for the provision of services necessary to improve the quality of taxicab service within the district;

(6) Accept grants and donations from public or private entities for the purpose of improving the quality of taxicab service within the district;

(7) Execute contracts, sue and be sued;

(8) Adopt a taxicab code to license and regulate taxicab companies and individual taxicabs, and provide for the enforcement of such code for the purpose of improving the quality of taxicab service within the district;

(9) To enact the taxicab code under power of law with the authority granted the commission to cause both the civil and criminal prosecution of those failing to comply with the code's licensing, inspection, and other regulatory requirements, including the agreed upon delegation by the commission of prosecutorial and judicial functions to those existing bodies currently so serving the respective city and county which comprise the district;

(10) Collect reasonable fees in an amount sufficient to fund the commission's licensing, regulatory, inspection and enforcement functions; and

(11) Establish accounts with appropriate banking institutions, borrow money, buy, sell or lease property for the necessary functions of the commission.

67.1814. To implement internally the powers which it has been granted, the commission shall:

(1) Elect its own vice chair, secretary and such other officers as it deems necessary, make such rules and regulations as are necessary and consistent with the commission's powers;

(2) Employ a director and necessary staff, fix their compensation, and establish the scope, benefits and other terms of such employment;

(3) Provide for the expenditure of funds necessary for the proper administration of the commission's assigned duties;

(4) Convene regular meetings of the entire commission as often as is deemed necessary by the commission members; and

(5) Make decisions by affirmative vote of the majority of the commission; provided, however, that at least two city appointees and two county appointees must be included in such majority and provided further, that the chairman of the commission may vote to break any tie votes.

67.1816. Following the appointment of the commission, the regional taxicab commission shall meet for the purpose of establishing and adopting a district-wide taxicab code. In promulgating the taxicab code, the commission may seek to preserve within the code the provisions of chapter 8.98 of the city's municipal ordinance and chapter 806 of the county ordinances, both relating to taxicab issues such as licensing, regulation, inspection, enforcement and rate setting while avoiding unnecessary overlaps or inconsistencies between the ordinances. The commission will present a draft of its district-wide taxicab code at public hearings, at least one of which will be held in the city and another in the county, following extensive prior public notice of same. The commission will adopt its taxicab code no later than one hundred eighty days after the appointment of the initial set of commission members. The commission shall have the power to amend the taxicab code from time to time following the initial adoption thereof without the requirement of public notice or hearings.

67.1817. The commission shall further seek the input of the city, county and airport commission generally regarding the taxicab code and, particularly with reference to airport taxicabs, shall seek to insure:

(1) Continuous, smooth airport service during any transition period from the current city and county operation to the new regional taxicab commission;

(2) Twenty-four hour a day, seven days a week availability of service to both the main airport terminal and east terminal; and

(3) Airport commission involvement as to the servicing of the airport by taxicabs. The commission shall regulate neither the airport nor airport taxicabs with reference to cab parking, circulation, cab stands, or passenger loading at the airport nor the payment by airport taxicabs for use of the airport or its facilities.

67.1820. The city and county's ordinances relating to taxicabs, as well as ordinances adopted by municipalities within the county, shall remain in full force and effect, and be enforced as such by the city and county, until one hundred twenty days after the regional taxicab commission adopts its taxicab code, at which time such city and county ordinances shall be deemed to be rescinded. Thereafter all licensing, regulations, inspections of taxicabs and enforcement of the taxicab code shall rest exclusively with the regional taxicab commission; all taxicabs subject to the taxicab code shall be required to comply fully therewith, notwithstanding any previously issued licenses or certificates of convenience; all available taxicab licensing, inspection and related fees previously collected and remaining unspent by other jurisdictions shall be immediately paid over to the regional taxicab commission for its future use in administering the taxicab code. The provisions of this section notwithstanding, existing municipal regulations relating to taxicab curb locations and curb fees, as well as local business licenses which do not seek to regulate taxicab use, shall not be preempted by the taxicab code except by agreement between the commission and applicable municipality.

67.1822. The commission shall establish as part of the taxicab code its own internal administrative procedure for decisions involving the granting, denying, suspending and revoking of licenses. The commission shall study and take into account the number of existing taxicab licenses within the district in considering new applications for such licenses. The internal procedures set forth in the taxicab code shall allow appeals from license related decisions to be conducted by independent hearing officers. To the extent authorized in the taxicab code, the findings of such officers may, in turn, be reviewed by the administrative hearing commission pursuant to chapters 536 and 621, RSMo. The regional taxicab commission shall be included pursuant to section 621.045, RSMo, as an agency from which certain decisions may be subject to hearings before the administrative hearing commission in accordance with the standards set forth in section 621.045, RSMo.

67.1823. The regional taxicab commission shall initially establish, subject to public hearings thereon, an annual budget required for the effective implementation and enforcement of the taxicab code, taking into account staffing requirements and related expenses as well as all revenue sources, including collection of fees previously paid to and unspent by other enforcing jurisdictions and future fees projected to be collected by the commission. Recognizing the elimination of duties and costs associated with the regulatory and enforcement functions of taxicab administration previously borne by the city and county and being assumed by the commission, the city and county shall have the authority to appropriate additional budgetary funding for the commission's needs.

67.1825. 1. The regional taxicab commission shall, before the second Monday in April of each year, make an annual report to the chief executive officers and to the governing bodies of the city and county, stating the

conditions of the commission as of the first day of January of that year, and the sums of money received and distributed by it during the preceding calendar year.

2. Before the close of the regional taxicab commission's first fiscal year, and at the close of each fiscal year thereafter, the chief executives of the city and the county shall appoint one or more certified public accountants, who shall annually examine the books, papers, documents, accounts and vouchers of the commission, and who shall report thereon to the chief executives of the city and county and to the regional taxicab commission. The commission shall produce and submit for examination all books, papers, documents, accounts and vouchers, and shall in every way assist said certified public accountants in the performance of their duties pursuant to this section."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Bowman raised a point of order that **House Amendment No. 7** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Scheve moved that **House Amendment No. 7** be adopted.

Which motion was defeated.

HCS SB 125, with HS as amended, pending, was laid over.

MOTION

Representative Crump moved that Rule 60(c) be suspended in order for the House to take up **CCR SCS HCS HB 14**.

Which motion was adopted by the following vote:

AYES: 130

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Copenhaver	Crawford	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kennedy	King	Koller	Legan
Levin	Liese	Long	Lowe	Luetkenhaus
Marble	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole

Ostmann	Overschmidt	Phillips	Portwood	Ransdall
Reid	Reinhart	Relford	Reynolds	Ridgeway
Rizzo	Robirds	Ross	Scheve	Schwab
Secrest	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Thompson	Treadway
Troupe	Villa	Vogel	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 009

Burcham	Cooper	Crowell	Henderson	Hendrickson
Hohulin	Hosmer	Marsh	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 021

Bartelsmeyer	Berkstresser	Brooks	Franklin	Harlan
Kelly 36	Lawson	Linton	Lograsso	Luetkemeyer
Purgason	Rector	Richardson	Roark	Scott
Seigfreid	Surface	Townley	Van Zandt	Wagner
Wiggins				

VACANCIES: 003

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 14**

Mr. Speaker: Your Conference Committee appointed to confer with a like Committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 14, begs leave to report that we, after open, free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 14.
2. That the House recede from its position on House Committee Substitute for House Bill No. 14.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 14 be truly agreed and finally passed.

FOR THE HOUSE:

/s/ Timothy P. Green

FOR THE SENATE:

/s/ John Russell

/s/ Charles “Quincy” Troupe
 /s/ May Scheve
 /s/ Charlie Shields
 /s/ Catherine Hanaway

/s/ Larry Rohrbach
 /s/ Morris Westfall
 /s/ Wayne Goode
 /s/ Harry Wiggins

BILLS IN CONFERENCE

CCRSCS HCS HB 14, relating to appropriations, was taken up by Representative Green (73).

On motion of Representative Green (73), **CCR SCS HCS HB 14** was adopted by the following vote:

AYES: 094

Baker	Barnett	Barnitz	Barry 100	Bearden
Behnen	Berkowitz	Berkstresser	Black	Bland
Bonner	Bowman	Bray 84	Britt	Brooks
Burton	Campbell	Carnahan	Cierpiot	Clayton
Copenhaver	Crowell	Crump	Curls	Davis
Dempsey	Fares	Farnen	Foley	Fraser
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Hickey	Hilgemann	Holand	Holt	Hoppe
Hosmer	Jetton	Johnson 61	Johnson 90	Jolly
Kelly 36	Kennedy	King	Lawson	Legan
Liese	Long	Lowe	Mayer	Mays 50
McKenna	Merideth	Myers	Naeger	Nordwald
O'Connor	Ostmann	Ransdall	Relford	Reynolds
Richardson	Robirds	Ross	Schwab	Secrest
Seigfreid	Shields	Shoemyer	Skaggs	Smith
St. Onge	Treadway	Villa	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 034

Ballard	Bartle	Boatright	Boucher	Burcham
Byrd	Crawford	Enz	Froelker	Griesheimer
Hendrickson	Hohulin	Kelley 47	Kelly 144	Kelly 27
Levin	Linton	Marble	May 149	Miller
Moore	Murphy	Phillips	Portwood	Purgason
Rector	Reid	Reinhart	Ridgeway	Roark
Scott	Selby	Surface	Townley	

PRESENT: 000

ABSENT WITHLEAVE: 032

Abel	Bartelsmeyer	Boykins	Champion	Coleman
Cooper	Cunningham	Dolan	Ford	Franklin
Henderson	Hollingsworth	Hunter	Koller	Lograsso
Luetkemeyer	Luetkenhaus	Marsh	Monaco	O'Toole
Overschmidt	Rizzo	Scheve	Shelton	Thompson
Troupe	Van Zandt	Vogel	Wagner	Walton
Wiggins	Wright			

VACANCIES: 003

On motion of Representative Green (73), **CCS SCS HCS HB 14** was read the third time and passed by the following vote:

AYES: 095

Baker	Barnett	Bearden	Behnen	Berkowitz
Black	Bland	Bonner	Bowman	Bray 84
Britt	Burton	Campbell	Carnahan	Cierpiot
Clayton	Copenhaver	Crowell	Crump	Curls
Davis	Dolan	Fares	Farnen	Foley
Fraser	Gambaro	Gaskill	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Jetton	Johnson 61	Johnson 90	Jolly
Kelly 36	Kennedy	King	Lawson	Legan
Liese	Long	Lowe	Luetkemeyer	Mayer
Mays 50	McKenna	Merideth	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Ransdall	Reid	Relford	Reynolds	Richardson
Ridgeway	Robirds	Ross	Schwab	Secrest
Seigfreid	Shields	Shoemyer	Skaggs	Smith
St. Onge	Thompson	Treadway	Villa	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 036

Ballard	Barnitz	Bartle	Berkstresser	Boatright
Boucher	Burcham	Byrd	Crawford	Cunningham
Dempsey	Enz	Froelker	Griesheimer	Henderson
Hendrickson	Hohulin	Kelley 47	Kelly 144	Kelly 27
Levin	Linton	Marble	May 149	Miller
Moore	Phillips	Portwood	Purgason	Rector
Reinhart	Roark	Scott	Selby	Surface
Townley				

PRESENT: 000

ABSENT WITHLEAVE: 029

Abel	Barry 100	Bartelsmeyer	Boykins	Brooks
Champion	Coleman	Cooper	Ford	Franklin
George	Hosmer	Hunter	Koller	Lograsso
Luetkenhaus	Marsh	Monaco	Overschmidt	Rizzo
Scheve	Shelton	Troupe	Van Zandt	Vogel
Wagner	Walton	Wiggins	Wright	

VACANCIES: 003

Speaker Kreider declared the bill passed.

CCR SCS HCS HB 12, relating to appropriations, was taken up by Representative Bonner.

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On motion of Representative Bonner, **CCR SCS HCS HB 12** was adopted by the following vote:

AYES: 090

Ballard	Barnett	Barnitz	Bearden	Berkowitz
Berkstresser	Black	Bland	Bonner	Bray 84
Britt	Brooks	Campbell	Carnahan	Cierpiot
Cooper	Copenhaver	Crump	Curls	Davis
Fares	Foley	Fraser	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Harding	Hartzler
Haywood	Hegeman	Hickey	Holand	Holt
Hosmer	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 27	Kelly 36	Kennedy	King	Lawson
Legan	Liese	Long	Lowe	Luetkemeyer
May 149	Mays 50	Merideth	Miller	Murphy
Myers	Naeger	Nordwald	O'Connor	Ostmann
Ransdall	Rector	Reinhart	Relford	Reynolds
Robirds	Ross	Scheve	Schwab	Secrest
Seigfreid	Selby	Shields	Skaggs	Smith
St. Onge	Townley	Treadway	Troupe	Villa
Ward	Williams	Wilson 25	Wilson 42	Mr. Speaker

NOES: 033

Bartle	Boatright	Boucher	Burcham	Clayton
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Froelker	Hanaway	Henderson	Hendrickson
Hohulin	Jetton	Kelly 144	Levin	Linton
Lograsso	Marble	Mayer	Phillips	Portwood
Purgason	Reid	Richardson	Ridgeway	Roark
Scott	Surface	Wright		

PRESENT: 001

Moore

ABSENT WITHLEAVE: 036

Abel	Baker	Barry 100	Bartelsmeyer	Behnen
Bowman	Boykins	Burton	Byrd	Champion
Coleman	Farnen	Ford	Franklin	Harlan
Hilgemann	Hollingsworth	Hoppe	Hunter	Koller
Luetkenhaus	Marsh	McKenna	Monaco	O'Toole
Overschmidt	Rizzo	Shelton	Shoemyer	Thompson
Van Zandt	Vogel	Wagner	Walton	Wiggins
Willoughby				

VACANCIES: 003

On motion of Representative Bonner, **CCS SCS HCS HB 12** was read the third time and passed by the following vote:

AYES: 093

Barnett	Barnitz	Barry 100	Bearden	Berkowitz
Berkstresser	Black	Bland	Bonner	Bray 84
Britt	Brooks	Campbell	Carnahan	Champion
Cierpiot	Copenhaver	Crump	Curls	Davis
Fares	Farnen	Foley	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Harding	Harlan	Hartzler	Haywood	Hegeman
Hickey	Hilgemann	Holand	Holt	Hosmer
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 27
Kelly 36	Kennedy	King	Lawson	Legan
Liese	Long	Lowe	Luetkemeyer	May 149
Mays 50	Merideth	Miller	Murphy	Myers
Naeger	Nordwald	O'Connor	Ostmann	Ransdall
Rector	Reinhart	Relford	Reynolds	Robirds
Ross	Scheve	Schwab	Secrest	Seigfreid
Selby	Shields	Shoemyer	Skaggs	Smith
Treadway	Troupe	Villa	Walton	Williams
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 035

Bartle	Boatright	Boucher	Burcham	Byrd
Clayton	Cooper	Crawford	Crowell	Cunningham
Dempsey	Dolan	Enz	Hanaway	Henderson
Hendrickson	Hohulin	Jetton	Kelly 144	Levin
Linton	Lograsso	Marble	Mayer	Moore
Phillips	Portwood	Purgason	Reid	Richardson
Ridgeway	Roark	Scott	Surface	Wright

PRESENT: 000

ABSENT WITHLEAVE: 032

Abel	Baker	Ballard	Bartelsmeyer	Behnen
Bowman	Boykins	Burton	Coleman	Ford
Franklin	Hollingsworth	Hoppe	Hunter	Koller
Luetkenhaus	Marsh	McKenna	Monaco	O'Toole
Overschmidt	Rizzo	Shelton	St. Onge	Thompson
Townley	Van Zandt	Vogel	Wagner	Ward
Wiggins	Willoughby			

VACANCIES: 003

Speaker Kreider declared the bill passed.

CCR HCS SCS SB 151, relating to auto insurance, was taken up by Representative Gaskill.

Representative Gaskill moved that the House refuse to adopt **CCR HCS SCS SB 151** and request the Senate to grant the House a further conference.

Which motion was adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 13**, and has taken up and passed **CCS SCS HCS HB 13**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HB 16**, and has taken up and passed **CCS SCS HB 16**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 18, as amended**, and has taken up and passed **CCS SCS HCS HB 18**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 19**, and has taken up and passed **CCS SCS HCS HB 19**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HB 491**, and has taken up and passed **CCS SCS HB 491**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 319, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HS HCS SB 371, as amended**, and has taken up and passed **HS HCS SB 371, as amended**.

BILLS CARRYING REQUEST MESSAGES

HCS SB 319, as amended, relating to the assessment of students, was taken up by Representative Johnson (61).

Representative Johnson (61) moved that the House refuse to recede from its position on **HCS SB 319, as amended**, and grant the Senate a conference.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like Committee from the Senate on the following bill:

HCS SB 319: Representatives Johnson (61), Relford, Franklin, Myers and Shields

THIRD READING OF SENATE BILL

HCS SB 125, with HS, as amended, pending, relating to political subdivisions, was again taken up by Representative Hoppe.

Representative Jetton offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Section 135.305, Page 59, Line 22, by inserting immediately after said line the following:

"135.305. A Missouri wood energy producer shall be eligible for a tax credit on taxes otherwise due under chapter 143, RSMo, except sections 143.191 to 143.261, RSMo, as a production incentive to produce processed wood products in a qualified wood producing facility using Missouri forest product residue. The tax credit to the wood energy producer shall be five dollars per ton of processed material. The credit may be claimed for a period of [five] **ten** years and is to be a tax credit against the tax otherwise due."; and

Further amend said bill, by amending the title and enacting clause accordingly.

On motion of Representative Jetton, **House Amendment No. 8** was adopted.

Representative Hosmer offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Page 111, Line 24, by adding at the end of said line the following:

"304.010. 1. As used in this section, the following terms mean:

(1) "Expressway", a divided highway of at least ten miles in length with four or more lanes which is not part of the federal interstate system of highways which has crossovers or accesses from streets, roads or other highways at the same grade level as such divided highway;

(2) "Freeway", a limited access divided highway of at least ten miles in length with four or more lanes which is not part of the federal interstate system of highways which does not have any crossovers or accesses from streets, roads or other highways at the same grade level as such divided highway within such ten miles of divided highway;

(3) "Rural interstate", that part of the federal interstate highway system that is not located in an urban area;

(4) "Urbanized area", an area of fifty thousand population at a density at or greater than one thousand persons per square mile.

2. Except as otherwise provided in this section, the uniform maximum speed limits are and no vehicle shall be operated in excess of the speed limits established pursuant to this section:

(1) Upon the rural interstates and freeways of this state, seventy miles per hour;

(2) Upon the rural expressways of this state, sixty-five miles per hour;

(3) Upon the interstate highways, freeways or expressways within the urbanized areas of this state, sixty miles per hour;

(4) All other roads and highways in this state not located in an urbanized area and not provided for in subdivisions (1) to (3) of this subsection, sixty miles per hour;

(5) All other roads provided for in subdivision (4) of this subsection shall not include any state two-lane road which is identified by letter. Such lettered roads shall not exceed fifty-five miles per hour unless set at a higher speed

as established by the department of transportation, except that no speed limit shall be set higher than sixty miles per hour;

(6) For the purposes of enforcing the speed limit laws of this state, it is a rebuttable presumption that the posted speed limit is the legal speed limit.

3. On any state road or highway where the speed limit is not set pursuant to a local ordinance, the highways and transportation commission may set a speed limit higher or lower than the uniform maximum speed limit provided in subsection 2 of this section, if a higher or lower speed limit is recommended by the department of transportation. The department of public safety, where it believes for safety reasons, or to expedite the flow of traffic a higher or lower speed limit is warranted, may request the department of transportation to raise or lower such speed limit, except that no speed limit shall be set higher than seventy miles per hour.

4. Notwithstanding the provisions of section 304.120 or any other provision of law to the contrary, cities, towns and villages may regulate the speed of vehicles on state roads and highways within such cities', towns' or villages' corporate limits by ordinance [with the approval of the state highways and transportation commission]. Any reduction of speed in cities, towns or villages shall be designed to expedite the flow of traffic on such state roads and highways to the extent consistent with public safety. The commission may declare any ordinance void if it finds that such ordinance is:

- (1) Not primarily designed to expedite traffic flow; and
- (2) Primarily designed to produce revenue for the city, town or village which enacted such ordinance.

If an ordinance is declared void, the city, town or village shall have any future proposed ordinance approved by the highways and transportation commission before such ordinance may take effect.

5. The county commission of any county of the second, third or fourth classification may set the speed limit or the weight limit or both the speed limit and the weight limit on roads or bridges on any county, township or road district road in the county and, with the approval of the state highways and transportation commission, on any state road or highway not within the limits of any incorporated city, town or village, lower than the uniform maximum speed limit as provided in subsection 2 of this section where the condition of the road or the nature of the area requires a lower speed. The commission shall send copies of any order establishing a speed limit or weight limit on roads and bridges on a county, township or road district road in the county to the chief engineer of the state department of transportation, the superintendent of the state highway patrol and to any township or road district maintaining roads in the county. After the roads have been properly marked by signs indicating the speed limits and weight limits set by the county commission, the speed limits and weight limits shall be of the same effect as the speed limits provided for in subsection 1 of this section and shall be enforced by the state highway patrol and the county sheriff as if such speed limits and weight limits were established by state law.

6. All road signs indicating speed limits or weight limits shall be uniform in size, shape, lettering and coloring and shall conform to standards established by the department of transportation.

7. The provisions of this section shall not be construed to alter any speed limit set below fifty-five miles per hour by any ordinance of any county, city, town or village of the state adopted before March 13, 1996.

8. The speed limits established pursuant to this section shall not apply to the operation of any emergency vehicle as defined in section 304.022.

9. A violation of the provisions of this section shall not be construed to relieve the parties in any civil action on any claim or counterclaim from the burden of proving negligence or contributory negligence as the proximate cause of any accident or as the defense to a negligence action.

10. Any person violating the provisions of this section is guilty of a class C misdemeanor, unless such person was exceeding the posted speed limit by twenty miles per hour or more then it is a class B misdemeanor.

304.062. Notwithstanding the provisions of sections 304.010, 304.120, and 304.130, and any other provision of law to the contrary, a school board may recommend to the municipality in which such school board is located a regulation governing the speed of vehicles on any road within an area designated as a school zone, and the municipality in which such school board is located may adopt such recommended regulation by ordinance without the consent of the state highways and transportation commission. Any such reduction of speed in an area designated as a school zone shall be designated to promote public safety.”; and

Further amend the title and enacting clause accordingly.

Representative Hosmer moved that **House Amendment No. 9** be adopted.

Which motion was defeated by the following vote:

AYES: 032

Barnitz	Bonner	Boucher	Bray 84	Britt
Campbell	Clayton	Davis	Fraser	Gambaro
George	Graham	Hagan-Harrell	Harding	Holand
Hollingsworth	Hosmer	Kelly 27	Kelly 36	Lowe
Merideth	Monaco	Murphy	Rizzo	Scheve
Skaggs	Walton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 076

Ballard	Barnett	Barry 100	Bartle	Bearden
Behnen	Berkowitz	Berkstresser	Black	Boatright
Bowman	Burcham	Burton	Byrd	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Dempsey	Enz	Fares	Farnen	Froelker
Gaskill	Gratz	Green 15	Griesheimer	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hohulin
Holt	Hoppe	Hunter	Jetton	Kelley 47
King	Legan	Levin	Linton	Luetkemeyer
Luetkenhaus	May 149	Mayer	Miller	Moore
Myers	Nordwald	Ostmann	Phillips	Portwood
Purgason	Ransdall	Rector	Reinhart	Reynolds
Richardson	Ridgeway	Roark	Robirds	Ross
Scott	Seigfreid	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Villa
Vogel				

PRESENT: 000

ABSENT WITHLEAVE: 052

Abel	Baker	Bartelsmeyer	Bland	Boykins
Brooks	Carnahan	Champion	Cierpiot	Coleman
Curls	Dolan	Foley	Ford	Franklin
Green 73	Hampton	Hanaway	Harlan	Hickey
Hilgemann	Johnson 61	Johnson 90	Jolly	Kelly 144
Kennedy	Koller	Lawson	Liese	Lograsso
Long	Marble	Marsh	Mays 50	McKenna
Naeger	O'Connor	O'Toole	Overschmidt	Reid
Relford	Schwab	Secrest	Selby	Shelton
Shields	Shoemyer	Van Zandt	Wagner	Ward
Wiggins	Wright			

VACANCIES: 003

Representative Villa offered **House Amendment No. 10.**

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Page 82, Section 204.640, Lines 8 to 11 of said page, by deleting all of said lines; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Scheve assumed the Chair.

On motion of Representative Villa, **House Amendment No. 10** was adopted.

Representative Ridgeway offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Page 2, Section A, Line 11, by inserting after all of said line the following:

"64.342. 1. Section 64.341 to the contrary notwithstanding, the county commission of any county of the first classification without a charter form of government with a population of at least one hundred fifty thousand containing part of a city with a population over three hundred fifty thousand is hereby authorized to acquire, by purchase or gift, establish, construct, own, control, lease, equip, improve, maintain, operate and regulate, in whole or in part, concession stands or marinas within any area contiguous to the lake which is used as a public park, playground, camping site or recreation area. **No such lease or concession grant shall be for a longer term than twenty-five years.**

2. Such concession stands or marinas may offer refreshments for sale to the public using such areas and services therein relating to boating, swimming, picnicking, golfing, shooting, horseback riding, fishing, tennis and other recreational, cultural and educational uses upon such terms and under such regulations as the county may prescribe.

3. All moneys derived from the operation of concession stands or marinas shall be paid into the county treasury and be credited to a "Park Fund" to be established by each county authorized under subsection 1 of this section and be used and expended by the county commission for park purposes.

4. The provisions of this section authorizing and extending authority to counties concerning marinas shall not apply to any privately operated marina in operation prior to August 28, 2000, **except that if an operator is in default or if no bids are received during the open bid period, then the county may operate such marina for a period not to exceed a cumulative total of twenty-four months.**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Ridgeway, **House Amendment No. 11** was adopted.

Representative Luetkenhaus offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Page 72, Section 135.530, Line 16, by inserting after all of said line the following:

"135.552. 1. As used in this section, the following terms shall mean:

(1) **"Contribution", a donation of cash, stock, bonds or other marketable securities, or real property;**

(2) **"Director", the director of the department of public safety;**

(3) **"Sexual violence crisis service center", a nonprofit organization having a primary function of serving sexual violence victims, or running a discrete, separate program that serves sexual violence victims, or two or more nonprofit organizations operating under a formal arrangement to provide sexual violence services to victims of rape, sexual assault and sexual abuse, their significant others, secondary victims and the community. For purposes of this section, eligible services of a sexual violence crisis service center, include, but shall not be limited to, the operation of a twenty-four-hour crisis hotline promoted as a service for sexual violence victims and the provision of information, referrals, medical and justice system advocacy, crisis intervention and support**

groups at no charge and community education and prevention education;

(4) "State tax liability", in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapters 143, 147, 148 and 153, RSMo, exclusive of the provisions relating to withholding tax contained in sections 143.191 to 143.265, RSMo, and in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, RSMo, exclusive of the provisions relating to withholding tax contained in sections 143.191 to 143.265, RSMo;

(5) "Taxpayer", a person, firm, a partner in a firm, corporation or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, RSMo, a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, RSMo, an insurance company paying an annual tax on its gross premium receipts in this state or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, RSMo, an express company which pays an annual tax on its gross receipts in this state pursuant to chapter 153, RSMo, or an individual subject to the state income tax imposed by the provisions of chapter 143, RSMo.

2. A taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability, in an amount equal to fifty percent of the amount such taxpayer contributed to a sexual violence crisis service center.

3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year that the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty thousand dollars per taxable year. However, any tax credit that cannot be claimed in the taxable year the contribution was made may be carried over to the next three succeeding taxable years until the full credit has been claimed.

4. Except for any excess credit which is carried over pursuant to subsection 3 of this section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such taxpayer's contribution or contributions to a sexual violence crisis service center or centers in such taxpayer's taxable year has a value of at least one hundred dollars.

5. The director shall determine, at least annually, which organizations and programs in this state may be classified as sexual violence crisis service centers. The director may require an organization or program seeking to be classified as a sexual violence crisis service center to submit any information which is reasonably necessary to make such a determination. The director shall classify an organization or program as a sexual violence crisis service center if such organization or program meets the definition set forth in subsection 1 of this section.

6. The director shall establish a procedure by which a taxpayer can determine if an organization or program has been classified as a sexual violence crisis service center, and by which such taxpayer can then contribute to such centers and claim a tax credit. Sexual violence crisis service centers shall be permitted to decline a contribution from a taxpayer. The cumulative amount of tax credits which may be claimed by all the taxpayers contributing to sexual violence crisis service centers in any one fiscal year shall not exceed two million dollars. Tax credits shall be issued based on the order in which accepted contributions are received.

7. The director shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director, the cumulative amount of tax credits are equally apportioned among all organizations and programs classified as sexual violence crisis service centers. If a sexual violence crisis service center fails to use all, or some percentage to be determined by the director, of its apportioned tax credits during this predetermined period of time, the director may reapportion these unused tax credits to those sexual violence crisis service centers that have used all, or some percentage to be determined by the director, of their apportioned tax credits during this predetermined period of time. The director may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

8. Each sexual violence crisis service center shall provide information to the director concerning the identity of each taxpayer making a contribution to the sexual violence crisis service center who is claiming a tax credit pursuant to this section and the amount of the contribution. The director shall provide the information to the director of revenue. The director shall be subject to the confidentiality and penalty provisions of section 32.057, RSMo, relating to the disclosure of tax information.

9. This section shall become effective January 1, 2002, and shall apply to tax years after December 31, 2001.

135.630. 1. As used in this section, the following terms shall mean:

- (1) "Contribution", a donation of cash, stock, bonds or other marketable securities, or real property;
 - (2) "Director", the director of the department of social services;
 - (3) "State tax liability", in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapters 143, 147, 148 and 153, RSMo, exclusive of the provisions relating to withholding tax contained in sections 143.191 to 143.265, RSMo, and in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, RSMo, exclusive of the provisions relating to withholding tax contained in sections 143.191 to 143.265, RSMo;
 - (4) "Taxpayer", a person, firm, a partner in a firm, corporation or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, RSMo, a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, RSMo, an insurance company paying an annual tax on its gross premium receipts in this state or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, RSMo, an express company which pays an annual tax on its gross receipts in this state pursuant to chapter 153, RSMo, or an individual subject to the state income tax imposed by the provisions of chapter 143, RSMo;
 - (5) "Unplanned pregnancy resource center", a nonresidential facility located in this state:
 - (a) Established and operating primarily to provide assistance to women with crisis pregnancies or unplanned pregnancies by offering pregnancy testing, counseling, emotional and material support, and other similar services to encourage and assist such women in carrying their pregnancies to term; and
 - (b) Where childbirths are not performed; and
 - (c) Which does not perform or refer for abortions and which does not hold itself out as performing or referring for abortions; and
 - (d) Which provides direct client services, as opposed to merely providing counseling or referral services by telephone; and
 - (e) Which provides its services at no cost; and
 - (f) Which is exempt from income taxation pursuant to the United States Internal Revenue Code.
2. A taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability, in an amount equal to fifty percent of the amount such taxpayer contributed to an unplanned pregnancy resource center.
3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year that the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty thousand dollars per taxable year. However, any tax credit that cannot be claimed in the taxable year the contribution was made may be carried over to the next three succeeding taxable years until the full credit has been claimed.
4. Except for any excess credit which is carried over pursuant to subsection 3 of this section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such taxpayer's contribution or contributions to an unplanned pregnancy resource center or centers in such taxpayer's taxable year has a value of at least one hundred dollars.
5. The director shall determine, at least annually, which facilities in this state may be classified as unplanned pregnancy resource centers. The director may require a facility seeking to be classified as an unplanned pregnancy resource center to submit any information which is reasonably necessary to make such a determination. The director shall classify a facility as an unplanned pregnancy resource center if such facility meets the definition set forth in subsection 1 of this section.
6. The director shall establish a procedure by which a taxpayer can determine if a facility has been classified as an unplanned pregnancy resource center, and by which such taxpayer can then contribute to such centers and claim a tax credit. Unplanned pregnancy resource centers shall be permitted to decline a contribution from a taxpayer. The cumulative amount of tax credits which may be claimed by all the taxpayers contributing to unplanned pregnancy resource centers in any one fiscal year shall not exceed two million dollars. Tax credits shall be issued based on the order in which accepted contributions are received.
7. The director shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director, the cumulative amount of tax credits are equally apportioned among all facilities classified as unplanned pregnancy resource centers. If an unplanned pregnancy resource center fails to use all, or some percentage to be determined by the director, of its apportioned tax credits during this predetermined period of time, the director may reapportion these unused tax credits to those

unplanned pregnancy resource centers that have used all, or some percentage to be determined by the director, of their apportioned tax credits during this predetermined period of time. The director may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

8. Each unplanned pregnancy resource center shall provide information to the director concerning the identity of each taxpayer making a contribution to the unplanned pregnancy resource center who is claiming a tax credit pursuant to this section and the amount of the contribution. The director shall provide the information to the director of revenue. The director shall be subject to the confidentiality and penalty provisions of section 32.057, RSMo, relating to the disclosure of tax information.

9. This section shall become effective January 1, 2002, and shall apply to tax years after December 31, 2001.

135.631. The tax credits available pursuant to sections 135.552 and 135.630 shall not be available in any tax year beginning after December 31, 2006, but any tax credit claimed pursuant to section 135.552 or 135.630 prior to that date may be carried forward as otherwise provided by those sections.”; and

Further amend said bill, Page 119, Section 447.700, Line 10, by inserting after all of said line the following:

"[620.1400. Sections 620.1400 to 620.1460 shall be known and may be cited as the "Missouri Individual Training Account Program Act" and its provisions shall be effective only within distressed communities as defined by section 135.530, RSMo.]

[620.1420. As used in sections 620.1400 to 620.1460, the following terms mean:

(1) "Costs of classroom training", the normal costs incurred in the provision of classroom training which may also include specifically identified costs incurred for instructors, classroom space and facilities, administrative support services, and directly related expenses, that together do not exceed the amount normally allowed for support of vocational and technical classes;

(2) "Department", the department of economic development;

(3) "Employee", a full-time or part-time employed worker whose salary is equal to or less than two hundred percent of the federal poverty level;

(4) "Employee upgrade training", the progressive development of skills associated with the defined set of work processes. Such training shall be consistent with a career pattern of advancement, as measured by skill proficiency and the progressive earnings and related benefits, that are recognized within an occupation, trade or industry;

(5) "Individual training account", an account funded by the tax credits provided for in section 620.1440 for the provision of employee upgrade training to employees through their participation in classroom training provided by educational institutions;

(6) "Local educational institution", a publicly funded or privately funded local educational institution which is certified by a recognized accrediting association as capable of providing adequate classroom training to accomplish the purpose of sections 620.1400 to 620.1460.]

[620.1430. 1. A Missouri employer who desires to participate in the individual training account program shall provide the department of economic development with notification of intent to participate. The notification shall include, but need not be limited to, the names and occupations of employees whom the employer has selected to be trained, whether or not the employees are currently working for the employer, the name of the local educational institution that will provide the training, and a brief description of the training to be given by the institution.

2. The employer shall have complete discretion in the selection of the local educational institution or institutions to provide training and shall be responsible for the payment of the costs of classroom training.]

[620.1440. 1. Employers may be reimbursed for the costs of training provided pursuant to the provisions of the individual training account program. Such reimbursement shall be in the form of tax credits as authorized in subsection 2 of this section. The tax credits may be claimed for courses provided in no more than two calendar years for each employee. For each year, the maximum amount of credit per employee which can be certified by the department of economic development shall be the lesser of fifty percent of the costs of classroom training or one thousand five hundred dollars.

2. Tax credits may be claimed against any liability incurred by the employer pursuant to the provisions of chapter 143, RSMo, and chapter 148, RSMo, exclusive of the provisions relating to the withholding of tax as provided

for in sections 143.191 to 143.265, RSMo. Earned tax credits may be carried forward for a period not to exceed five years and may be sold or transferred.

3. No claim for tax credits submitted to the department by an employer shall be certified until the employer provides documentation that an employee has successfully completed the employee's course training and has been employed by the employer in a new, full-time position for a period of at least three months. It must be demonstrated satisfactorily to the department that the new position in which the employee located is an upgrade in employment, in terms of salary and responsibilities, from the previously held position. All such increases in salary shall be in addition to normal cost-of-living increases provided for in authorized labor-management contracts. If the employee was previously employed in a part-time position, the base salary for the position shall be calculated as if it were a full-time position.]

[620.1450. The maximum amount of tax credits allowable pursuant to the provisions of the individual training account program shall not annually exceed six million dollars.]; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Luetkenhaus, **House Amendment No. 12** was adopted.

Representative Byrd offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Page 59, Line 22, by adding the following new section:

"137.181. In all appeals allowed in Section 137.180, the burden of proof as to the increase in value shall be on the assessor."; and

Further amend said title, enacting clause, and intersectional references accordingly.

On motion of Representative Byrd, **House Amendment No. 13** was adopted.

Representative Gambaro offered **House Amendment No. 14**.

House Amendment No. 14

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Pages 114 to 119, Section 447.700, Lines 17 to 24 on Page 114, Lines 1 to 24 on Page 115, Lines 1 to 24 on Page 116, Lines 1 to 24 on Page 117, Lines 1 to 24 on Page 118, and Lines 1 to 10 on Page 119, by deleting all of said lines and inserting in lieu thereof the following:

"447.700. As used in sections 447.700 to 447.718, the following terms mean:

(1) "Abandoned property", real property previously used for, or which has the potential to be used for, commercial or industrial purposes which reverted to the ownership of the state, a county, or municipal government, or an agency thereof, through donation, purchase, tax delinquency, foreclosure, default or settlement, including conveyance by deed in lieu of foreclosure; or a privately owned property endorsed by the city, or county if the property is not in a city, for inclusion in the program which will be transferred to a person other than the potentially responsible party as defined in chapter 260, RSMo, and has been vacant for a period of not less than three years from the time an application is made to the department of economic development;

(2) "Allowable cost", all or part of the costs of project facilities, including the costs of acquiring the property, relocating any remaining occupants, constructing, reconstructing, rehabilitating, renovating, enlarging, improving, equipping or furnishing project facilities, demolition, site clearance and preparation, **backfill**, supplementing and relocating public capital improvements or utility facilities, designs, plans, specifications, surveys, studies and estimates

of costs, expenses necessary or incident to determining the feasibility or practicability of assisting an eligible project or providing project facilities, architectural, engineering and legal service fees and expenses, the costs of conducting any other activities as part of a voluntary remediation and such other expenses as may be necessary or incidental to the establishment or development of an eligible project and reimbursement of moneys advanced or applied by any governmental agency or other person for allowable costs. **Allowable costs shall also include the demolition and reconstruction of any building or structure which is not the object of remediation as defined in section 260.565, RSMo, but which is located on the site of an abandoned or underutilized property approved for financial assistance pursuant to sections 447.702 to 447.708, provided that any such demolition is contained in a redevelopment plan approved by the director of the department of economic development and the municipal or county government having jurisdiction in the area in which the project is located;**

(3) "Applicant", the person that submits an application for consideration of a project or location or real property for financial, tax credit or other assistance pursuant to sections 447.700 to 447.718; an applicant may not be any party who intentionally or negligently caused the release or potential release of hazardous substances at the eligible project as that term is defined pursuant to chapter 260, RSMo;

(4) "Eligible project", abandoned or underutilized property to be acquired, established, expanded, remodeled, rehabilitated or modernized for industry, commerce, distribution or research, or any combination thereof, the operation of which, alone or in conjunction with other facilities, will create new jobs or preserve existing jobs and employment opportunities, attract new businesses to the state, prevent existing businesses from leaving the state and improve the economic welfare of the people of the state. The term "eligible project", without limitation, includes voluntary remediation conducted pursuant to sections 260.565 to 260.575, RSMo. To be an "eligible project" pursuant to sections 447.700 to 447.718, the obligations of the prospective applicant and the governmental agency shall be defined in a written agreement signed by both parties. The facility, when completed, shall be operated in compliance with applicable federal, state and local environmental statutes, regulations and ordinances. An "eligible project" shall be determined by consideration of the entire project. The definition or identification of an "eligible project" shall not be segmented into parts to separate commercial and industrial uses from residential uses. **Any property immediately adjacent to any abandoned or underutilized property may also be an "eligible project" pursuant to section 447.700 to 447.718, provided that the abandoned or underutilized property otherwise meets the qualifications of this subdivision;**

(5) "Financial assistance", direct loans, loan guarantees, and grants pursuant to sections 447.702 to 447.706; and tax credits, inducements and abatements pursuant to section 447.708;

(6) "Governmental action", any action by a state, county or municipal agency relating to the establishment, development or operation of an eligible project and project facilities that the governmental agency has authority to take or provide for the purpose under law, charter or ordinance, including but not limited to, actions relating to contracts and agreements, zoning, building, permits, acquisition and disposition of property, public capital improvements, utility and transportation service, taxation, employee recruitment and training, and liaison and coordination with and among governmental agencies;

(7) "Governmental agency", the state, county and municipality and any department, division, commission, agency, institution or authority, including a municipal corporation, township, and any agency thereof and any other political subdivision or public corporation; the United States or any agency thereof; any agency, commission or authority established pursuant to an interstate compact or agreement and any combination of the above;

(8) "Person", any individual, firm, partnership, association, limited liability company, corporation or governmental agency, and any combination thereof;

(9) "Project facilities", buildings, structures and other improvements and equipment and other property or fixtures, excluding small tools, supplies and inventory, and public capital improvements;

(10) "Public capital improvements", capital improvements or facilities owned by a governmental agency and which such agency has authority to acquire, pay the costs of, maintain, relocate or operate, or to contract with other persons to have the same done, including but not limited to, highways, roads, streets, electrical, gas, water and sewer facilities, railroad and other transportation facilities, and air and water pollution control and solid waste disposal facilities;

(11) "Underutilized", real property of which less than thirty-five percent of the commercially usable space of the property and improvements thereon, are used for their most commercially profitable and economically productive use; or property that was used by the state of Missouri as a correctional center for a period of at least one hundred years and which requires environmental remediation before redevelopment can occur, if approval from the general assembly has been given for any improvements to, or remediation, lease or sale of, said property;

(12) "Voluntary remediation", an action to remediate hazardous substances and hazardous waste pursuant to sections 260.565 to 260.575, RSMo.

447.708. 1. For eligible projects, the director of the department of economic development, with notice to the directors of the departments of natural resources and revenue, and subject to the other provisions of sections 447.700 to 447.718, may not create a new enterprise zone but may decide that a prospective operator of a facility being remedied and renovated pursuant to sections 447.700 to 447.718 may receive the tax credits and exemptions pursuant to sections 135.100 to 135.150, RSMo, and sections 135.200 to [135.256] **135.257**, RSMo. The tax credits allowed pursuant to this subsection shall be used to offset the tax imposed by chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo, or the tax otherwise imposed by chapter 147, RSMo, or the tax otherwise imposed by chapter 148, RSMo. For purposes of this subsection:

(1) For receipt of the ad valorem tax abatement pursuant to section 135.215, RSMo, the eligible project must create at least ten new jobs or retain businesses which supply at least twenty-five existing jobs. The city, or county if the eligible project is not located in a city, must provide ad valorem tax abatement of at least fifty percent for a period not less than ten years and not more than twenty-five years;

(2) For receipt of the income tax exemption pursuant to section 135.220, RSMo, and tax credit for new or expanded business facilities pursuant to sections 135.100 to 135.150, and 135.225, RSMo, the eligible project must create at least ten new jobs or retain businesses which supply at least twenty-five existing jobs, or combination thereof. For purposes of sections 447.700 to 447.718, the tax credits described in section 135.225, RSMo, are modified as follows: the tax credit shall be four hundred dollars per employee per year, an additional four hundred dollars per year for each employee exceeding the minimum employment thresholds of ten and twenty-five jobs for new and existing businesses, respectively, an additional four hundred dollars per year for each person who is "a person difficult to employ" as defined by section 135.240, RSMo, and investment tax credits at the same amounts and levels as provided in subdivision (4) **of subsection 1** of section 135.225, RSMo;

(3) For eligibility to receive the income tax refund pursuant to section 135.245, RSMo, the eligible project must create at least ten new jobs or retain businesses which supply at least twenty-five existing jobs, or combination thereof, and otherwise comply with the provisions of section 135.245, RSMo, for application and use of the refund and the eligibility requirements of this section;

(4) The eligible project operates in compliance with applicable environmental laws and regulations, including permitting and registration requirements, of this state as well as the federal and local requirements;

(5) The eligible project operator shall file such reports as may be required by the director of economic development or the director's designee;

(6) The taxpayer may claim the state tax credits authorized by this subsection and the state income exemption for a period not in excess of ten consecutive tax years. For the purpose of this section, "taxpayer" means an individual proprietorship, partnership or corporation described in section 143.441 or 143.471, RSMo, who operates an eligible project. The director shall determine the number of years the taxpayer may claim the state tax credits and the state income exemption based on the projected net state economic benefits attributed to the eligible project;

(7) For the purpose of meeting the new job requirement prescribed in subdivisions (1), (2) and (3) of this subsection, it shall be required that at least ten new jobs be created and maintained during the taxpayer's tax period for which the credits are earned, in the case of an eligible project that does not replace a similar facility in Missouri. "New job" means a person who was not previously employed by the taxpayer or related taxpayer within the twelve-month period immediately preceding the time the person was employed by that taxpayer to work at, or in connection with, the eligible project on a full-time basis. "Full-time basis" means the employee works an average of at least thirty-five hours per week during the taxpayer's tax period for which the tax credits are earned. For the purposes of this section, "related taxpayer" has the same meaning as defined in subdivision (9) of section 135.100, RSMo;

(8) For the purpose of meeting the existing job retention requirement, if the eligible project replaces a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, it shall be required that at least twenty-five existing jobs be retained at, and in connection with the eligible project, on a full-time basis during the taxpayer's tax period for which the credits are earned. "Retained job" means a person who was previously employed by the taxpayer or related taxpayer, at a facility similar to the eligible project that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, within the tax period immediately preceding the time the person was employed by the taxpayer to work at, or in connection with, the eligible project on a full-time basis. "Full-time basis" means the employee works an average of at least thirty-five hours per week during the taxpayer's tax period for which the tax credits are earned;

(9) In the case where an eligible project replaces a similar facility that closed elsewhere in Missouri prior to the

end of the taxpayer's tax period in which the tax credits are earned, the owner and operator of the eligible project shall provide the director with a written statement explaining the reason for discontinuing operations at the closed facility. The statement shall include a comparison of the activities performed at the closed facility prior to the date the facility ceased operating, to the activities performed at the eligible project, and a detailed account describing the need and rationale for relocating to the eligible project. If the director finds the relocation to the eligible project significantly impaired the economic stability of the area in which the closed facility was located, and that such move was detrimental to the overall economic development efforts of the state, the director may deny the taxpayer's request to claim tax benefits;

(10) Notwithstanding any provision of law to the contrary, for the purpose of this section, the number of new jobs created and maintained, the number of existing jobs retained, and the value of new qualified investment used at the eligible project during any tax year shall be determined by dividing by twelve, in the case of jobs, the sum of the number of individuals employed at the eligible project, or in the case of new qualified investment, the value of new qualified investment used at the eligible project, on the last business day of each full calendar month of the tax year. If the eligible project is in operation for less than the entire tax year, the number of new jobs created and maintained, the number of existing jobs retained, and the value of new qualified investment created at the eligible project during any tax year shall be determined by dividing the sum of the number of individuals employed at the eligible project, or in the case of new qualified investment, the value of new qualified investment used at the eligible project, on the last business day of each full calendar month during the portion of the tax year during which the eligible project was in operation, by the number of full calendar months during such period;

(11) For the purpose of this section, "new qualified investment" means new business facility investment as defined and as determined in subdivision (7) of section 135.100, RSMo, which is used at and in connection with the eligible project. "New qualified investment" shall not include small tools, supplies and inventory. "Small tools" means tools that are portable and can be hand held.

2. The determination of the director of economic development pursuant to subsection 1 of this section, shall not affect requirements for the prospective purchaser to obtain the approval of the granting of real property tax abatement by the municipal or county government where the eligible project is located.

3. (1) The director of the department of economic development, with the approval of the director of the department of natural resources, may, in addition to the tax credits allowed in subsection 1 of this section, grant a remediation tax credit to the applicant for up to one hundred percent of the costs of materials, supplies, equipment, labor, professional engineering, consulting and architectural fees, permitting fees and expenses, demolition [and], asbestos abatement, and direct utility charges for performing the voluntary remediation activities for the preexisting hazardous substance contamination and releases, including, but not limited to, the costs of performing operation and maintenance of the remediation equipment at the property beyond the year in which the systems and equipment are built and installed at the eligible project and the costs of performing the voluntary remediation activities over a period not in excess of four tax years following the taxpayer's tax year in which the system and equipment were first put into use at the eligible project, provided the remediation activities are the subject of a plan submitted to, and approved by, the director of natural resources pursuant to sections 260.565 to 260.575, RSMo.

(2) The director of the department of economic development, with the approval of the director of the department of natural resources, shall, in addition to the tax credits otherwise allowed in this section, grant a demolition tax credit to the applicant for up to one hundred percent of the costs of demolition that are not part of the voluntary remediation activities, provided that the demolition is either on the property where the voluntary remediation activities are occurring or on any adjacent property, and that the demolition is part of a redevelopment plan approved by the municipal or county government and the department of economic development.

(3) The amount of remediation **and demolition** tax credits issued shall be limited to the least amount necessary to cause the project to occur, as determined by the director of the department of economic development.

(4) The director may, with the approval of the director of natural resources, extend the tax credits allowed for performing voluntary remediation maintenance activities, in increments of three-year periods, not to exceed five consecutive three-year periods. The tax credits allowed in this subsection shall be used to offset the tax imposed by chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo, or the tax otherwise imposed by chapter 147, RSMo, or the tax otherwise imposed by chapter 148, RSMo. The remediation **and demolition** tax credit may be taken in the same tax year in which the tax credits are received or may be taken over a period not to exceed twenty years.

(5) The project facility [is] **shall be** projected to create at least ten new jobs or at least twenty-five retained jobs,

or a combination thereof, as determined by the department of economic development, **to be eligible for tax credits pursuant to this section.**

(6) No more than seventy-five percent of earned remediation tax credits may be issued when the remediation costs were paid, and the remaining percentage may be issued when the department of natural resources issues a "Letter of Completion" letter or covenant not to sue following completion of the voluntary remediation activities. It shall not include any costs associated with ongoing operational environmental compliance of the facility or remediation costs arising out of spills, leaks, or other releases arising out of the ongoing business operations of the facility.

4. In the exercise of the sound discretion of the director of the department of economic development or the director's designee, the tax credits and exemptions described in this section may be terminated, suspended or revoked, if the eligible project fails to continue to meet the conditions set forth in this section. In making such a determination, the director shall consider the severity of the condition violation, actions taken to correct the violation, the frequency of any condition violations and whether the actions exhibit a pattern of conduct by the eligible facility owner and operator. The director shall also consider changes in general economic conditions and the recommendation of the director of the department of natural resources, or his or her designee, concerning the severity, scope, nature, frequency and extent of any violations of the environmental compliance conditions. The taxpayer or person claiming the tax credits or exemptions may appeal the decision regarding termination, suspension or revocation of any tax credit or exemption in accordance with the procedures outlined in subsections 4 to 6 of section 135.250, RSMo. The director of the department of economic development shall notify the directors of the departments of natural resources and revenue of the termination, suspension or revocation of any tax credits as determined in this section or pursuant to the provisions of section 447.716.

5. Notwithstanding any provision of law to the contrary, no taxpayer shall earn the tax credits, exemptions or refund otherwise allowed in subdivisions (2), (3) and (4) of subsection 1 of this section and the tax credits otherwise allowed in section 135.110, RSMo, or the tax credits, exemptions and refund otherwise allowed in sections 135.215, 135.220, 135.225 and 135.245, RSMo, respectively, for the same facility for the same tax period.

6. The total amount of the tax credits allowed in subsection 1 of this section may not exceed the greater of:

(1) That portion of the taxpayer's income attributed to the eligible project; or

(2) One hundred percent of the total business' income tax if the eligible facility does not replace a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, and further provided the taxpayer does not operate any other facilities besides the eligible project in Missouri; fifty percent of the total business' income tax if the eligible facility replaces a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the credits are earned, and further provided the taxpayer does not operate any other facilities besides the eligible project in Missouri; or twenty-five percent of the total business income if the taxpayer operates, in addition to the eligible facility, any other facilities in Missouri. In no case shall a taxpayer operating more than one eligible project in Missouri be allowed to offset more than twenty-five percent of the taxpayer's business income in any tax period. That portion of the taxpayer's income attributed to the eligible project as referenced in subdivision (1) of this subsection, for which the credits allowed in sections 135.110 and 135.225, RSMo, and subsection 3 of this section, may apply, shall be determined in the same manner as prescribed in subdivision (6) of section 135.100, RSMo. That portion of the taxpayer's franchise tax attributed to the eligible project for which the remediation tax credit may offset, shall be determined in the same manner as prescribed in paragraph (a) of subdivision (6) of section 135.100, RSMo.

7. Taxpayers claiming the state tax benefits allowed in subdivisions (2) and (3) of subsection 1 of this section shall be required to file all applicable tax credit applications, forms and schedules prescribed by the director during the taxpayer's tax period immediately after the tax period in which the eligible project was first put into use. Otherwise, the taxpayer's right to claim such state tax benefits shall be forfeited. Unused business facility and enterprise zone tax credits shall not be carried forward but shall be initially claimed for the tax period during which the eligible project was first capable of being used, and during any applicable subsequent tax periods.

8. Taxpayers claiming the remediation tax credit allowed in subsection 3 of this section shall be required to file all applicable tax credit applications, forms and schedules prescribed by the director during the taxpayer's tax period immediately after the tax period in which the eligible project was first put into use, or during the taxpayer's tax period immediately after the tax period in which the voluntary remediation activities were performed.

9. The recipient of remediation tax credits, for the purpose of this subsection referred to as assignor, may assign, sell or transfer, in whole or in part, the remediation tax credit allowed in subsection 3 of this section, to any other person, for the purpose of this subsection referred to as assignee. To perfect the transfer, the assignor shall provide written notice to the director of the assignor's intent to transfer the tax credits to the assignee, the date the transfer is effective,

the assignee's name, address and the assignee's tax period and the amount of tax credits to be transferred. The number of tax periods during which the assignee may subsequently claim the tax credits shall not exceed twenty tax periods, less the number of tax periods the assignor previously claimed the credits before the transfer occurred.

10. In the case where an operator and assignor of an eligible project has been certified to claim state tax benefits allowed in subdivisions (2) and (3) of subsection 1 of this section, and sells or otherwise transfers title of the eligible project to another taxpayer or assignee who continues the same or substantially similar operations at the eligible project, the director shall allow the assignee to claim the credits for a period of time to be determined by the director; except that, the total number of tax periods the tax credits may be earned by the assignor and the assignee shall not exceed ten. To perfect the transfer, the assignor shall provide written notice to the director of the assignor's intent to transfer the tax credits to the assignee, the date the transfer is effective, the assignee's name, address, and the assignee's tax period, and the amount of tax credits to be transferred.

11. For the purpose of the state tax benefits described in this section, in the case of a corporation described in section 143.471, RSMo, or partnership, in computing Missouri's tax liability, such state benefits shall be allowed to the following:

- (1) The shareholders of the corporation described in section 143.471, RSMo;
- (2) The partners of the partnership.

The credit provided in this subsection shall be apportioned to the entities described in subdivisions (1) and (2) of this subsection in proportion to their share of ownership on the last day of the taxpayer's tax period."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Gambaro, **House Amendment No. 14** was adopted.

Representative Ostmann offered **House Amendment No. 15**.

House Amendment No. 15

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Page 36, Section 81.265, Lines 14 to 20, by deleting all of said section; and

Further amend said bill, by amending the title, enacting clause and intersectional references accordingly.

On motion of Representative Ostmann, **House Amendment No. 15** was adopted.

Representative Lowe offered **House Amendment No. 16**.

House Amendment No. 16

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Page 108, Section 250.236, Line 2, by inserting the following section:

"253.570. The Missouri general assembly shall, through appropriations as provided by law, participate in the funding of the TWA Flight 800 International Memorial in Smith Point Beach, New York, in an amount equal to one thousand dollars for each of the seven Missourians who died aboard TWA Flight 800 on July 17, 1996. Such funds shall be disbursed August 28, 2001, to the Families of Flight 800 Memorial Fund."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Lowe, **House Amendment No. 16** was adopted.

Representative Legan offered **House Amendment No. 17.**

House Amendment No. 17

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, by striking the following:

“unincorporated territory of the county, or to the unincorporated territory of the county as a whole.”; and

Further amend said bill by adding the following on Line 12: “**County.**”; and

Further amend said bill, Page 11, Line 2, by striking the word “unincorporated” and replacing it with the word “**affected**”; and

Further amend said bill, Page 11, Line 6, by striking the word “unincorporated” and replacing it with the word “**affected**”; and

Further amend said bill, Page 11, Line 10, by striking the word “unincorporated” and replacing it with the word “**affected**”.

On motion of Representative Legan, **House Amendment No. 17** was adopted.

Representative Williams offered **House Amendment No. 18.**

House Amendment No. 18

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Page 3, Section A, Line 1, by inserting after all of said line the following:

"26.730. 1. There is hereby established within the office of the lieutenant governor a "Missouri Multicultural Center and Program", which shall serve as an all-purpose all-encompassing resource for local political subdivisions and government agencies, including but not limited to counties, municipalities, judicial circuits, law enforcement agencies, school districts, public health agencies or any other political subdivisions or local government agencies, state governmental agencies, nongovernmental community agencies, businesses, advocacy groups, immigrants, refugees and international tourists in this state. The center and program, as directed by the multicultural citizens' advisory committee, may develop outreach materials, in various formats, and shall serve as a communications link to direct persons to where materials are available, which describe the resources, opportunities, informational sites or other informational sources that the committee determines would be of assistance to the entities listed in this subsection. The materials and links described in this subsection shall, at minimum, be made available in electronic format, or in any other form the committee deems appropriate. The center and program may contract, subject to approval by the office of administration, for the provision of the information and services described in this subsection with any higher educational facility in the state or any other outside source it deems capable of adequately providing such services and information.

2. There is hereby established within the office of the lieutenant governor a "Multicultural Citizens' Advisory Committee", which shall develop and implement, or facilitate the development and implementation of, the program authorized pursuant to subsection 1 of this section. The committee shall consist of twenty-five members, to be appointed as follows:

(1) Five persons employed by state executive departments, one from each of the following five departments, to be designated by the director of the appropriate department: elementary and secondary education, social services, health, economic development and public safety;

- (2) Four members of the general assembly, as follows:
 - (a) Two members of the house of representatives appointed by the speaker of the house of representatives, one from each major political party; and
 - (b) Two members of the senate appointed by the president pro tem of the senate, one from each major political party;
 - (3) Fifteen citizens of this state who work directly with the multicultural population of this state, appointed by the lieutenant governor; and
 - (4) The lieutenant governor, who shall serve as an ex officio member of the committee.
3. The initial members of the committee shall be appointed between September 1, 2001, and December 31, 2001. Beginning January 1, 2002, all appointees shall become members of the committee, and the lieutenant governor shall cause the committee to meet no later than sixty days after that date. Upon the first meeting constituting a quorum of the committee, the committee shall select one of its members as chair. The chair shall serve as chair for two years, and the committee may reappoint the chair for an additional term or select a new chair at the expiration of such term. The committee shall meet on a regular basis until the program described in this section has been developed, and then the committee shall meet only as needed. The members of the committee shall serve four-year terms, except that the first term of the following members shall be for two years:
- (1) The members appointed by the department of economic development and the department of public safety;
 - (2) One member appointed by the speaker of the house of representatives and one member appointed by the president pro tem of the senate, as selected by the speaker and the president pro tem prior to the appointment of the committee member;
 - (3) Eight members appointed by the governor, as selected by the governor prior to the appointment of the committee member.
4. Vacancies on the committee shall be filled as soon as is practicable by the person charged with the appointment of the person who vacated the position. Members of the committee shall not be compensated for their duties as members, but shall receive reimbursement for all actual and necessary expenses incurred in the course of performing such duties, provided that the lieutenant governor shall not receive such expenses.
5. The committee shall submit to the lieutenant governor a list of three names, one of which the lieutenant governor shall employ as an executive director, who shall serve as the executive officer of the committee. As a priority, the director shall have a background and knowledge of the experiences and transition faced by individuals with multicultural backgrounds moving to Missouri and international tourists visiting in Missouri. The salary and office space for the executive director, as well as the expenses for committee hearings, shall be provided by the office of the lieutenant governor."; and

Further amend said bill, Page 130, Section 1, Line 10, by inserting after all of said line the following:

"Section B. Because immediate action is necessary to provide full, meaningful and expedited access for immigrants and refugees to the public services of this state, section 26.730 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section 26.730 of this act shall be in full force and effect upon its passage and approval."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Williams, **House Amendment No. 18** was adopted.

Representative Hosmer offered **House Amendment No. 19**.

House Amendment No. 19

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Page 130, Line 10, by adding after said line the following:

“The state highway commission shall reduce the speed from 45 to 35 miles per hour on Highway 14 at the east city limit line of Ozark, Missouri to 10th Avenue.”.

On motion of Representative Hosmer, **House Amendment No. 19** was adopted.

Representative Hohulin offered **House Amendment No. 20**.

House Amendment No. 20

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Page 14, Section 64.205, Line 12, by inserting after all of said line the following:

“Section 1. Any device, other than a device located in a public building, that is not used by the general public shall be exempt from the provisions of sections 701.350 to 701.380.”; and

Further amend the title and enacting clause accordingly.

On motion of Representative Hohulin, **House Amendment No. 20** was adopted.

Representative Campbell offered **House Amendment No. 21**.

House Amendment No. 21

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Page 74, Section 138.020, Line 19 of said page, by inserting after all of said line the following:

"160.400. 1. A charter school is an independent, publicly supported school.

2. **Except as otherwise provided pursuant to this section**, charter schools may be operated only in a metropolitan school district or in an urban school district containing most or all of a city with a population greater than three hundred fifty thousand inhabitants **or any school district containing territory formerly contained in any school district in which charter schools were authorized to be established pursuant to this section** and may be sponsored by any of the following:

(1) The school board of the district;

(2) A public four-year college or university with its primary campus in the school district **or in a county containing all or a portion of the district** or in a county adjacent to the county in which the district is located, with an approved teacher education program that meets regional or national standards of accreditation; or

(3) A community college located in the district.

3. [A maximum of five percent of the school buildings currently in use for instructional purposes in a district may be converted to charter schools. This limitation does not apply to vacant buildings or buildings not used for instructional purposes.] **All buildings owned or controlled by a school district in which charter schools may be established pursuant to sections 160.400 to 160.420 and which buildings are not used by the district for their educational purposes or otherwise previously contractually obligated to another party shall be made available to charter schools in the district at a de minimis cost.**

4. No sponsor shall receive from an applicant for a charter school any fee of any type for the consideration of a charter, nor may a sponsor condition its consideration of a charter on the promise of future payment of any kind.

5. The charter school shall be a Missouri nonprofit corporation incorporated pursuant to chapter 355, RSMo. The charter provided for herein shall constitute a contract between the sponsor and the charter school.

6. As a nonprofit corporation incorporated pursuant to chapter 355, RSMo, the charter school shall select the method for election of officers pursuant to section 355.326, RSMo, based on the class of corporation selected. Meetings of the governing board of the charter school shall be subject to the provisions of sections 610.010 to 610.030, RSMo, the open meetings law.

7. A sponsor of a charter school, its agents and employees are not liable for any acts or omissions of a charter

school that it sponsors, including acts or omissions relating to the charter submitted by the charter school, the operation of the charter school and the performance of the charter school.

8. A charter school may affiliate with a four-year college or university, including a private college or university, or a community college as otherwise specified in subsection 2 of this section when its charter is granted by a sponsor other than such college, university or community college. Affiliation status recognizes a relationship between the charter school and the college or university for purposes of teacher training and staff development, curriculum and assessment development, use of physical facilities owned by or rented on behalf of the college or university, and other similar purposes. The primary campus of the college or university must be located within the county in which the school district lies wherein the charter school is located or in a county adjacent to the county in which the district is located. A university, college or community college may not charge or accept a fee for affiliation status.

9. **There is hereby established a "Charter School Sponsor Oversight and Accountability Fund". The state treasurer shall, on the first business day of each fiscal year, transfer, from general revenue to the charter school sponsorship oversight and accountability fund, an amount equal to the sum of the number of charter schools which have an approved charter as of the date of the transfer multiplied by twenty-three thousand four hundred dollars, plus the sum of the number of students enrolled in each charter school established pursuant to sections 160.400 to 160.420 during the preceding school year multiplied by one-half of one percent of the per pupil operating revenue for the preceding year for the school district where each such charter school was located. The fund shall be subject to appropriation. The coordinating board of higher education shall establish, by rule, and administer a grant-based funding program for reimbursing costs of school districts and higher education institutions sponsoring charter schools pursuant to this section. Charter school sponsors may apply to the coordinating board each year, no later than August first, to receive a grant for each charter school which it sponsored the preceding year. The grant application shall meet the requirements established pursuant to this section. The amount of each annual grant for an approved application shall be equal to the sum of twenty-three thousand four hundred dollars, plus the number of students enrolled in the charter school during the preceding school year multiplied by one-half of one percent of the per pupil operating revenue for the preceding school year for the school district where the charter school was located. The grant shall be used for providing charter school sponsorship oversight and accountability functions related to the charter granted to the charter school. If the funding is insufficient in any year to fund all eligible, fundable grant applications, all grant awards shall be uniformly prorated until the total amount of grant awards matches the available funds. Any available funding in excess of the total of eligible, fundable grant applications shall be retained in the fund the following year and counted as current year transferred funds for the purpose of reducing the amount of the transfer authorized pursuant to this subsection.**

10. No university, college or community college shall grant a charter to a nonprofit corporation if an employee of the university, college or community college is a member of the corporation's board of directors.

11. **No sponsor shall grant a charter pursuant to sections 160.400 to 160.420 without ensuring that a criminal background check and child abuse registry check are conducted for all members of the board of directors of the charter schools or the incorporators of the charter school if initial directors are not named in the articles of incorporation, nor shall a sponsor renew a charter without ensuring a criminal background check and child abuse registry check are conducted for each member of the board of directors of the charter school.**

12. **No member of the board of directors of a charter school shall hold any office or employment from the board or the charter school while a member of the board nor have any substantial interest, as defined pursuant to section 105.450, RSMo, in any entity employed by or contracting with the board.**

13. **A sponsor shall provide timely submission to the state board of education of all data necessary to demonstrate that the sponsor is in material compliance with all requirements of sections 160.400 to 160.420.**

160.405. 1. A person, group or organization seeking to establish a charter school shall submit the proposed charter, as provided in this section, to a sponsor. **The proposed charter shall specify a proposed starting date which shall be no earlier than eleven months following the date the proposed charter is submitted.** If the sponsor is not a school board, the applicant shall give a copy of its application to the school board of the district in which the charter school is to be located **and the state board of education, [when] within five business days of the date** the application is filed with the proposed sponsor. The school board may file objections with the proposed sponsor, and, if a charter is granted, the school board may file objections with the state board of education. The charter shall include a mission statement for the charter school, a description of the charter school's organizational structure and bylaws of the governing body, which will be responsible for the policy and operational decisions of the charter school, a financial plan for the first three years of operation of the charter school including provisions for annual audits, a description of the

charter school's policy for securing personnel services, its personnel policies, personnel qualifications, and professional development plan, a description of the grades or ages of students being served, the school's calendar of operation, which shall include at least the equivalent of a full school term as defined in section 160.011, and an outline of criteria specified in this section designed to measure the effectiveness of the school. The charter shall also state:

- (1) The educational goals and objectives to be achieved by the charter school;
- (2) A description of the charter school's educational program and curriculum;
- (3) The term of the charter, which shall be not less than five years, nor greater than ten years and shall be renewable;

(4) A description of the charter school's pupil performance standards, which must meet the requirements of subdivision (6) of subsection 5 of this section. The charter school program must be designed to enable each pupil to achieve such standards; and

(5) A description of the governance and operation of the charter school, including the nature and extent of parental, professional educator, and community involvement in the governance and operation of the charter school.

2. Proposed charters shall be subject to the following requirements:

(1) **A charter application shall be provided to a proposed sponsor no later than eleven months prior to the proposed starting date for the charter school to begin operation. Within five business days of receipt of the application, the proposed sponsor shall forward a copy of the charter application to the state board of education and to the school board of the district if the proposed sponsor is not a school board;**

(2) A charter may be approved when the sponsor determines that the requirements of this section are met and determines that the applicant is sufficiently qualified to operate a charter school. The sponsor's decision of **approval or denial** shall be made within [sixty] **ninety** days of the filing of the proposed charter;

[(2)] (3) If the charter is denied, the proposed sponsor shall notify the applicant in writing as to the reasons for its denial **and forward a copy to the state board of education within five business days following the denial;**

[(3)] (4) If a proposed charter is denied by a sponsor, the proposed charter may be submitted to the state board of education, along with the sponsor's written reasons for its denial. If the state board determines that the applicant meets the requirements of this section and that granting a charter to the applicant would be likely to provide educational benefit to the children of the district, the state board may grant a charter and act as sponsor of the charter school. **The state board shall review the proposed charter and make a determination of whether to deny or grant the proposed charter within sixty days of receipt of the proposed charter and shall notify the applicant in writing as to the reasons for its denial, if applicable; [and]**

[(4)] (5) The sponsor of a charter school shall give priority to charter school applicants that propose a school oriented to high-risk students and to the reentry of dropouts into the school system. If a sponsor grants three or more charters, at least one-third of the charters granted by the sponsor shall be to schools that actively recruit dropouts or high-risk students as their student body and address the needs of dropouts or high-risk students through their proposed mission, curriculum, teaching methods, and services. For purposes of this subsection, a "high-risk" student is one who is at least one year behind in satisfactory completion of course work or obtaining credits for graduation, pregnant or a parent, homeless or has been homeless some time within the preceding six months, has limited English proficiency, has been suspended from school three or more times, **is eligible for free or reduced price school lunch**, or has been referred by the school district for enrollment in an alternative program. "Dropout" shall be defined through the guidelines of the school core data report. The provisions of this subsection do not apply to charters sponsored by the state board of education.

3. If a charter is approved by a sponsor, it shall be submitted to the state board of education which may, within [forty-five] **sixty** days, disapprove the granting of the charter. The state board of education may disapprove a charter only on grounds that the application fails to meet the requirements of sections 160.400 to 160.420.

4. Any disapproval of a charter pursuant to subsection 3 of this section shall be subject to judicial review pursuant to chapter 536, RSMo.

5. A charter school shall, as provided in its charter:

- (1) Be nonsectarian in its programs, admission policies, employment practices, and all other operations;
- (2) Comply with laws and regulations of the state relating to health, safety, and minimum educational standards;
- (3) Except as provided in sections 160.400 to 160.420, be exempt from all laws and rules relating to schools, governing boards and school districts;

(4) Be financially accountable, use practices consistent with the Missouri financial accounting manual, provide for an annual audit by a certified public accountant, **publish audit reports and annual financial reports as provided pursuant to chapter 165, RSMo, provided that the annual financial report may be published via the Internet on**

the secretary of state's web site in lieu of other publishing requirements, and provide liability insurance to indemnify the school, its board, staff and teachers against tort claims. For the purposes of securing such insurance, a charter school shall be eligible for the Missouri public entity risk management fund pursuant to section 537.700, RSMo. A charter school that incurs debt must include a repayment plan in its financial plan;

(5) Provide a comprehensive program of instruction for at least one grade or age group from kindergarten through grade twelve, which may include early childhood education if funding for such programs is established by statute, as specified in its charter;

(6) Design a method to measure pupil progress toward the pupil academic standards adopted by the state board of education pursuant to section 160.514, collect baseline data during at least the first three years for determining how the charter school is performing and to the extent applicable, [participate in] **employ** the statewide system of assessments, comprised of the essential skills tests and the nationally standardized norm-referenced achievement tests, as designated by the state board pursuant to section 160.518, complete and distribute an annual report card as prescribed in section 160.522, **which shall also include a statement that background checks have been completed on the charter school's board members**, report to its sponsor, the local school district, and the state board of education as to its teaching methods and any educational innovations and the results thereof, and provide data required for the study of charter schools pursuant to subsection 3 of section 160.410. No charter school will be considered in the Missouri school improvement program review of the district in which it is located for the resource or process standards of the program. Nothing in this paragraph shall be construed as permitting a charter school to be held to lower performance standards than other public schools within a district; however, the charter of a charter school may permit students to meet performance standards on a different time frame as specified in its charter;

(7) Assure that the needs of special education children are met in compliance with all applicable federal and state laws and regulations;

(8) Provide, in a timely fashion, all information necessary to confirm on-going compliance with all provisions of the charter and sections 160.400 to 160.420.

6. The charter of a charter school may be amended at the request of the governing body of the charter school and on the approval of the sponsor. The sponsor and the governing board and staff of the charter school shall jointly review the school's performance, management and operations at least once every two years.

7. (1) A sponsor may revoke a charter at any time if the charter school commits a serious breach of one or more provisions of its charter or on any of the following grounds: failure to meet academic performance standards as set forth in its charter, failure to meet generally accepted standards of fiscal management, **failure to provide information necessary to confirm compliance with all provisions of the charter and sections 160.400 to 160.420 within forty-five days following receipt of written notice requesting such information** or violation of law.

(2) The sponsor may place the charter school on probationary status to allow the implementation of a remedial plan, after which, if such plan is unsuccessful, the charter may be revoked. **The sponsor may require the remedial plan to provide for a change in methodology or leadership, or both.**

(3) At least sixty days before acting to revoke a charter, the sponsor shall notify the board of directors of the charter school of the proposed action in writing. The notice shall state the grounds for the proposed action. The school's board of directors may request in writing a hearing before the sponsor within two weeks of receiving the notice.

(4) The sponsor of a charter school shall establish procedures to conduct administrative hearings upon determination by the sponsor that grounds exist to revoke a charter. Final decisions of a sponsor from hearings conducted pursuant to this subsection are subject to judicial review pursuant to chapter 536, RSMo.

(5) A termination shall be effective only at the conclusion of the school year, unless the sponsor determines that continued operation of the school presents a clear and immediate threat to the health and safety of the children.

8. A sponsor shall take all reasonable steps necessary to confirm each charter school sponsored by such sponsor is in material compliance and remains in material compliance with all material provisions of the charter and sections 160.400 to 160.420.

9. A school district may enter into a lease with a charter school for physical facilities. [A charter school may not be located on the property of a school district unless the district governing board agrees.]

[9.] **10.** A governing board or a school district employee who has control over personnel actions shall not take unlawful reprisal against another employee at the school district because the employee is directly or indirectly involved in an application to establish a charter school. A governing board or a school district employee shall not take unlawful reprisal against an educational program of the school or the school district because an application to establish a charter school proposes the conversion of all or a portion of the educational program to a charter school. As used in this subsection, "unlawful reprisal" means an action that is taken by a governing board or a school district employee as a

direct result of a lawful application to establish a charter school and that is adverse to another employee or an educational program.

11. Charter school board members shall be subject to the same liability for acts while in office as if they were regularly and duly elected members of school boards in any other public school district in this state. The board of directors of a charter school may participate, to the same extent as a school board, in the Missouri public entity risk management fund in the manner provided pursuant to sections 537.700 to 537.755, RSMo.

160.410. 1. A charter school shall enroll all pupils resident in the district in which it operates or eligible to attend a district's school under an urban voluntary transfer program who submit a timely application, unless the number of applications exceeds the capacity of a program, class, grade level or building. If capacity is insufficient to enroll all pupils who submit a timely application, the charter school shall have an admissions process that assures all applicants of an equal chance of gaining admission except that:

(1) A charter school may establish a geographical area around the school whose residents will receive a preference for enrolling in the school, provided that such preferences do not result in the establishment of racially or socioeconomically isolated schools and provided such preferences conform to policies and guidelines established by the state board of education; and

(2) A charter school may also give a preference for admission of children whose siblings attend the school or whose parents are employed at the school.

2. A charter school shall not limit admission based on race, ethnicity, national origin, disability, gender, income level, proficiency in the English language or athletic ability, but may limit admission to pupils within a given age group or grade level.

3. The department of elementary and secondary education shall commission a study of the performance of students at each charter school in comparison with a comparable group and a study of the impact of charter schools upon the districts in which they are located, to be conducted by a contractor selected through a request for proposal. The department of elementary and secondary education shall reimburse the contractor from funds appropriated by the general assembly for the purpose. The study of a charter school's student performance in relation to a comparable group shall be designed to provide information that would allow parents and educators to make valid comparisons of academic performance between the charter school's students and a group of students comparable to the students enrolled in the charter school. The impact study shall be undertaken every two years to determine the effect of charter schools on education stakeholders in the districts where charter schools are operated. The impact study may include, but is not limited to, determining if changes have been made in district policy or procedures attributable to the charter school and to perceived changes in attitudes and expectations on the part of district personnel, school board members, parents, students, the business community and other education stakeholders. The department of elementary and secondary education shall make the results of the studies public and shall deliver copies to the governing boards of the charter schools, the sponsors of the charter schools, the school board and superintendent of the districts in which the charter schools are operated.

4. A charter school shall make available for public inspection, free of charge, and provide upon request, to the parent, guardian or other custodian of any school-age pupil resident in the district in which the school is located, the following information:

(1) **The school's charter; and**

(2) **The school's most recent annual report card published pursuant to section 160.522; and**

(3) **The results of background checks on the charter school's board members.**

The charter school may charge reasonable fees for furnishing copies of documents pursuant to this subsection.

160.415. 1. For the purposes of calculation and distribution of state school aid under section 163.031, RSMo, pupils enrolled in a charter school shall be included in the pupil enrollment of the school district within which each pupil resides. Each charter school shall report the names, addresses, and eligibility for free or reduced-price lunch or other categorical aid, of pupils resident in a school district who are enrolled in the charter school to the school district in which those pupils reside and to the state department of elementary and secondary education. Each charter school shall promptly notify the state department of elementary and secondary education and the pupil's school district when a student discontinues enrollment at a charter school.

2. (1) A school district having one or more resident pupils attending a charter school shall pay to the charter school an annual amount equal to the product of the equalized, adjusted operating levy for school purposes for the pupils' district of residence for the current year times the guaranteed tax base per eligible pupil, as defined in section 163.011, RSMo, times the number of the district's resident pupils attending the charter school plus all other state aid

attributable to such pupils, including summer school, if applicable, and all aid provided pursuant to section 163.031, RSMo.

(2) The district of residence of a pupil attending a charter school shall also pay to the charter school any other federal or state aid that the district receives on account of such child.

(3) The amounts provided pursuant to this subsection shall be prorated for partial year enrollment for a pupil.

(4) A school district shall pay the amounts due pursuant to this subsection as the disbursal agent and no later than twenty days following receipt of any such funds.

[(5) The per-pupil amount paid by a school district to a charter school shall be reduced by the amount per pupil determined by the state board of education to be needed by the district in the current year for repayment of leasehold revenue bonds obligated pursuant to a federal court desegregation action.]

3. If a school district fails to make timely payments of any amount for which it is the disbursal agent, the state department of elementary and secondary education shall authorize payment to the charter school of the amount due pursuant to subsection 2 of this section and shall deduct the same amount from the next state school aid apportionment to the owing school district. If a charter school is paid more or less than the amounts due pursuant to subsection 2 of this section, the amount of overpayment or underpayment shall be adjusted in its next payment by the school district or the department of elementary and secondary education, as appropriate. Any dispute between the school district and a charter school as to the amount owing to the charter school shall be resolved by the department of elementary and secondary education, and the department's decision shall be the final administrative action for the purposes of review pursuant to chapter 536, RSMo.

4. The charter school and a local school board may agree by contract for services to be provided by the school district to the charter school. The charter school may contract with any other entity for services. Such services may include but are not limited to food service, custodial service, maintenance, management assistance, curriculum assistance, media services and libraries and shall be subject to negotiation between the charter school and the local school board or other entity. Documented actual costs of such services shall be paid for by the charter school.

5. A charter school may enter into contracts with community partnerships and state agencies acting in collaboration with such partnerships that provide services to children and their families linked to the school.

6. A charter school shall be eligible for transportation state aid pursuant to section 163.161, RSMo, and shall be free to contract with the local district, or any other entity, for the provision of transportation to the students of the charter school.

7. (1) The proportionate share of state and federal resources generated by students with disabilities or staff serving them shall be paid in full to charter schools enrolling those students by their school district where such enrollment is through a contract for services described in this section. The proportionate share of money generated under other federal or state categorical aid programs shall be directed to charter schools serving such students eligible for that aid.

(2) A charter school district shall provide the special services provided pursuant to section 162.705, RSMo, and may provide the special services pursuant to a contract with a school district or any provider of such services.

8. A charter school may not charge tuition, nor may it impose fees that a school district is prohibited from imposing.

9. A charter school is authorized to incur debt in anticipation of receipt of funds. A charter school may also borrow to finance facilities and other capital items. A school district may incur bonded indebtedness or take other measures to provide for physical facilities and other capital items for charter schools that it sponsors or contracts with. Upon the dissolution of a charter school, any liabilities of the corporation will be satisfied through the procedures of chapter 355, RSMo.

10. Charter schools shall not have the power to acquire property by eminent domain.

11. The governing body of a charter school is authorized to accept grants, gifts or donations of any kind and to expend or use such grants, gifts or donations. A grant, gift or donation may not be accepted by the governing body if it is subject to any condition contrary to law applicable to the charter school or other public schools, or contrary to the terms of the charter.

160.420. 1. **Any school district in which charter schools may be established pursuant to sections 160.400 to 160.420 shall establish a uniform policy which provides that** if a charter school offers to retain the services of an employee of a school district, and the employee accepts a position at the charter school, [the contract between the charter school and the school district may provide that] an employee at the employee's option may remain an employee of the district and the charter school shall pay to the district the district's full costs of salary and benefits provided to the employee. [A] **The district's policy shall provide that any teacher who accepts a position at a charter school and opts**

to remain an employee of the district retains such teacher's permanent teacher status and **retains such teacher's** seniority rights in the district **for three years**. The school district shall not be liable for any such employee's acts while an employee of the charter school.

2. A charter school may employ noncertificated instructional personnel; provided that no more than twenty percent of the full-time equivalent instructional staff positions at the school are filled by noncertificated personnel. All noncertificated instructional personnel shall be supervised by certified instructional personnel. **A charter school may employ noncertificated administrative personnel and noncertificated principals and assistant principals.** The charter school shall ensure that all instructional employees of the charter school have experience, training and skills appropriate to the instructional duties of the employee, and the charter school shall ensure that a criminal background check and child abuse registry check are conducted for each employee of the charter school prior to the hiring of the employee. Appropriate experience, training and skills of noncertificated instructional personnel shall be determined considering:

- (1) Teaching certificates issued by another state or states;
- (2) Certification by the National Standards Board;
- (3) College degrees in the appropriate field;
- (4) Evidence of technical training and competence when such is appropriate; and
- (5) Level of supervision and coordination with certificated instructional staff.

3. Personnel employed by the charter school shall participate in the retirement system of the school district in which the charter school is located, subject to the same terms, conditions, requirements and other provisions applicable to personnel employed by the school district. **For purposes of participating in the retirement system, the charter school shall be considered to be a public school within the school district and personnel employed by the charter school shall be public school employees. In the event of a lapse of the school district's corporate organization as described in subsections 1 and 4 of section 162.081, RSMo, personnel employed by the charter school shall continue to participate in the retirement system and shall do so on the same terms, conditions, requirements and other provisions as they participated prior to the lapse.**

160.534. [For fiscal year 1996 and each subsequent fiscal year,] **1. Except as otherwise provided in subsection 2 of this section,** any amount of the excursion gambling boat proceeds deposited in the gaming proceeds for education fund in excess of the amount transferred to the school district bond fund as provided in section 164.303, RSMo, shall be transferred to the state school moneys fund. Such moneys shall be transferred on a monthly basis and shall be distributed in the manner provided in section 163.031, RSMo.

2. Notwithstanding the provisions of section 313.321, RSMo, to the contrary, all revenue received by the Missouri lottery commission from the sale of Missouri lottery tickets and from all other sources, in excess of the total amount received in fiscal year 2001, and all excursion gaming boat proceeds received by the gaming commission in excess of the total amount received in fiscal year 2001, shall be transferred on a monthly basis as follows:

- (1) For fiscal year 2003, twenty percent to the school building property tax relief fund established pursuant to section 166.300, RSMo, and eighty percent to the state school moneys fund;**
- (2) For fiscal year 2004, forty percent to the school building property tax relief fund and sixty percent to the state school moneys fund;**
- (3) For fiscal year 2005, sixty percent to the school building property tax relief fund and forty percent to the state school moneys fund;**
- (4) For fiscal year 2006, eighty percent to the school building property tax relief fund and twenty percent to the state school moneys fund; and**
- (5) For fiscal year 2007, one hundred percent to the school building property tax relief fund.**

162.481. **1. Except as otherwise provided in this section, all elections of school directors in urban districts shall be held biennially at the same times and places as municipal elections.**

2. In any urban district which includes all or the major part of a city which first obtained a population of more than seventy-five thousand inhabitants by reason of the 1960 federal decennial census, elections of directors shall be held on municipal election days of even-numbered years. The directors of the prior district shall continue as directors of the urban district until their successors are elected as herein provided. On the first Tuesday in April, 1964, four directors shall be elected, two for terms of two years to succeed the two directors of the prior district who were elected in 1960 and two for terms of six years to succeed the two directors of the prior district who were elected in 1961. The successors of these directors shall be elected for terms of six years. On the first Tuesday in April, 1968, two directors shall be elected for terms to commence on November 5, 1968, and to terminate on the first Tuesday in April, 1974, when

their successors shall be elected for terms of six years. No director shall serve more than two consecutive six-year terms after October 13, 1963.

3. **Except as otherwise provided in subsection 4 of this section**, hereafter when a seven-director district becomes an urban district, the directors of the prior seven-director district shall continue as directors of the urban district until the expiration of the terms for which they were elected and until their successors are elected as provided in this subsection. The first biennial school election for directors shall be held in the urban district at the time provided in subsection 1 which is on the date of or subsequent to the expiration of the terms of the directors of the prior district which are first to expire, and directors shall be elected to succeed the directors of the prior district whose terms have expired. If the terms of two directors only have expired, the directors elected at the first biennial school election in the urban district shall be elected for terms of six years. If the terms of four directors have expired, two directors shall be elected for terms of six years and two shall be elected for terms of four years. At the next succeeding biennial election held in the urban district, successors for the remaining directors of the prior seven-director district shall be elected. If only two directors are to be elected they shall be elected for terms of six years each. If four directors are to be elected, two shall be elected for terms of six years and two shall be elected for terms of two years. After seven directors of the urban district have been elected under this subsection, their successors shall be elected for terms of six years.

4. In any school district in any city with a population of one hundred thousand or more inhabitants which is located within a county of the first classification that adjoins no other county of the first classification, **or any school district which becomes an urban school district by reason of the 2000 federal decennial census**, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and the terms shall be for three years and until their successors are duly elected and qualified for all directors elected on and after August 28, 1998.

164.303. There is hereby established in the state treasury the "School District Bond Fund". Such amounts as may be necessary to fund the annual requests submitted by the health and educational facilities authority to fund the payment of costs and grants as provided in subsection 7 of section 360.106 and sections 360.111 to 360.118, RSMo, and necessary costs for administration of those provisions, but not to exceed seven million dollars per year, shall be transferred by appropriation to the fund from the gaming proceeds for education fund before any amounts in the gaming proceeds for education fund are transferred [to the state school moneys fund,] as provided in section 160.534, RSMo. Moneys deposited in the school district bond fund shall be used by the health and educational facilities authority, subject to appropriation, to fund the payment of costs and grants as provided in subsection 7 of section 360.106 and sections 360.111 to 360.118, RSMo, and necessary costs for administration of those provisions. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the fund shall not be transferred to the credit of the general revenue fund at the end of each biennium.

166.300. 1. As used in this section, the following [words and phrases] **terms** shall mean:

(1) ["Capital improvement projects", expenditures for lands or existing buildings, improvements of grounds, construction of buildings, additions to buildings, remodeling of buildings and initial equipment purchases;

(2) **"New construction", either the construction of a new building or the addition of a newly constructed area to an existing building, including expenditures for lands or existing buildings, architectural and engineering services, tests and inspections of lands or buildings, construction of buildings, additions to buildings and technology connectivity;**

(2) **"Renovation", the modernization or modification of any existing building that will enhance the ability of such building to serve its educational purposes, excluding routine maintenance and repair, and including renovation expenditures for health and safety reasons, educational purposes, architectural and engineering services, tests and inspections of lands or buildings, renovations of existing buildings and technology connectivity;**

(3) "School [facility] **building**", a structure dedicated primarily to housing teachers and students in the instructional process, but shall not include [buildings] **facilities** dedicated primarily to administrative and support functions within the school **or the school district**.

2. There is hereby created a [revolving] fund to be known as the "School Building [Revolving] **Property Tax Relief Fund**". All forfeitures of assets transferred pursuant to section 166.131, all gifts and bequests to such fund, **all moneys transferred to such fund pursuant to section 160.534, RSMo**, and such moneys as may be appropriated to the fund shall be deposited into the school building [revolving] **property tax relief fund** [; except that no more than four hundred forty million dollars, in the aggregate, shall be transferred to the fund]. **The fund shall be administered by the department of elementary and secondary education in the manner described in, and for the purposes described in, sections 166.300 to 166.324.**

3. After a fund balance has been established by prior years' deposits and interest, school districts may submit

applications for [lease purchases] **matching grants** from the [revolving] fund for [specific] **allowed capital improvement** projects consistent with rules and regulations of the state board of education and [subsection 3 of] this section[, except that]. **The department shall divide its annual disbursements of matching grant moneys from the fund in equal, fifty percent portions to new construction projects and to renovation projects, and shall approve and prioritize applications accordingly, pursuant to this section. School districts may apply for both new construction and renovation grants in the same application, provided that new construction costs and renovation costs are separately itemized on such district's application, so that each may be separately approved or denied by the department. If, at the conclusion of the matching grant application period, there are funds available for either new construction or renovation that will not be used, and if there is a greater need for funds for the other category, then the department may transfer funds to the category with greater need at that time.**

4. No school district may be permitted to [enter into a lease purchase] **receive matching funds** from the school building [revolving] **property tax relief** fund without first submitting a long-range capital improvements plan. **Such plan shall include a detailed proposal of the specific allowed capital improvement projects to which grant moneys will be put, and shall include the specific manner in which the school district will provide for its matching portion, as such matching portion is calculated pursuant to section 166.305. Such plan shall also calculate the estimated amount of the state's portion of the matching funds, provided that the department shall not provide a match of funds for any costs of a project in excess of the maximum per-pupil amount described in section 166.308. Anticipated district expenditures on projects may exceed the maximum per-pupil amount, but in such case the state portion of matching funds shall be calculated solely on the maximum per-pupil amount stated in section 166.308. The department shall review and approve such plan prior to issuing matching grants.**

[3.] **5. To be eligible for [a lease purchase authorized by this section] matching funds pursuant to sections 166.300 to 166.324:**

(1) A school district shall meet the minimum criteria for state aid and for increases in state aid established pursuant to section 163.021, RSMo;

(2) A school district shall provide a program which is accredited by the state board of education for grades kindergarten through twelve or for grades kindergarten through eight; and

(3) A school district shall [have an equalized, assessed valuation per eligible pupil for the preceding year which is less than the statewide average equalized, assessed valuation per eligible pupil for the preceding year; and

(4) A school district shall have a bonded indebtedness which is no less than ninety percent of the constitutional limitation on indebtedness pursuant to section 26(b) of article VI of the Constitution of Missouri.

4. Lease purchase] **not be experiencing financial stress as defined in section 161.520, RSMo.**

6. The department of elementary and secondary education shall develop minimum state school building standards that may be used as criteria to determine if the district qualifies for a new construction project. The minimum state school building standards shall be met by any new construction project in order to qualify for matching grant approval by the department.

7. Matching grant applications for new construction shall be funded, as funds allow, first for all applications pursuant to subdivision (1) of this subsection [and], then for applications pursuant to subdivision (2) of this subsection and then for applications pursuant to **each successive** subdivision [(3)] of this subsection **thereafter**, and for funding of applications pursuant to a particular subdivision, applications shall be funded in the order that the applications are received by the department. If two or more applications are received on the same day, the district with the lowest [appraised] **assessed** valuation per pupil shall be given priority. Ranking of the applications for offering of [lease purchases] **matching grants for new construction** shall be done in the following order:

(1) Districts with [capital replacement] **new construction** costs in excess of insurance proceeds due to [facility] **school building** destruction caused by [fire or] natural **or man-made** disaster [shall be ranked on the basis of percentage of bonding capacity];

(2) Districts with a cumulative percentage growth in fall membership for the [third through the fifth] **three** preceding years in excess of twelve percent [and which have a bonded indebtedness which is no less than ninety percent of the constitutional limitation on indebtedness pursuant to section 26(b) of article VI of the Constitution of Missouri; and];

(3) [Districts with an equalized assessed valuation per pupil which is less than the statewide average equalized assessed valuation per pupil and which have a bonded indebtedness which is no less than ninety percent of the constitutional limitation on indebtedness pursuant to section 26(b) of article VI of the Constitution of Missouri.] **Districts with a cumulative percentage growth in fall membership for the three preceding years in excess of nine percent;**

(4) Districts with a cumulative percentage growth in fall membership for the three preceding years in excess of six percent;

(5) Districts that are experiencing overcrowding but do not have the percentages of required new growth described in subdivisions (1) to (4) of this subsection shall qualify pursuant to subdivisions (1) to (4) of this subsection based on the same percentage of need as do districts with new growth based on the method of calculation developed by the department to determine this percentage of need for districts with overcrowding; and

(6) Districts for which new school buildings, or additions to existing school buildings, are needed in order to provide for:

- (a) All-day kindergarten;
- (b) Educational technology;
- (c) Inter-district reorganization;
- (d) Intra-district reorganization; or
- (e) Increased student safety or student health.

8. The department shall develop minimum state school building standards that may be used as criteria to determine if a district qualifies for a renovation project. The minimum state school building standards shall be met by any renovation project in order to qualify for matching grant approval by the department.

9. Matching grant applications for renovations shall be funded, as funds allow, for all applications pursuant to subdivision (1) of subsection 10 of this section, then, with the remaining renovation funds, eighty percent of the funds shall be used on applications pursuant to subdivision (2) of subsection 10 of this section and twenty percent of the funds shall be used on applications pursuant to subdivision (3) of subsection 10 of this section. If, at the conclusion of the application period, there are funds available from either the allocation to subdivision (2) or to subdivision (3) of subsection 10 of this section, and if there is a greater need that can be met by transferring the remainder of the unused allocation to the allocation of the other subdivision, then the department may transfer funds to the allocation of the subdivision with the greater need.

10. For purposes of this subsection, the age of the original building for which the renovation grant is being sought shall be considered the age of the entire school building in question, regardless of subsequent renovations prior to the grant application. Ranking of the applications for offering of matching grants for renovation shall be done in the following order:

(1) Districts with renovation costs in excess of insurance proceeds due to school building destruction caused by natural or man-made disaster. Applications in this subdivision shall be funded in the order that the applications are received by the department. If two or more applications are received on the same day, the district with the lowest assessed valuation per pupil shall be given priority;

(2) School facilities that are thirty-five years old or older, ranked from oldest to newest. If a renovation project is for a school building that is on the National Register of Historic Places, or a similar historic buildings criteria which the state board of education may promulgate by rule, then the project will be ranked ahead of renovation projects for school buildings not so designated. If two or more buildings are the same age, the applications shall be funded in the order that the applications are received by the department. If two or more applications are received on the same day, the district with the lowest assessed valuation per pupil shall be given priority; and

(3) Buildings that are less than thirty-five years of age shall be ranked according to need, with the criteria for need developed by the department.

If a school district can demonstrate that a building that is fifty years old or older should be replaced instead of renovated, the replacement may be approved by the department with funding from renovation projects for buildings thirty-five years of age or older pursuant to subdivision (2) of this subsection. In order to approve a building replacement in lieu of renovation, the department may consider health and safety issues, a comparison of replacement or renovation costs, future energy savings or other criteria developed by the department. It shall be the school district's responsibility to present information to the department, on department developed forms or format, to demonstrate the need for the building replacement.

11. Each district that:

- (1) Receives approval of its grant application pursuant to subsections 3 and 4 of this section;
- (2) Is eligible pursuant to subsection 5 of this section; and
- (3) Qualifies, pursuant to the funding priorities and availabilities of subsections 6 to 10 of this section, for

funding; shall receive notification from the department within thirty days of its approval, and the district shall obtain its portion of the matching funds mandated by section 166.305 within one year of the date of its receipt of the notification. Upon obtaining the required matching funds, the district shall submit notification to the department, for approval by the department on forms created by the department. Such notification shall be given within thirty days of obtaining the funds, or as soon as possible prior to the end of the one-year period, whichever occurs first. In the event that the district fails to obtain all of its portion of the matching funds within the one-year period, the district shall forfeit its right to any state matching funds for the school year immediately following such failure, but the district shall not be prohibited from resubmitting its application for the school year next following such occurrence. Any district receiving a renovation matching grant shall not be eligible for another matching grant in any year unless all applications qualifying pursuant to this section for that year from districts which have not yet received a grant pursuant to this section are funded.

[5.] **12.** When school building replacement or renovation is caused by [fire or] natural or man-made disaster, the requirement for a school district to have a long-range capital improvements plan, as required by subsection 4 of this section, may be waived by the [state board of education] department of elementary and secondary education.

[6. Each school district participating in a lease purchase from the school building revolving fund shall repay such lease purchase in no more than ten annual payments made on or before June thirtieth of each year. The first such payment shall be due and payable on June thirtieth of the first full fiscal year following receipt of lease purchase proceeds. Lease purchase repayments shall be immediately deposited to the school building revolving fund by the department. Interest charged to the school district shall not exceed three percent.

7. Any school district which fails to obligate the full amount of a loan from the school building revolving fund for the allowable lease purchase must return the unobligated amount plus interest earned to the department no later than June thirtieth of the second full fiscal year after receipt of loan proceeds.

8. If a school district fails to make an annual payment to the school building revolving fund after notice of nonpayment by the department, members of the board of education and the school district's superintendent shall have violated section 162.091, RSMo, and the attorney general of the state of Missouri shall be notified by the state board of education to begin prosecution procedures.

9. All property purchased pursuant to a lease purchase from the school building revolving fund shall remain the property of the state until such time as the lease purchase has been fully repaid pursuant to this section. If a school district does not make an annual payment to the school building revolving fund after notice of nonpayment by the department, the state board of education may, if the delinquency exceeds one hundred eighty days, take possession of the property. As a part of the lease purchase agreement, the school district shall agree to assume all costs, obligations and liabilities for or arising out of establishment, operation and maintenance of the lease purchase property. Other provisions of law to the contrary notwithstanding, neither the state nor any state agency shall have any obligation for such costs, obligations or liabilities unless and until the state board of education takes possession of the property pursuant to this subsection upon a school district's failure to make annual payments as required in the lease purchase agreement.

10. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the school building revolving fund shall not be transferred to the credit of the general revenue fund at the end of the biennium. All yield, interest, income, increment or gain received from time deposit of moneys in the state treasury to the credit of the fund shall be credited by the state treasurer to the fund.]

13. The department shall be responsible for the publication of grant applications that incorporate the criteria of this section and any additional criteria in accordance with this section that the department deems appropriate. Such applications shall be first published on or before January 1, 2002, so that the initial applications for such grants may be acted upon for the 2002-2003 school year.

14. State funds provided pursuant to this section shall not be used for lease purchases.

166.301. All moneys in the school building revolving fund that existed prior to August 28, 2001, and which is hereby abolished, shall be transferred to the school building property tax relief fund. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the school building property tax relief fund shall not be transferred to the credit of the general revenue fund at the end of the biennium. All yield, interest, income, increment or gain received from time deposits of moneys in the state treasury to the credit of the former school building revolving fund shall be credited by the state treasurer to the property tax relief fund.

166.305. For the purpose of calculating the matching portion for which a school district is responsible pursuant to section 166.300, each school district in this state shall be assigned a local matching percentage pursuant to this section. All school districts in the state shall be rank ordered from lowest to highest based upon

the district's equalized, assessed valuation per eligible pupil for the second preceding school year. Each district will be assigned a unique percentage on a sliding scale which assigns a local match percentage of fifty percent to the lowest ranked district and a local match percentage of seventy-five percent to the highest ranked district and assigns a unique percentage to all remaining districts by assigning to districts percentages which are uniformly spaced across the interval from fifty percent to seventy-five percent and based upon the rank ordering.

For a renovation project of a school building on the National Register of Historic Places, or a similar historic buildings criteria which the state board of education may promulgate by rule, the local match percentage will be reduced by five percent.

166.308. 1. For new construction project grant applications pursuant to section 166.300, the department shall match funds with the applicant district up to the following maximum per-pupil state match amounts for new construction costs:

- (1) Eight thousand dollars per high school student that the project is designed to house;
- (2) Seven thousand dollars per middle school student that the project is designed to house; and
- (3) Six thousand dollars per elementary school student that the project is designed to house.

2. For renovation project grant applications pursuant to section 166.300, the department shall match funds with the applicant district up to the following maximum per-pupil state match amounts for total renovation costs:

- (1) Five thousand six hundred dollars per high school student to be housed in the renovated school facility or facilities; and
- (2) Four thousand nine hundred dollars per middle school student to be housed in the renovated school facility or facilities; and
- (3) Four thousand two hundred dollars per elementary school student to be housed in the renovated school facility or facilities.

3. The department shall annually adjust the per-pupil apportionment in this section to reflect construction cost changes. For this purpose, the department may adopt the use of the Consumer Price Index for all Urban Consumers for the United States or its successor index, as defined and officially recorded by the United States Department of Labor or its successor entity or may adopt any other schedule of annual adjustment to accurately reflect such cost changes.

166.311. Moneys in the school building property tax relief fund shall be distributed between the first and fifteenth day of July most immediately following the date on which the department receives notification from an approved school district that such district has obtained its portion of the required matching funds pursuant to section 166.300. The state board of education shall certify the amounts to be distributed to the several school districts to the commissioner of administration who shall issue the warrants therefor. The funds shall be placed to the credit of the capital projects fund by the receiving school district in the amount approved pursuant to sections 166.300 to 166.308. Such moneys shall be used by such district solely for the capital construction or renovation project for which grant approval was awarded and shall not be used to retire debt.

166.314. 1. If any completed allowed project costs more than the estimated final cost submitted to the department by the district, then the district shall be responsible for all of such additional costs.

2. If any completed allowed project costs less than the estimated final cost submitted to the department by the district, then the district shall return the department's percentage of such excess funds, and the department shall deposit such funds in the school building construction and renovation fund established in section 166.300.

3. Upon completion of any project for which funds were granted pursuant to sections 166.300 to 166.324, the school district shall submit a final report to the department. The department may require an audit of these reports or other district records to ensure that all funds received pursuant to sections 166.300 to 166.324 are expended in accordance with program requirements.

4. If the department, after the review of expenditures or audit has been conducted pursuant to this section, determines that a school district failed to expend funds in accordance with this chapter, the department shall notify the school district of the amount that must be repaid to the department within sixty days. If the school district fails to make the required payment within sixty days, the department shall notify the school board and the school district in writing that an amount equal to the unused amount received by the school district shall be withdrawn from such school district's total amount of state aid calculated pursuant to chapter 163, RSMo, for certain subsequent school years, according to a withholding schedule developed by the department for such district.

166.317. The use of state matching grant moneys by a school district shall not make the department or this state liable for any tort, breach of contract or any other action for damages caused by a school district arising from an approved new construction or renovation project by the district, including, but not limited to, contracts between the school district and its construction contractors, construction managers, architects or engineers. The school district shall be liable for all torts, breaches of contract or any other actions for damages caused by the school district.

166.321. 1. All title to all property acquired, constructed or improved with grant moneys pursuant to sections 166.300 to 166.324 shall be held by the school district to which the department grants such moneys.

2. The applicant school district shall comply with all laws and rules pertaining to the construction, reconstruction or alteration of, or addition to, school buildings.

166.324. The department of elementary and secondary education shall promulgate such rules and forms as are necessary for the operation of sections 166.300 to 166.324. No rule or portion of a rule promulgated pursuant to sections 166.300 to 166.324 shall take effect unless such rule has been promulgated pursuant to chapter 536, RSMo.

167.349. In any school district to which any provisions of sections 167.340 to 167.346 apply and in which district charter schools may be established pursuant to section 160.400, RSMo, any state college or university which provides educational programs to any part of such district **and any campus of the state university located in a county of the third classification** may sponsor one or more charter schools pursuant to section 160.400, RSMo, and, in addition to the purposes for which charter schools may be established pursuant to sections 160.400 to 160.420, RSMo, such charter schools may be established to emphasize remediation of reading deficiencies."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Curls raised a point of order that **House Amendment No. 21** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Campbell, **House Amendment No. 21** was adopted.

Representative Hanaway offered **House Amendment No. 22**.

House Amendment No. 22

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Page 3, Section A, Line 1 of said page, by inserting after all of said line the following:

"32.375. 1. Notwithstanding any provision of law to the contrary, in any dispute regarding the potential liability of a taxpayer for collection and remittance or payment of sales or use tax or related interest, additions to tax or penalties, the director of revenue may, at the request of the taxpayer, consider the reasons for the taxpayer's failure to pay the amounts in dispute.

2. The director may abate all or any portion of any amount assessed or decide to not assess any such amount pursuant to this section if the director determines:

- (1)** The taxpayer took reasonable steps to determine whether the amounts were owed;
- (2)** Based on information reasonably available to the taxpayer, the taxpayer reasonably believed that the transactions at issue were not subject to tax and that the amounts in dispute were not owed;
- (3)** At the time of the transactions at issue, the department of revenue had not issued either:
 - (a)** A regulation that indicated that the transactions at issue were subject to tax; or
 - (b)** Any other written or oral communication that the taxpayer knew of or should have known of stating that the transactions at issue were subject to tax; and

(4) In the discretion of the director, such abatement is in the best interest of the state and will not undermine compliance by taxpayers with the tax laws of this state.

3. If the director determines that any amounts may be abated pursuant to this section, as consideration for the abatement, the taxpayer shall agree that:

- (1) The taxpayer shall bear his or her own costs, including any attorney fees;
- (2) During the three year period beginning with the date of the agreement, the taxpayer shall comply with all sales and use tax obligations arising from the type of transactions that were the basis of the amounts that are the subject of the agreement and the taxpayer shall not challenge or protest any such sales or use tax obligations arising during the three year period; except that any final decision of a court of competent jurisdiction finding such transactions to be nontaxable and any statutory changes that become effective during the three year period shall apply to the taxpayer notwithstanding any provision of the agreement; and

(3) The taxpayer shall not contest in court or otherwise any amount of the liability sought to be abated.

4. If due to a disagreement concerning the amount to be abated the taxpayer does not agree to the terms provided by subsection 3 of this section or if the director determines the amounts in dispute should not be abated, the director shall issue a final decision setting forth the director's determination. Within sixty days after the date on which the director's decision is delivered in person or is mailed to the taxpayer, whichever is earlier, the taxpayer may file a petition for review of the final decision with the administrative hearing commission.

5. On petition for review before the administrative hearing commission, the commission shall consider whether the director's determination was reasonable based on the factors set forth in subsection 2 of this section. The commission may:

(1) Issue an order to the director stating an amount to be abated by the director, if the commission finds the director's decision unreasonable; or

(2) Issue an order denying the relief sought by the taxpayer, if the commission finds the director's determination reasonable.

6. The provisions of subsection 3 of this section shall apply to any abatement ordered by the commission.

7. A decision of the administrative hearing commission pursuant to this section shall not be subject to appeal or petition for review by the taxpayer or the director.

32.378. 1. In addition to the authority granted to the director of revenue and the administrative hearing commission pursuant to section 32.375, the director of revenue may agree to compromise any tax, interest, penalties or additions to tax assessed or collected by the director of revenue on any of the following grounds:

(1) Doubt as to liability, which exists in any case where there is a genuine dispute as to the existence or amount of the correct tax liability under the law;

(2) Doubt as to collectibility, which exists in any case where the amount assessed including interest, additions to tax and penalties exceeds the taxpayer's ability to pay as defined by regulations promulgated by the director of revenue; or

(3) To promote effective tax administration which means that compromise of the liability will not undermine compliance by taxpayers with the tax laws and that:

(a) Collection of the full liability will result in severe economic hardship to the taxpayer; or

(b) Regardless of the taxpayer's financial circumstances, exceptional circumstances exist such that collection of the full liability will be detrimental to voluntary compliance by taxpayers. Such exceptional circumstances include, but are not limited to, instances where the taxpayer's failure to pay the taxes assessed is the result of circumstances beyond the reasonable control of the taxpayer and is not the result of negligence on the part of the taxpayer, or instances where a reasonable person would not have expected the assessment based on previous policy of the department of revenue or information provided to the taxpayer by the department of revenue.

2. As part of the consideration for any compromise of taxes that is based on subdivisions (2) or (3) of subsection 1 of this section, the taxpayer shall agree:

(1) That the state of Missouri shall keep all payments and other credits applied to the tax, interest, penalties or additions to tax for the periods covered by the offer;

(2) That the state of Missouri shall keep any and all amounts otherwise due the taxpayer as a result of overpayments of any tax or other liability, including interest, additions to tax and penalties, for periods ending before or as of the end of the calendar year in which the offer is accepted; except that the state shall not keep any amounts that, together with amounts already paid on the compromise exceed the liability compromised;

(3) That the taxpayer shall have no right to contest in court or otherwise the amount of the liability compromised;

(4) That the taxpayer shall bear his or her own costs, including any attorney fees;

(5) That during the three year period beginning with the date of the compromise, the taxpayer shall comply with all tax obligations arising from issues or transactions related to the issues or transactions that were the basis of the tax that is the subject of the compromise and that the taxpayer shall not challenge or protest any such tax obligations arising during the three year period; however, any statutory changes that become effective during the three year period shall apply to the taxpayer notwithstanding this provision of the compromise;

(6) That if there is a default in payment of any principal or interest due under terms of the agreement of compromise, or if the taxpayer fails to comply with the provisions of the agreement set forth in subdivision (5) of this subsection, the director of revenue may:

- (a) Proceed immediately by suit to collect the entire unpaid balance of the amount agreed upon; or
- (b) Proceed immediately by suit to collect as liquidated damages an amount equal to the liability compromised, minus any payments already received under the terms of the agreement, with interest on the unpaid balance from the date of default; or
- (c) Disregard the amount of the compromise and apply all amounts previously paid under the agreement against the amount of the liability compromised and assess and collect by levy or suit the balance of the liability. If the director chooses this option, the taxpayer shall have the right to contest in court or otherwise the amount of the liability compromised.

3. The director's remedies under this section are cumulative and the director may pursue any combination of such remedies together or consecutively until the entire liability is paid. No action or inaction by the director shall constitute a waiver or election not to pursue any remedy granted by this section.

4. The taxpayer requesting to compromise payment of taxes, interest, additions to tax, or penalties shall provide any information reasonably requested by the director in order that the director may determine that the offer is made in good faith.

5. If compromise of taxes is agreed upon, any statute of limitations applicable to the assessment and collection of the liability compromised shall be tolled during the period beginning on the date of the compromise and ending one year after the last payment is due pursuant to the agreement.

6. The director's decision to reject or accept an offer of compromise under this section shall be based on consideration of all the facts and circumstances, including the taxpayer's record of overall compliance with the tax laws. Notwithstanding any provision of law to the contrary, the director's decision shall not be subject to review by the administrative hearing commission or any court.

7. The provisions of this section shall not apply to the resolution of any dispute of tax liability in accordance with section 32.375.

Section 1. In the event the department of revenue enters into an agreement with a taxpayer and said agreement exceeds the department's statutory authority and the taxpayer has relied to his detriment, the department shall be permitted to honor said contract. This section shall only apply to cases where the department has collected sales tax that was not owed by the taxpayer."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hanaway, **House Amendment No. 22** was adopted.

Representative Scheve offered **House Amendment No. 23**.

House Amendment No. 23

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Page 1, In the Title, Line 28, by deleting all of said line and inserting in lieu thereof the following: "subject, with an emergency clause for certain sections."; and

Further amend said bill, Page 39, Section 99.847, Line 12 of said page, by inserting after all of said line the following:

"135.150. 1. [Until January 1, 1987, the director of revenue shall prescribe such rules and regulations necessary to carry out the provisions of sections 135.100 to 135.150.] **For taxpayers commencing operations on or after**

January 1, 2001, no more than four million dollars in tax credits may be authorized in any year under this program. The director of the department of economic development shall determine and implement appropriate procedures to ensure that the cap is not exceeded in any year. These procedures will be submitted to the joint committee on economic development policy and planning pursuant to section 620.080, RSMo.

2. [Beginning January 1, 1987,] **The department may adopt such rules, statements of policy, procedures, forms and guidelines as may be necessary for the implementation of this program.** The director of economic development shall prescribe the method for submitting applications for [claiming] **participation in the program authorized by sections 135.100 to 135.150 and for a taxpayer receiving tax credits to claim** the tax credits [allowed in] **authorized by** subsections [2 and] 3 **and 4** of section 135.110 and shall, if such application or portion thereof is approved, certify same to the director of revenue or the director of insurance that the taxpayer claiming the credits has satisfied all requirements prescribed in sections 135.100 to 135.150 and is [therefore] eligible to claim the credits. The director of economic development shall also calculate and specify the amount of the credit earned by the taxpayer during the taxpayer's first taxable year in which such credits are claimed and for each of the nine succeeding taxable years the credits are claimed by the taxpayer and shall certify such amounts to the director of revenue or the director of insurance and shall notify the taxpayer in writing of the action taken on [his] **the taxpayer's** request for the credits and if the request for credits is disallowed, the director of economic development shall state the reason or reasons the claim for credit was disallowed. The director shall certify the extent to which earned credits can be claimed to the director of revenue or the director of insurance and shall notify the taxpayer in writing of such determination. [The director of economic development may prescribe such rules and regulations necessary to carry out the provisions of sections 135.100 to 135.150.]

3. The director of revenue and, when appropriate, the director of insurance may prescribe rules and regulations necessary to process the credits following certification by the director of economic development.

4. No rule or portion of a rule promulgated [under the authority of] **pursuant to** sections 135.100 to 135.160 shall become effective unless it has been promulgated pursuant to the provisions of [section 536.024,] **chapter 536,** RSMo.

[4.] **5.** Any taxpayer who **commences operations before January 1, 2002, or any taxpayer who commences operationson or after January 1, 2002, and has been approved for participation in the program** and has submitted an application for claiming tax credits as [allowed in] **authorized by** section 135.110 may file with the director of economic development, a protest within sixty days (one hundred fifty days if the taxpayer is outside the United States) after the date of such certification notice or the date of the notice denying such certification. The protest shall be in writing and shall set forth the grounds on which the protest is based.

[5.] **6.** If a protest is filed, the director of economic development shall consider the taxpayer's grounds for protest and make a determination concerning such protest. The director of economic development shall notify the taxpayer in writing of such determination within thirty days following the date on which the written protest was received. Such notice shall be mailed to the taxpayer by certified or registered mail and such notice shall set forth briefly the director of economic development's findings of fact and the basis of decision.

[6.] **7.** The decision of the director of economic development on the taxpayer's protest is final upon the expiration of thirty days from the date when [he] **the director** mails notice of his **or her** action to the taxpayer unless within this period, the taxpayer seeks review of the [director of economic development's] **director's** determination by the administrative hearing commission, which is hereby authorized."; and

Further amend said bill, Page 59, Section 135.230, Line 22 of said page, by inserting after all of said line the following:

"135.400. As used in sections 135.400 to 135.430, the following terms mean:

(1) "Certificate", a tax credit certificate issued by the department of economic development in accordance with sections 135.400 to 135.430;

(2) "Community bank", either a bank community development corporation or development bank, which are financial organizations which receive investments from commercial financial institutions regulated by the federal reserve, the office of the comptroller of the currency, the office of thrift supervision, or the Missouri division of finance. Community banks, in addition to their other privileges, shall be allowed to make loans to businesses or equity investments in businesses or in real estate provided that such transactions have associated public benefits;

(3) "Community development corporation", [a not for profit corporation and a recipient of Community Development Block Grant (CDBG) funds pursuant to the Housing Community Development Act of 1974. Such

corporations design specific, comprehensive programs to stimulate economic development, housing or other public benefits leading to the development of economically sustainable neighborhoods or communities] **a not-for-profit corporation whose board of directors is composed of business, civic and community leaders, and whose primary purpose is to encourage and promote the industrial, economic, entrepreneurial, commercial and civic development or redevelopment of a community or area, including the provision of housing and community economic development projects that benefit low-income individuals and communities;**

- (4) "Department", the Missouri department of economic development;
- (5) "Director", the director of the department of economic development, or a person acting under the supervision of the director;
- (6) "Investment", a transaction in which a Missouri small business or a community bank receives a monetary benefit from an investor pursuant to the provisions of sections 135.403 to 135.414;
- (7) "Investor", an individual, partnership, financial institution, trust or corporation meeting the eligibility requirements of sections 135.403 to 135.414. In the case of partnerships and nontaxable trusts, the individual partners or beneficiaries shall be treated as the investors;
- (8) "Missouri small business", an independently owned and operated business as defined in Title 15 U.S.C. Section 632(a) and as described by Title 13 C.F.R. Part 121, which is headquartered in Missouri and which employs at least eighty percent of its employees in Missouri, except that no such small business shall employ more than one hundred employees. Such businesses must be involved in interstate or intrastate commerce for the purpose of manufacturing, processing or assembling products, conducting research and development, or providing services in interstate commerce, but excluding retail, real estate, insurance or professional services. For the purpose of qualifying for the tax credit pursuant to sections 135.400 to 135.430, "Missouri small business" shall include cooperative marketing associations organized pursuant to chapter 274, RSMo, which are engaged in the business of producing and marketing fuels derived from agriculture commodities, without regard for whether a cooperative marketing association has more than one hundred employees. Cooperative marketing associations organized pursuant to chapter 274, RSMo, shall not be required to comply with the requirements of section 135.414;
- (9) "Primary employment", work which pays at least the minimum wage and which is not seasonal or part-time;
- (10) "Principal owners", one or more persons who own an aggregate of [fifty] **thirty-five** percent or more of the Missouri small business and who are involved in the operation of the business as a full-time professional activity;
- (11) "Project", any commercial or industrial business or other economic development activity undertaken in a target area, designed to reduce conditions of blight, unemployment or widespread reliance on public assistance which creates permanent primary employment opportunities;
- (12) "State tax liability", any liability incurred by a taxpayer pursuant to the provisions of chapter 143, RSMo, chapter 147, RSMo, chapter 148, RSMo, section 375.916, RSMo, and chapter 153, RSMo, exclusive of the provisions relating to the withholding of tax as provided for in sections 143.191 to 143.265, RSMo, and related provisions[;];
- (13) "Target area", a group of blocks or a self-defined neighborhood where the rate of poverty in the area is greater than twice the national poverty rate and as defined by the department of social services in conjunction with the department of economic development. Areas of the state satisfying the criteria of this subdivision may be designated as a "target area" following appropriate findings made and certified by the departments of economic development and social services. In making such findings, the departments of economic development and social services may use any commonly recognized records and statistical indices published or made available by any agency or instrumentality of the federal or state government. No area of the state shall be a target area until so certified by the department of social services and the revitalization plan submitted pursuant to section 208.335, RSMo, has received approval].

135.403. 1. Any investor who makes a qualified investment in a Missouri small business shall be entitled to receive a tax credit equal to forty percent of the amount of the investment or, in the case of a qualified investment in a Missouri small business in a distressed community as defined by section 135.530, a credit equal to sixty percent of the amount of the investment, and any investor who makes a qualified investment in a community bank or a community development corporation shall be entitled to receive a tax credit equal to fifty percent of the amount of the investment if the investment is made in a community bank or community development corporation for direct investment. The total amount of tax credits available for qualified investments in Missouri small businesses shall not exceed [thirteen] **four** million dollars **per year for ten years** and at least [four] **two** million dollars **per year** of the amount authorized by this section and certified by the department of economic development shall be for investment in Missouri small businesses in distressed communities. Authorization for all or any part of this [four] **two** million [dollar amount] **dollars per year** shall in no way restrict the eligibility of Missouri small businesses in distressed communities, as defined in section 135.530, for the remaining amounts authorized within this section. No more than twenty percent of the tax credits

available each year for investments in community banks or community development corporations for direct investment shall be certified for any one project, as defined in section 135.400. The tax credit shall be evidenced by a tax credit certificate in accordance with the provisions of sections 135.400 to 135.430 and may be used to satisfy the state tax liability of the owner of the certificate that becomes due in the tax year in which the qualified investment is made, or in any of the [ten] **five** tax years thereafter. When the qualified small business is in a distressed community, as defined in section 135.530, the tax credit may also be used to satisfy the state tax liability of the owner of the certificate that was due during each of the previous three years in addition to the year in which the investment is made and any of the [ten] **five** years thereafter. No investor may receive a tax credit pursuant to sections 135.400 to 135.430 unless that person presents a tax credit certificate to the department of revenue for payment of such state tax liability. The department of revenue shall grant tax credits in the same order as established by subsection 1 of section 32.115, RSMo. Subject to the provisions of sections 135.400 to 135.430, certificates of tax credit issued in accordance with these sections may be transferred, sold or assigned by **filing a notarized endorsement thereof with the department** which names the transferee **and the amount of tax credit transferred.**

2. Five hundred thousand dollars in tax credits shall be available annually from the total amount of tax credits authorized by section 32.110, RSMo, and subdivision (4) of subsection 2 of section 32.115, RSMo, as a result of investments in community banks or community development corporations. Aggregate investments eligible for tax credits in any one Missouri small business shall not be more than one million dollars. Aggregate investments eligible for tax credits in any one Missouri small business shall not be less than five thousand dollars as of the date of issuance of the first tax credit certificate for investment in that business."; and

Further amend said bill, Page 60, Section 135.406, Line 19 of said page, by inserting after all of said line the following:

"135.408. A qualified investment in a Missouri small business may be made either through an unsecured loan or the purchase of equity or unsecured debt securities of such business. Investors in a small business qualifying for tax credits [under] **pursuant to** the provisions of sections 135.400 to 135.430, however, must collectively own less than [fifty] **sixty-five** percent of a business after their investments are made. Qualified investments in a Missouri small business must be expended for capital improvements, plant, equipment, research and development, or working capital for the business or such business activity as may be approved by the department.

135.411. The amount of the qualified investment made in a Missouri small business must remain in that business for a minimum of [five] **three** years **and, if the business is in a distressed community, it must remain in the distressed community for a minimum of five years.** Withdrawal of the investment prior to **expiration of** the minimum [five-year] period shall result in revocation of the tax credit, and repayment of any amounts of the tax credit already applied against the investor's state tax liability, **but the department may pro rate the revocation or repayment authorized by this section. The sale, change in control or going public of a business shall not trigger such a revocation if the business continues to operate.**

135.423. **Except as otherwise provided in this section,** the department may revoke a tax credit certificate issued pursuant to sections 135.400 to 135.430 or enforce repayment of any amounts of the tax credit already applied against the investor's state liability if any representation to the department in connection with the application proves to have been false when made or if the application violates any conditions established by the department and stated in the tax credit certificate. The revocation may be in full or in part as the department may determine. The department shall specify the amount of credit being revoked and shall send notice of the revocation to the investor and to the state department of revenue. **Any revocation, partial revocation or repayment of a tax credit issued pursuant to sections 135.400 to 135.430 shall apply only to the original applicant for the tax credit and not to a good faith subsequent purchaser or transferee thereof.**"; and

Further amend said bill, Page 71, Section 135.487, Line 11 of said page, by inserting after all of said line the following:

"135.500. 1. Sections 135.500 to 135.529 shall be known and may be cited as the "Missouri Certified Capital Company Law".

2. As used in sections 135.500 to 135.529, the following terms mean :

(1) "Affiliate of a certified company":

(a) Any person, directly or indirectly owning, controlling or holding power to vote [ten] **fifteen** percent or more

of the outstanding voting securities or other ownership interests of the Missouri certified capital company;

(b) Any person [ten] **fifteen** percent or more of whose outstanding voting securities or other ownership interest are directly or indirectly owned, controlled or held with power to vote by the Missouri certified capital company;

(c) Any person directly or indirectly controlling, controlled by, or under common control with the Missouri certified capital company;

(d) A partnership in which the Missouri certified capital company is a general partner;

(e) Any person who is an officer, director or agent of the Missouri certified capital company or an immediate family member of such officer, director or agent;

(2) "Applicable percentage", one hundred percent;

(3) "Capital in a qualified Missouri business", any debt, equity or hybrid security, of any nature and description whatsoever, including a debt instrument or security which has the characteristics of debt but which provides for conversion into equity or equity participation instruments such as options or warrants which are acquired by a Missouri certified capital company as a result of a transfer of cash to a business. Capital in a qualified Missouri business shall not include secured debt instruments;

(4) "Certified capital **investment**", an investment of cash by an investor in a Missouri certified capital company **that fully funds either the investor's equity interest in a certified capital company, a qualified debt instrument that a certified capital company issues, or both;**

(5) "Certified capital company", any partnership, corporation, trust or limited liability company, whether organized on a profit or not-for-profit basis, that is located, headquartered and registered to conduct business in Missouri that has as its primary business activity, the investment of cash in qualified Missouri businesses, and which is certified by the department as meeting the criteria of sections 135.500 to 135.529;

(6) "Department", the Missouri department of economic development;

(7) "Director", the director of the department of economic development or a person acting under the supervision of the director;

(8) "Investor", any insurance company that contributes cash;

(9) "Liquidating distribution", payments to investors or to the certified capital company from earnings;

(10) "Person", any natural person or entity, including a corporation, general or limited partnership, trust or limited liability company;

(11) **"Qualified debt instrument", a debt instrument that a certified capital company issues at par value or at a premium that:**

(a) **Has an original maturity date of at least five years from the date on which it was issued;**

(b) **Has a repayment schedule that is no faster than a level principal amortization; and**

(c) **Until the certified capital company may make distributions other than qualified distributions, the interest, distribution or payment features of which are not related to the certified capital company's profitability or the performance of its investment portfolio;**

(12) "Qualified distribution", any distribution of payment to equity holders of a certified capital company in connection with the following:

(a) Reasonable costs and expenses of forming, syndicating, managing and operating the certified capital company;

(b) Management fees for managing and operating the certified capital company [; and] **which, on an annual basis, do not exceed two and one-half percent of the certified capital company's total certified capital;**

(c) **Reasonable and necessary fees paid for professional services related to the operation of the certified capital company; and**

[(c)] (d) Any increase in federal or state taxes, penalties and interest, including those related to state and federal income taxes, of equity owners of a certified capital company which related to the ownership, management or operation of a certified capital company;

[(12)] (13) "Qualified investment", the investment of cash by a Missouri certified capital company in such a manner as to acquire capital in a qualified Missouri business. **The investment must also be for the purchase of an equity security of the qualified business or a debt security of the qualified business, provided the debt has a maturity of at least one year. The debt security must be unsecured or be convertible into equity securities or equity participation instruments such as options or warrants. As a condition of the investment, the qualified business must agree to retain its headquarters and principal business operations in the state, or in a distressed community, if the investment is to be credited to a distressed community allocation, for three years following any qualified investment;**

(14) "Qualified Missouri agricultural business", any independently owned and operated business, which is headquartered and located in Missouri, which is involved in commerce for the purpose of manufacturing, processing or assembling products, conducting research and development, or providing services in interstate commerce, but excluding retail, real estate, real estate development, insurance and professional services provided by accountants, lawyers or physicians, and which is either:

(a) A rural agricultural business whose projects add value to agricultural products and aid the economy of a rural community, including any development facility as defined in subdivision (3) of subsection 2 of section 348.430, RSMo, and whose gross sales during its most recent complete fiscal year shall not have exceeded five million dollars; or

(b) Any business that is an eligible borrower as described pursuant to Section 4279.108 of the Rural Development Instructions of the United States Department of Agriculture and whose gross sales during its most recent complete fiscal year shall not have exceeded five million dollars;

[(13)] (15) "Qualified Missouri business", an independently owned and operated business, which is headquartered and [located] **has its principal business operations** in Missouri and which is in need of venture capital and cannot obtain conventional financing. Such business:

(a) Shall have no more than two hundred employees[.];

(b) **Shall have at least** eighty percent of [which are] **its employees** employed in Missouri[. Such business];

(c) Shall be involved in commerce for the purpose of manufacturing, processing or assembling products, conducting research and development, or providing services in interstate commerce, but excluding retail, real estate, real estate development, insurance and professional services provided by accountants, lawyers or physicians[.];

(d) If [such business] **it** has been in existence for three years or less, its gross sales during its most recent complete fiscal years shall not have exceeded four million dollars. If such business has been in existence for longer than three years, its gross sales during its most recent complete fiscal year shall not have exceeded three million dollars[.];

(e) **Shall certify that it will maintain its headquarters and principal business operations in this state, or in a distressed community, if the investment is to be credited to a distressed community allocation, for three years following any qualified investment; and**

(f) If any business which is classified as a qualified Missouri business at the time of the first investment in such business by a Missouri certified capital company shall, for a period of seven years from the date of such first investment, remain classified as a qualified Missouri business and may receive follow-on investments from any Missouri certified capital company and such follow-on investments shall be qualified investments even though such business may not meet the [other] qualifications of **paragraphs (a), (b) and (d) of this [subsection] subdivision** at the time of such follow-on investments, **provided, however, that such business continues to meet the other requirements set forth in this subdivision, and such business reaffirms its intention to maintain its headquarters and its principal business operations in this state, or in a distressed community, if the investment is to be credited to a distressed community allocation;**

[(14)] (16) "State premium tax liability", any liability incurred by an insurance company pursuant to the provisions of section 148.320, 148.340, 148.370 or 148.376, RSMo, and any other related provisions, which may impose a tax upon the premium income of insurance companies after January 1, 1997.

135.503. 1. Any investor that makes an investment of certified capital shall, in the year of investment, earn a vested credit against state premium tax liability equal to the applicable percentage of the investor's investment of certified capital. An investor shall be entitled to take up to ten percent of the vested credit in any taxable year of the investor. Any time after three years after August 28, 1996, the director, with the approval of the commissioner of administration, may reduce the applicable percentage on a prospective basis. Any such reduction in the applicable percentage by the director shall not have any effect on credits against state premium tax liability which have been claimed or will be claimed by any investor with respect to credits which have been earned and vested pursuant to an investment of certified capital prior to the effective date of any such change.

2. An insurance company claiming a state premium tax credit earned through an investment in a certified capital company shall not be required to pay any additional retaliatory tax levied pursuant to section 375.916, RSMo, as a result of claiming such credit.

3. The credit against state premium tax liability which is described in subsection 1 of this section may not exceed the state premium tax liability of the investor for any taxable year. All such credits against state premium tax liability may be carried forward indefinitely until the credits are utilized. The maximum amount of certified capital in one or more certified capital companies for which earned and vested tax credits will be allowed in any year to any one investor or its affiliates shall be limited to ten million dollars.

4. Except as provided in subsection 5 of this section, the aggregate amount of certified capital for which earned and vested credits against state premium tax liability are allowed for all persons pursuant to sections 135.500 to 135.529 shall not exceed the following amounts: for calendar year 1996, \$0.00; for calendar year 1997, an amount which would entitle all Missouri certified capital company investors to take aggregate credits of five million dollars; and for any year thereafter, an additional amount to be determined by the director but not to exceed aggregate credits of ten million dollars for any year with the approval of the commissioner of administration and reported to the general assembly as provided in subsection 2 of section 33.282, RSMo, provided that the amount so determined shall not impair the ability of an investor with earned and vested credits which have been allowed in previous years to take them, pursuant to subsection 1 of this section. During any calendar year in which the limitation described in this subsection will limit the amount of certified capital for which earned and vested credits against state premium tax liability are allowed, certified capital for which credits are allowed will be allocated in order of priority based upon the date of filing of information described in subdivision (1) of subsection 5 of section 135.516. [Certified capital limited in any calendar year by the application of the provisions of this subsection shall be allowed and allocated in the immediately succeeding calendar year in the order of priority set forth in this subsection.] The department shall make separate allocations of certified capital for which credits are allowed under the limitations described in this subsection and under the limitations described in subsection 5 of this section.

5. In addition to the maximum amount pursuant to subsection 4 of this section, the aggregate amount of certified capital for which earned and vested credits against state premium tax liability are allowed for persons pursuant to sections 135.500 to 135.529 shall be the following: for calendar year 1999 [and for any year thereafter,] an amount to be determined by the director which would entitle all Missouri certified capital company investors to take aggregate credits not to exceed four million dollars for any year; **and for calendar year 2002, an amount to be determined by the director, but not to exceed forty million dollars, entitling all Missouri certified capital company investors in the applicable funds to take aggregate credits not to exceed four million dollars for any year,** with the approval of the commissioner of administration and reported to the general assembly as provided in subsection 2 of section 33.282, RSMo, provided that the amount so determined shall not impair the ability of an investor with earned and vested credits which have been allowed in previous years or pursuant to the provisions of subsection 4 **or 5** of this section to take them, pursuant to subsection 1 of this section. For purposes of any requirement regarding the schedule of qualified investments for certified capital for which earned and vested credits against state premium tax liability are allowed pursuant to this subsection only, the definition of a "qualified Missouri business" as set forth in subdivision [(13)] **(15)** of subsection 2 of section 135.500 means:

(a) A Missouri business that is located in a distressed community as defined in section 135.530, **has at least eighty percent of its employees in distressed communities,** and meets all of the requirements of subdivision [(13)] **(15)** of subsection 2 of section 135.500, except that its gross sales during its most recent complete fiscal year shall not have exceeded five million dollars; **or**

(b) **With respect to certified capital invested in 2002, a qualified Missouri agricultural business.**

During any calendar year in which the limitation described in this subsection limits the amount of additional certified capital for which earned and vested credits against state premium tax liability are allowed, additional certified capital for which credits are allowed shall be allocated in order of priority based upon the date of filing of information described in subdivision (1) of subsection 5 of section 135.516 with respect to such additional certified capital. The department shall make separate allocations of certified capital for which credits are allowed under the limitations described in this subsection and under the limitations described in subsection 4 of this section. No limitation applicable to any certified capital company with respect to certified capital for which credits are allowed pursuant to subsection 4 of this section shall limit the amount of certified capital for which credits are allowed pursuant to this subsection. No limitation applicable to any certified capital company with respect to certified capital for which credits are allowed pursuant to this subsection shall limit the amount of certified capital for which credits are allowed pursuant to subsection 4 of this section.

6. The department shall advise any Missouri certified capital company, in writing, within fifteen days after receiving the filing described in subdivision (1) of subsection 5 of section 135.516 whether the limitations of subsection [3] **4 or 5** of this section then in effect will be applicable with respect to the investments and credits described in such filing with the department.

7. In no event shall the cumulative amount of tax credits authorized by this section exceed one hundred eighty million dollars.

135.508. 1. The department may certify profit or not-for-profit entities which submit an application to be

designated as a Missouri certified capital company. The department shall review the organizational documents for each applicant for certification and the business history of the applicant, determine that the Missouri certified capital company's cash, marketable securities and other liquid assets are at least five hundred thousand dollars, determine that the liquid asset base for certified companies is at least five hundred thousand dollars at all times during the company's participation in the program authorized by sections 135.500 to 135.529, and determine that the officers and the board of directors, partners, trustees or managers are thoroughly acquainted with the requirements of sections 135.500 to 135.529.

2. To be certified, at least two of the principals have a minimum of five years of experience making venture capital investments out of private equity funds, with no less than twenty million dollars being provided by third-party investors for investment in the early stage of operating businesses. At least one full-time manager or principal of the certified capital company who has such experience must be primarily located in an office of the certified capital company which is based in this state.

3. To be certified, there must be no evidence that the applicant has:

(1) Violated any provision of this law;
(2) Made a material misrepresentation or false statement or concealed any essential or material fact from any person during the application process or with respect to information and reports required of certified capital companies pursuant to this law;

(3) Been convicted of, or entered a plea of guilty or nolo contendere to, a crime against the laws of this state or any other state or of the United States or any other country or government, including a fraudulent act in connection with the operation of a certified capital company, or in connection with the performance of fiduciary duties in another capacity;

(4) Been adjudicated liable in a civil action on grounds of fraud, embezzlement, misrepresentation or deceit; or

(5) Been the subject of any decision, finding, injunction, suspension, prohibition, revocation, denial, judgment or administrative order by any court of competent jurisdiction, administrative law judge, or any state or federal agency, national securities, commodities, or option exchange, or national securities, commodities or option association, involving a material violation of any federal or state securities or commodities law or any rule or regulation adopted pursuant to such law, or any rule or regulation of any national securities, commodities or options exchange, or national securities, commodities or options association; or

(6) Been the subject of any injunction or adverse administrative order by a state or federal agency regulating banking, insurance, finance or small loan companies, real estate, mortgage brokers or other related or similar industries.

4. No insurance company which receives tax credits permitted under sections 135.500 to 135.529 for an investment in a Missouri certified capital company shall, individually or with or through one or more affiliates, be a managing general partner of or control the direction of investments of that Missouri certified capital company. Within seventy-five days of application, the department shall either issue the certification and notify the department of revenue and the director of the department of insurance of such certification or shall refuse the certification and communicate in detail to the applicant the grounds for the refusal, including the suggestions for the removal of those grounds.

5. The department shall be responsible for the administration of the tax credits authorized by sections 135.500 to 135.529. No rule or portion of a rule promulgated under the authority of sections 135.500 to 135.529 shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo. All rulemaking authority delegated prior to June 27, 1997, is of no force and effect and repealed; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to June 27, 1997, if such rule complied with the provisions of chapter 536, RSMo. The provisions of this section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, including the ability to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule, are subsequently held unconstitutional, then the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void.

135.516. 1. To continue to be certified, a Missouri certified capital company shall make qualified investments according to the following schedule:

(1) Within two years after the date on which a Missouri certified capital company is designated as a Missouri certified capital company at least twenty-five percent of its certified capital shall be, or have been, placed in qualified investments;

(2) Within three years after the date on which a Missouri certified capital company is designated as a Missouri

certified capital company at least forty percent of its certified capital shall be, or have been, placed in qualified investments;

(3) Within four years after the date on which a Missouri certified capital company is designated as a Missouri certified capital company, at least fifty percent of its total certified capital shall be, or have been, placed in qualified investments. A Missouri certified capital company may not make an investment in an affiliate of the certified capital company. For the purposes of this subsection, if a legal entity is not an affiliate before a certified capital company initially invests in the entity, it will not be an affiliate if a certified capital company provides additional investment in such entity subsequent to its initial investment;

(4) A certified capital company, at least fifteen working days prior to making what it determines to be an initial qualified investment in a specific qualified Missouri business, shall certify to the department that the company in which it proposes to invest meets the definition of a qualified Missouri business pursuant to subdivision (14) of subsection 2 of section 135.500. The certified capital company shall state the amount of capital it intends to invest and the name of the business in which it intends to invest. The certified capital company shall also provide to the department an explanation of its determination that the business meets the definition of a qualified Missouri business. If the department determines that the business does not meet the definition of a qualified Missouri business, it shall, within the fifteen-working-day period prior to the making of the proposed investment, notify the certified capital company of its determination and an explanation thereof. If the department fails to notify the certified capital company with respect to the proposed investment within the fifteen-working-day period prior to the making of the proposed investment, the company in which the certified capital company proposes to invest shall be deemed to be a qualified Missouri business. If a certified capital company fails to notify the department prior to making an initial investment in a business, the department may subsequently determine that the business in which the certified capital company invested was not a qualified Missouri business even though the business, at the time of the investment, met the requirements of subdivision (14) of subsection 2 of section 135.500;

(5) All certified capital which is not required to be placed in qualified investments or which has been placed in qualified investments and can be received by the company[, may be held or invested in such manner as the Missouri certified capital company, in its discretion, deems appropriate]:

- (a) **Shall be held in a financial institution or held by a registered broker-dealer;**
- (b) **Shall not be invested in a certified investor of the certified capital company or any affiliate of the certified investor of the certified capital company;**
- (c) **Shall be invested only in:**
 - a. **Any United States Treasury obligations;**
 - b. **Certificates of deposit or other obligations, maturing within three years after acquisitions of such certificates or obligations, issued by a financial institution or trust company incorporated pursuant to the laws of the United States;**
 - c. **Obligations which (i) are rated "A" or better by any nationally recognized credit rating agency, or (ii) issued by, or guaranteed with respect to payment by, an entity whose unsecured indebtedness is rated "A" or better by any nationally recognized credit rating agency and which is not subordinated to other unsecured indebtedness of the issuer or guarantor, as the case may be;**
 - d. **Mortgage-backed securities, with an average life of five years or less, after the acquisition of such securities, which are rated "A" or better by any nationally recognized credit rating agency;**
 - e. **Collateralized mortgage obligations and real estate mortgage investment conduits that are direct obligations of an agency of the United States government, are not private-label issues, are in book-entry form, and do not include the classes of interest only, principal only, residual or zero; or**
 - f. **Interests in money market funds, the portfolio of which is limited to cash and obligations described in subparagraphs a to e of this paragraph.**

2. The proceeds of all certified capital which is received by a certified capital company after it was originally placed in qualified investments may be placed again in qualified investments and shall count toward any requirement in sections 135.500 to 135.529 with respect to placing certified capital in qualified investments.

[2.] 3. A certified capital company may make qualified distributions at any time. In order to make distributions, other than qualified distributions, a certified capital company must have placed an amount cumulatively equal to one hundred percent of its certified capital in qualified investments, **and, with respect to qualified investments made with certified capital raised after August 28, 2001, twenty-five percent of such qualified investment must be in qualified Missouri agricultural businesses.** Cumulative distributions to equity holders, other than qualified distributions, in excess of the certified capital company's original certified capital and any additional capital contributions to the certified

capital company shall be subject to audit by a nationally recognized certified public accounting firm acceptable to the department, at the expense of the certified capital company. The audit shall determine whether aggregate cumulative distributions to all investors and equity holders, other than qualified distributions, when combined with all tax credits utilized by investors pursuant to sections 135.500 to 135.529, have resulted in an annual internal rate of return of fifteen percent computed on the sum of total original certified capital of the certified capital company and any additional capital contributions to the certified capital company. Twenty-five percent of distributions made, other than qualified distributions, in excess of the amount required to produce a fifteen percent annual internal rate of return, as determined by the audit, shall be payable by the certified capital company to the Missouri development finance board. Distributions or payments to debt holders of a certified capital company, however, may be made without restriction with respect to debt owed to them by a certified capital company. A debt holder that is also an investor or equity holder of a certified capital company may receive distributions or payments with respect to such debt without restriction.

4. In the event that a business in which a qualified investment is made fails to comply with its agreement to retain its headquarters and principal business operations in the state, or in a distressed community, if the investment is to be credited to a distressed community allocation, for three years following any qualified investment, by relocating its headquarters or principal business operations of such business within the state to another state, the cumulative amount of qualified investment shall be reduced for purposes of this subsection only by the amount of such qualified investment, unless:

(1) The certified capital company invests an amount of at least equal to the investment of certified capital in the relocated business in a qualified business located in the state or in a distressed community, if the investment is to be credited to a distressed community allocation, within six months of the relocation; or

(2) The business demonstrates that it has returned its principal business operations to Missouri or a distressed community, if the investment is to be credited to a distressed community allocation, within three months of such relocation.

[3.] **5.** No qualified investment may be made at a cost to a Missouri certified capital company greater than fifteen percent of the total certified capital under management of the Missouri certified capital company at the time of investment.

[4.] **6.** Documents and other materials submitted by Missouri certified capital companies or by businesses for purposes of the continuance of certification may be deemed "closed records" pursuant to the provisions of section 620.014, RSMo.

[5.] **7.** Each Missouri certified capital company shall report the following to the department:

(1) As soon as practicable after the receipt of certified capital, the name of each investor from which the certified capital was received, the amount of each investor's investment of certified capital and tax credits computed without regard to any limitations under subsection [3] 4 of section 135.503, and the date on which the certified capital was received;

(2) On a quarterly basis, the amount of the Missouri certified capital company's certified capital at the end of the quarter, whether or not the Missouri certified capital company has invested more than fifteen percent of the total certified capital under management in any one company, and all qualified investments that the Missouri certified capital company has made;

(3) Each Missouri certified capital company shall provide annual audited financial statements to the department which include an opinion of an independent certified public accountant to the department within ninety days of the close of the fiscal year. The audit shall address the methods of operation and conduct of the business of the Missouri certified capital company to determine if the Missouri certified capital company is complying with the statutes and program rules and that the funds received by the Missouri certified capital company have been invested as required within the time limits provided by sections 135.500 to 135.529.

135.527. 1. On an annual basis, on or before January thirty-first, each certified capital company shall file with the department, on forms or in a manner prescribed by the department, a report for the period ending December thirty-first of the immediately preceding calendar year:

(1) The total dollar amount the certified capital company received from certified investors, the identity of the certified investors and the amount received from each certified investor;

(2) The total dollar amount the certified capital company invested and the amount invested in qualified businesses, together with the identity and location of those businesses and the amount invested in each qualified business; and

(3) The total number of permanent, full-time jobs either created or retained by the qualified business, the average wage of the jobs created or retained, the industry sectors in which the qualified businesses operate and

any additional capital invested in qualified businesses from sources other than certified capital companies.

2. The report shall be verified by one or more principals of the certified capital company submitting the form.

3. The department may audit and examine the accounts, books or records of certified capital companies, certified investors and qualified Missouri businesses that received qualified investments for the purpose of ascertaining the correctness of any report filed, and to ascertain a certified capital company's compliance with the provisions of sections 135.500 to 135.529.

4. Beginning on March 31, 2002, and on March thirty-first of each even-numbered year thereafter, the department shall report on a biennial basis to the governor, the speaker of the house of representatives, and the president pro tempore of the senate on or before April first:

(1) The total dollar amount each certified capital company received from all certified investors and any other investor, the identity of the certified investors, and the total amount of premium tax credit used by each certified investor for the previous calendar year;

(2) The total dollar amount invested by each certified capital company and that portion invested in qualified businesses, the identity and location of those businesses, the amount invested in each qualified business and the total number of permanent, full-time jobs created or retained by each qualified business; and

(3) The return for the state as a result of the certified capital company investments, including the extent to which:

- (a) Certified capital company investments have contributed to employment growth;
- (b) The wage level of businesses in which certified capital companies have invested exceeds the average wage for the county in which the jobs are located; and
- (c) The investments of the certified capital companies in qualified businesses have contributed to expanding or diversifying the economic base of the state."; and

Further amend said bill, Page 72, Section 135.530, Line 16 of said page, by inserting after all of said line the following:

"[135.535. 1. A corporation, limited liability corporation, partnership or sole proprietorship, which moves its operations from outside Missouri or outside a distressed community into a distressed community, or which commences operations in a distressed community on or after January 1, 1999, and in either case has more than seventy-five percent of its employees at the facility in the distressed community, and which has fewer than one hundred employees for whom payroll taxes are paid, and which is a manufacturing, biomedical, medical devices, scientific research, animal research, computer software design or development, computer programming, telecommunications or a professional firm shall receive a forty percent credit against income taxes owed pursuant to chapter 143, 147 or 148, RSMo, other than taxes withheld pursuant to sections 143.191 to 143.265, RSMo, for each of the three years after such move, if approved by the department of economic development, which shall issue a certificate of eligibility if the department determines that the taxpayer is eligible for such credit. The maximum amount of credits per taxpayer set forth in this subsection shall not exceed one hundred twenty-five thousand dollars for each of the three years for which the credit is claimed. The department of economic development, by means of rule or regulation promulgated pursuant to the provisions of chapter 536, RSMo, shall assign appropriate standard industrial classification numbers to the companies which are eligible for the tax credits provided for in this section. Such three-year credits shall be awarded only one time to any company which moves its operations from outside of Missouri or outside of a distressed community into a distressed community or to a company which commences operations within a distressed community. A taxpayer shall file an application for certification of the tax credits for the first year in which credits are claimed and for each of the two succeeding taxable years for which credits are claimed.

2. Employees of such facilities physically working and earning wages for that work within a distressed community whose employers have been approved for tax credits pursuant to subsection 1 of this section by the department of economic development for whom payroll taxes are paid shall, also be eligible to receive a tax credit against individual income tax, imposed pursuant to chapter 143, RSMo, equal to one and one-half percent of their gross salary paid at such facility earned for each of the three years that the facility receives the tax credit provided by this section, so long as they were qualified employees of such entity. The employer shall calculate the amount of such credit and shall report the amount to the employee and the department of revenue.

3. A tax credit against income taxes owed pursuant to chapter 143, 147 or 148, RSMo, other than the taxes withheld pursuant to sections 143.191 to 143.265, RSMo, in lieu of the credit against income taxes as provided in

subsection 1 of this section, may be taken by such an entity in a distressed community in an amount of forty percent of the amount of funds expended for computer equipment and its maintenance, medical laboratories and equipment, research laboratory equipment, manufacturing equipment, fiber optic equipment, high speed telecommunications, wiring or software development expense up to a maximum of seventy-five thousand dollars in tax credits for such equipment or expense per year per entity and for each of three years after commencement in or moving operations into a distressed community. A corporation, partnership or sole proprietorship, which has no more than one hundred employees for whom payroll taxes are paid, and which is already located in a distressed community, which expends funds for such equipment as set forth in this subsection in an amount exceeding its average of the prior two years for such equipment, shall be eligible to receive a twenty-five percent tax credit against income taxes owed pursuant to chapters 143, 147 and 148, RSMo, up to a maximum of seventy-five thousand dollars in tax credits for such additional equipment and expense per such entity. Tax credits pursuant to this subsection or subsection 1 may be used to satisfy the state tax liability due in the tax year the credit is certified, and that was due during the previous three years, and in any of the five tax years thereafter.

4. Tax credits shall be approved for applicants meeting the requirements of this section in the order that such applications are received. Certificates of tax credits issued in accordance with this section may be transferred, sold or assigned by notarized endorsement which names the transferee.

5. The tax credits allowed pursuant to subsections 1, 2 and 3 of this section shall be for an amount of no more than ten million dollars for each year beginning in 1999. The total maximum credit for all entities already located in distressed communities and claiming credits pursuant to subsection 3 of this section shall be seven hundred and fifty thousand dollars. The department of economic development in approving tax payers for the credit as provided for in subsection 4 of this section shall use information provided by the department of revenue regarding taxes paid in the previous year, or projected taxes for those entities newly established in the state, as the method of determining when this maximum will be reached and shall maintain a record of the order of approval. Any tax credit not used in the period for which the credit was approved may be carried over until the full credit has been allowed.

6. A Missouri employer relocating into a distressed community and having employees covered by a collective bargaining agreement at the facility from which it is relocating shall not be eligible for the credits in subsection 1 or 3 of this section, and its employees shall not be eligible for the credit in subsection 2 of this section if the relocation violates or terminates a collective bargaining agreement covering employees at the facility, unless the affected collective bargaining unit concurs with the move.

7. Notwithstanding any provision of law to the contrary, no taxpayer shall earn the tax credits allowed in this section and the tax credits otherwise allowed in section 135.110, or the tax credits, exemptions, and refund otherwise allowed in sections 135.200, 135.220, 135.225 and 135.245, respectively, for the same business for the same tax period.

8. An existing business located within a distressed community, that hires new employees within such distressed communities may be eligible for the tax credits provided in this section. In order to be eligible for such tax credits, the business located within the distressed community, during one of its tax years, must employ within such distressed communities at least twice as many workers as were employed at the beginning of that tax year. Prior to the addition of the new employees, the business shall have no more than one hundred employees. The provisions of this section shall apply only to a business which is a manufacturing, biomedical, medical devices, scientific research, animal research, computer software design or development, computer programming, or telecommunications business or a professional firm.]

135.535. 1. A corporation, limited liability corporation, partnership or sole proprietorship, which moves its operations from outside Missouri or outside a distressed community into a distressed community, or which commences operations in a distressed community on or after January 1, 1999, and in either case has more than [seventy-five] **sixty** percent of its employees at [the facility] **facilities** in [the] distressed [community] **communities**, and which has fewer than one hundred **fifty** employees for whom payroll taxes are paid, and which is a manufacturing, biomedical, medical devices, scientific research, animal research, computer software design or development, computer programming, telecommunications or a professional firm shall receive a forty percent credit against income taxes owed pursuant to chapter 143, 147 or 148, RSMo, other than taxes withheld pursuant to sections 143.191 to 143.265, RSMo, for each of the three years after such move, if approved by the department of economic development, which shall issue a certificate of eligibility if the department determines that the taxpayer is eligible for such credit. The maximum amount of credits per taxpayer set forth in this subsection shall not exceed one hundred twenty-five thousand dollars for each of the three years for which the credit is claimed. The department of economic development, by means of rule or regulation promulgated pursuant to the provisions of chapter 536, RSMo, shall [assign] **specify which** appropriate standard industrial classification numbers [to the companies which are], **or North American Industrial Classification System**

numbers assigned to a business make the business eligible for the tax credits provided for in this section. Such three-year credits shall be awarded only one time to any company which moves its operations from outside of Missouri or outside of a distressed community into a distressed community or to a company which commences operations within a distressed community. A taxpayer shall file an application for certification of the tax credits for the first year in which credits are claimed and for each of the two succeeding taxable years for which credits are claimed.

2. Employees of such facilities physically working and earning wages for that work within a distressed community whose employers have been approved for tax credits pursuant to subsection 1 of this section by the department of economic development for whom payroll taxes are paid shall, also be eligible to receive a tax credit against individual income tax, imposed pursuant to chapter 143, RSMo, equal to one and one-half percent of their gross salary paid at such facility earned for each of the three years that the facility receives the tax credit provided by this section, so long as they were qualified employees of such entity. The employer shall calculate the amount of such credit and shall report the amount to the employee and the department of revenue.

3. A tax credit against income taxes owed pursuant to chapter 143, 147 or 148, RSMo, other than the taxes withheld pursuant to sections 143.191 to 143.265, RSMo, in lieu of the credit against income taxes as provided in subsection 1 of this section, may be taken by such an entity in a distressed community in an amount of forty percent of the amount of funds expended for **the purchase of or at least a two-year lease of** computer equipment and its maintenance, medical laboratories and equipment, research laboratory equipment, manufacturing equipment, fiber optic equipment, high speed telecommunications, wiring or software development expense up to a maximum of [seventy-five] **one hundred fifty** thousand dollars in tax credits for such equipment or expense per year per entity and for each of three years after commencement in or moving operations into a distressed community. **The maximum tax credit allowed pursuant to this subsection shall apply to entities which have previously qualified for a tax credit pursuant to this subsection for future tax years for which such entities qualify.**

4. A corporation, partnership or sole partnership, which has no more than one hundred employees for whom payroll taxes are paid, which is already located in a distressed community and which expends funds for such equipment pursuant to subsection 3 of this section in an amount exceeding its average of the prior two years for such equipment, shall be eligible to receive a tax credit against income taxes owed pursuant to chapters 143, 147 and 148, RSMo, in an amount equal to the lesser of seventy-five thousand dollars or twenty-five percent of the funds expended for such additional equipment per such entity. Tax credits allowed pursuant to this subsection or subsection 1 of this section may be carried back to any of the three prior tax years and carried forward to any of the five tax years.

5. An existing corporation, partnership or sole proprietorship that is located within a distressed community and that relocates employees from another facility outside of the distressed community to its facility within the distressed community, and an existing business located within a distressed community that hires new employees for that facility may both be eligible for the tax credits allowed by subsections 1 and 3 of this section. To be eligible for such tax credits, such a business, during one of its tax years, shall employ within a distressed community at least twice as many employees as were employed at the beginning of that tax year. A business hiring employees shall have no more than [one] **two hundred employees in the distressed community** before the addition of the new employees. This subsection shall only apply to a business which is a manufacturing, biomedical, medical devices, scientific research, animal research, computer software design or development, computer programming or telecommunications business, or a professional firm.

6. Tax credits shall be approved for applicants meeting the requirements of this section in the order that such applications are received. Certificates of tax credits issued in accordance with this section may be transferred, sold or assigned by **filing a notarized endorsement thereof with the department** which names the transferee **and the amount of tax credits transferred, and any revocation, partial revocation or repayment of a tax credit issued pursuant to this section shall apply only to the original applicant for the tax credit and not to a good faith subsequent purchaser or transferee thereof.**

7. The tax credits allowed pursuant to subsections 1, 2, 3, 4 and 5 of this section shall be for an amount of no more than [ten] **seven million five hundred thousand** dollars for each year beginning in 1999. The total maximum credit for all entities already located in distressed communities and claiming credits pursuant to subsection 4 of this section shall be seven hundred and fifty thousand dollars. The department of economic development in approving taxpayers for the credit as provided for in subsection 6 of this section shall use information provided by the department of revenue regarding taxes paid in the previous year, or projected taxes for those entities newly established in the state, as the method of determining when this maximum will be reached and shall maintain a record of the order of approval. Any tax credit not used in the period for which the credit was approved may be carried over until the full credit has been allowed.

8. A Missouri employer relocating into a distressed community and having employees covered by a collective bargaining agreement at the facility from which it is relocating shall not be eligible for the credits in subsection 1, 3, 4 or 5 of this section, and its employees shall not be eligible for the credit in subsection 2 of this section if the relocation violates or terminates a collective bargaining agreement covering employees at the facility, unless the affected collective bargaining unit concurs with the move.

9. Notwithstanding any provision of law to the contrary, no taxpayer shall earn the tax credits allowed in this section and the tax credits otherwise allowed in section 135.110, or the tax credits, exemptions, and refund otherwise allowed in sections 135.200, 135.220, 135.225 and 135.245, respectively, for the same business for the same tax period. **A change in ownership or control of a taxpayer shall not revoke or otherwise restrict the tax credits allowed pursuant to this section.**

135.545. A taxpayer shall be allowed a credit for taxes paid pursuant to chapter 143, 147 or 148, RSMo, in an amount equal to fifty percent of a qualified investment in transportation development for aviation, mass transportation, including parking facilities for users of mass transportation, railroads, ports, including parking facilities and limited access roads within ports, waterborne transportation, bicycle and pedestrian paths, or rolling stock located in a distressed community as defined in section 135.530, and which are part of a development plan approved by the appropriate local agency. If the department of economic development determines the investment has been so approved, the department shall grant the tax credit in order of date received. A taxpayer may carry forward any unused tax credit for up to ten years and may carry it back for the previous three years until such credit has been fully claimed. Certificates of tax credit issued in accordance with this section may be transferred, sold or assigned by notarized endorsement which names the transferee. The tax credits allowed pursuant to this section shall be for an amount of no more than [ten] **seven million five hundred thousand** dollars for each year. This credit shall apply to returns filed for all taxable years beginning on or after January 1, 1999. [Any unused portion of the tax credit authorized pursuant to this section shall be available for use in the future by those entities until fully claimed.]; and

Further amend said bill, Page 112, Section 347.189, Line 21 of said page, by inserting after all of said line the following:

"348.300. As used in sections 348.300 to 348.318, the following terms mean:

(1) "Commercial activity located in Missouri", any research, development, prototype fabrication, and subsequent precommercialization activity, or any activity related thereto, conducted in Missouri for the purpose of producing a service or a product or process for manufacture, assembly or sale or developing a service based on such a product or process by any person, corporation, partnership, joint venture, unincorporated association, trust or other organization doing business in Missouri. Subsequent to January 1, 1999, a commercial activity located in Missouri shall mean only such activity that is located within a distressed community, as defined in section 135.530, RSMo;

(2) "Follow-up capital", capital provided to a commercial activity located in Missouri **or any other Missouri business** in which a qualified fund has previously invested seed capital or start-up capital **within the previous three years** and which does not exceed ten times the amount of such seed and start-up capital;

(3) "Qualified contribution", cash contribution to a qualified fund;

(4) "Qualified economic development organization", any corporation organized under the provisions of chapter 355, RSMo, which has as of January 1, 1991, obtained a contract with the department of economic development to operate an innovation center to promote, assist and coordinate the research and development of new services, products or processes in the state of Missouri; and the Missouri technology corporation organized pursuant to the provisions of sections 348.253 to 348.266;

(5) "Qualified fund", any corporation, partnership, joint venture, unincorporated association, trust or other organization which is established under the laws of Missouri after December 31, 1985, which meets all of the following requirements established by this subdivision. The fund shall have as its sole purpose and business the making of investments, of which at least ninety percent of the dollars invested shall be qualified investments. The fund shall enter into a contract with one or more qualified economic development organizations which shall entitle the qualified economic development organizations to receive not less than ten percent of all distributions of equity and dividends or other earnings of the fund **only when such distributions of equity and dividends are made or other earnings are distributed**. Such contracts shall require the qualified fund to transfer to the Missouri technology corporation organized pursuant to the provisions of sections 348.253 to 348.266, this interest and make corresponding distributions thereto in the event the qualified economic development organization holding such interest is dissolved or ceases to do business for a period of one year or more;

(6) "Qualified investment", any investment of seed capital, start-up capital, or follow-up capital in any commercial activity located in Missouri;

(7) "Person", any individual, corporation, partnership or other entity;

(8) "Seed capital", capital provided to a commercial activity located in Missouri for research, development and precommercialization activities to prove a concept for a new product or process or service, and for activities related thereto;

(9) "Start-up capital", capital provided to a commercial activity located in Missouri for use in preproduction product development or service development or initial marketing thereof, and for activities related thereto;

(10) "State tax liability", any state tax liability incurred by a taxpayer under the provisions of chapters 143, 147 and 148, RSMo, exclusive of the provisions relating to the withholding of tax as provided for in sections 143.191 to 143.265, RSMo, and related provisions;

(11) "Uninvested capital", the amount of any distribution, other than of earnings, by a qualified fund made within five years of the issuance of a certificate of tax credit as provided by sections 348.300 to 348.318; or the portion of all qualified contributions to a qualified fund which are not invested as qualified investments within five years of the issuance of a certificate of tax credit as provided by sections 348.300 to 348.318 to the extent that the amount not so invested exceeds ten percent of all such qualified contributions."; and

Further amend said bill, Page 119, Section 447.700, Line 10 of said page, by inserting after all of said line the following:

"[620.1400. Sections 620.1400 to 620.1460 shall be known and may be cited as the "Missouri Individual Training Account Program Act" and its provisions shall be effective only within distressed communities as defined by section 135.530, RSMo.]

[620.1410. There is hereby established an "Individual Training Account Program" within the department of economic development. Job training and retraining activities conducted pursuant to the provisions of sections 620.1400 to 620.1460 shall be directed to employee advancement, where jobs are linked to training before the training commences, and shall emphasize upgrade training where current or potential employers, by means of educational programs, provide existing employees with training for higher skilled positions. Job training activities provided pursuant to the provisions of the individual training account program shall attempt to prepare employed workers, including those with obsolete or inadequate job skills, for positions that remain unfilled or that may be created by current or potential employers.]

[620.1420. As used in sections 620.1400 to 620.1460, the following terms mean:

(1) "Costs of classroom training", the normal costs incurred in the provision of classroom training which may also include specifically identified costs incurred for instructors, classroom space and facilities, administrative support services, and directly related expenses, that together do not exceed the amount normally allowed for support of vocational and technical classes;

(2) "Department", the department of economic development;

(3) "Employee", a full-time or part-time employed worker whose salary is equal to or less than two hundred percent of the federal poverty level;

(4) "Employee upgrade training", the progressive development of skills associated with the defined set of work processes. Such training shall be consistent with a career pattern of advancement, as measured by skill proficiency and the progressive earnings and related benefits, that are recognized within an occupation, trade or industry;

(5) "Individual training account", an account funded by the tax credits provided for in section 620.1440 for the provision of employee upgrade training to employees through their participation in classroom training provided by educational institutions;

(6) "Local educational institution", a publicly funded or privately funded local educational institution which is certified by a recognized accrediting association as capable of providing adequate classroom training to accomplish the purpose of sections 620.1400 to 620.1460.]

[620.1430. 1. A Missouri employer who desires to participate in the individual training account program shall provide the department of economic development with notification of intent to participate. The notification shall include, but need not be limited to, the names and occupations of employees whom the employer has selected to be trained, whether or not the employees are currently working for the employer, the name of the local educational institution that will provide the training, and a brief description of the training to be given by the institution.

2. The employer shall have complete discretion in the selection of the local educational institution or institutions

to provide training and shall be responsible for the payment of the costs of classroom training.]

[620.1440. 1. Employers may be reimbursed for the costs of training provided pursuant to the provisions of the individual training account program. Such reimbursement shall be in the form of tax credits as authorized in subsection 2 of this section. The tax credits may be claimed for courses provided in no more than two calendar years for each employee. For each year, the maximum amount of credit per employee which can be certified by the department of economic development shall be the lesser of fifty percent of the costs of classroom training or one thousand five hundred dollars.

2. Tax credits may be claimed against any liability incurred by the employer pursuant to the provisions of chapter 143, RSMo, and chapter 148, RSMo, exclusive of the provisions relating to the withholding of tax as provided for in sections 143.191 to 143.265, RSMo. Earned tax credits may be carried forward for a period not to exceed five years and may be sold or transferred.

3. No claim for tax credits submitted to the department by an employer shall be certified until the employer provides documentation that an employee has successfully completed the employee's course training and has been employed by the employer in a new, full-time position for a period of at least three months. It must be demonstrated satisfactorily to the department that the new position in which the employee located is an upgrade in employment, in terms of salary and responsibilities, from the previously held position. All such increases in salary shall be in addition to normal cost-of-living increases provided for in authorized labor-management contracts. If the employee was previously employed in a part-time position, the base salary for the position shall be calculated as if it were a full-time position.]

[620.1450. The maximum amount of tax credits allowable pursuant to the provisions of the individual training account program shall not annually exceed six million dollars.]

[620.1460. The department of economic development may promulgate necessary rules and regulations to carry out the provisions of sections 620.1400 to 620.1460. No rule or portion of a rule promulgated pursuant to the authority of sections 620.1400 to 620.1460 shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.]";and

Further amend said bill, Page 130, Section 1, Line 10 of said page, by inserting after all of said line the following:

"Section B. Because of the need to reallocate and extend the tax credits contained in this section, the repeal and reenactment of sections 135.150, 135.400, 135.403, 135.408, 135.411, 135.423, 135.535, 135.545 and 348.300, and the repeal of sections 135.535, 620.1400, 620.1410, 620.1420, 620.1430, 620.1440, 620.1450 and 620.1460 of section A of this act are deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and are hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 135.150, 135.400, 135.403, 135.408, 135.411, 135.423, 135.535, 135.545 and 348.300, and the repeal of sections 135.535, 620.1400, 620.1410, 620.1420, 620.1430, 620.1440, 620.1450 and 620.1460 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Scheve, **House Amendment No. 23** was adopted.

Representative Bray offered **House Amendment No. 24**.

House Amendment No. 24

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Page 112, Section 347.189, Line 21, by adding after all of said line the following:

"348.302. 1. Any person who makes a qualified contribution to a qualified fund shall be entitled to receive a tax credit equal to sixty percent of the amount of the qualified contribution. The tax credit shall be evidenced by a tax credit certificate in accordance with the provisions of sections 348.300 to 348.318 and may be used to satisfy the state tax liability of the owner of such certificate that becomes due in the tax year in which the qualified contribution is made, or in any of the ten tax years thereafter. No person may receive a tax credit pursuant to sections 348.300 to 348.318

unless that person presents a tax credit certificate to the department of revenue for payment of such state tax liability.

2. The amount of such qualified contributions which can be made is limited so that the aggregate of all tax credits authorized [under] **pursuant to** the provisions of sections 348.300 to 348.318 shall not exceed [nine] **four** million dollars **per year plus any unused amounts from the previous year pursuant to sections 135.535 and 135.545, RSMo.** All tax credits authorized [under] **pursuant to** the provisions of this section may be transferred, sold or assigned **by filing a notarized endorsement thereof with the department which names the transferee and the amount of tax credits transferred.**"; and

Further amend said title, enacting clause and intersectional references.

On motion of Representative Bray, **House Amendment No. 24** was adopted.

Representative Portwood offered **House Amendment No. 25.**

House Amendment No. 25

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Page 74, Section 172.930, Line 24, by inserting after all of said section the following:

"177.086. 1. Any school district authorizing the construction of facilities which may exceed an expenditure of [twelve thousand five hundred] **twenty-five thousand** dollars shall publicly advertise[, for two successive weeks,] in a newspaper of general publication, located within the county in which said school district is located, or if there be no such newspaper, in a newspaper of general publication in an adjoining county for bids on said construction **for any two days of highest readership in a period of two consecutive weeks. It shall be sufficient notice for a school district to place a minimal notice in the newspaper pursuant to this subsection directing attention to full notice when the district also posts a full notice at the school district building headquarters and, if applicable, on the Internet.**

2. No bids shall be entertained by the school district which are not made in accordance with the specifications furnished by them and all contracts shall be let to the lowest responsible bidder complying with the terms of the letting, provided that the said school district shall have the right to reject any and all bids.

3. All bids must be submitted sealed and in writing, to be opened publicly at time and place of the district's choosing.

4. If a board of education, by unanimous decision of the whole board, declares the repair of a structure an emergency, the requirements of subsection 1 of this section shall be waived. The necessity of the repair must be the result of an unanticipated occurrence. The district shall make a reasonable effort to secure competitive bids for such repairs or replacements."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Portwood, **House Amendment No. 25** was adopted.

Representative Merideth offered **House Amendment No. 26.**

House Amendment No. 26

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Page 35, Section 71.194, Line 5, by inserting the following after said line:

"72.300. Any two or more municipalities which are adjoining or contiguous to each other on two or more sides and which are located in a county of the third class having a population of not less than [twenty-five] **twenty thousand** nor more than thirty thousand may provide for the absorption of the corporate existence and the territorial limits of one or more of the municipalities by another such municipality in the manner provided in sections 72.300 to 72.350."; and

Further amend said title, enacting clause and intersectional reference accordingly.

On motion of Representative Merideth, **House Amendment No. 26** was adopted.

Representative Shields offered **House Amendment No. 27**.

Representative Ransdall raised a point of order that **House Amendment No. 27** is dilatory.

The Chair ruled the point of order well taken.

Speaker Kreider resumed the Chair.

Representative Crump moved the previous question on the motion to adopt **HS HCS SB 125, as amended**.

Which motion was defeated by the following vote:

AYES: 067

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boykins	Bray 84	Britt
Campbell	Carnahan	Clayton	Copenhaver	Crump
Davis	Farnen	Foley	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Hickey
Hilgemann	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Kelly 27	Kelly 36
Kennedy	Koller	Lawson	Liese	Lowe
Luetkenhaus	McKenna	Merideth	Monaco	O'Toole
Overschmidt	Ransdall	Relford	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Treadway	Villa	Ward	Willoughby
Wilson 25	Mr. Speaker			

NOES: 071

Ballard	Barnett	Bartle	Bearden	Behnen
Berkstresser	Black	Boatright	Boucher	Brooks
Burcham	Burton	Byrd	Champion	Cierpiot
Coleman	Cooper	Crawford	Crowell	Cunningham
Curls	Dempsey	Enz	Fares	Ford
Gaskill	Griesheimer	Hanaway	Hartzler	Haywood
Hegeman	Hendrickson	Holand	Hunter	Jetton
Kelly 144	King	Legan	Levin	Linton
Luetkemeyer	Marble	Marsh	May 149	Mayer
Moore	Myers	Naeger	Ostmann	Phillips
Portwood	Purgason	Rector	Reid	Reinhart
Richardson	Ridgeway	Roark	Robirds	Ross
Schwab	Scott	Secrest	Shields	St. Onge
Surface	Thompson	Townley	Troupe	Walton
Wilson 42				

PRESENT: 002

Reynolds Williams

ABSENT WITH LEAVE: 020

Bartelsmeyer	Bowman	Dolan	Froelker	Harlan
Henderson	Hohulin	Kelley 47	Lograsso	Long
Mays 50	Miller	Murphy	Nordwald	O'Connor
Van Zandt	Vogel	Wagner	Wiggins	Wright

VACANCIES: 003

Representative Ward offered **House Amendment No. 27**.

Representative Byrd raised a point of order that **House Amendment No. 27** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Ballard offered **House Amendment No. 27**.

Representative Hoppe raised a point of order that **House Amendment No. 27** amends previously amended material.

The Chair ruled the point of order well taken.

Representative Skaggs offered **House Amendment No. 27**.

House Amendment No. 27

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Page 74, Section 138.020, Line 19, by inserting after all of said line the following:

"139.050. 1. In all constitutional charter cities in this state which have seven hundred thousand inhabitants or more, all current and all delinquent general, school and city taxes may be paid entirely, or in installments of at least twenty-five percent of the taxes, and the delinquent taxes shall bear interest at the rate provided by section 140.100, RSMo, and shall be subject to the fees provided by law.

2. The director of revenue shall issue receipts for the partial payments.

3. Subsection 1 of this section shall not apply to payments for real property taxes by financial institutions, as defined in section 381.410, RSMo, who pay tax obligations which they service from escrow accounts, as defined in Title 24, Part 3500, Section 17, Code of Federal Regulations.

139.052. 1. The governing body of any county may by ordinance or order provide for the payment of all or any part of current and delinquent real property taxes, in such installments and on such terms as the governing body deems appropriate. Additionally, the county legislative body may limit the right to pay such taxes in installments to certain classes of taxpayers, as may be prescribed by ordinance or order. Any delinquent taxes shall bear interest at the rate provided by section 140.100, RSMo, and shall be subject to the fees provided by law.

2. The county official charged with the duties of the collector shall issue receipts for any installment payments.

3. Installment payments made at any time during a tax year shall not affect the taxpayer's right to protest the amount of such tax payments under applicable provisions of law.

4. Subsection 1 of this section shall not apply to payment for real property taxes by financial institutions, as defined in section 381.410, RSMo, who pay tax obligations which they service from escrow accounts, as defined in Title 24, Part 3500, Section 17, Code of Federal Regulations.

139.053. 1. The governing body of any county, excluding township counties, may by ordinance or order provide for the payment of all or any part of current real and personal property taxes which are owed, at the option of the taxpayer, on an annual, semiannual or quarterly basis at such times as determined by such governing body.

2. The ordinance shall provide the method by which the amount of property taxes owed for the current tax year in which the payments are to be made shall be estimated. The collector shall submit to the governing body the procedures by which taxes will be collected pursuant to the ordinance or order. The estimate shall be based on the previous tax year's liability. A taxpayer's payment schedule shall be based on the estimate divided by the number of pay periods in which payments are to be made. The taxpayer shall at the end of the tax year pay any amounts owed in excess of the estimate for such year. The county shall at the end of the tax year refund to the taxpayer any amounts paid in excess of the property tax owed for such year. No interest shall be paid by the county on excess amounts owed to the taxpayer. Any refund paid the taxpayer pursuant to this subsection shall be an amount paid by the county only once in a calendar year.

3. If a taxpayer fails to make an installment payment of a portion of the real or personal property taxes owed to the county, then such county may charge the taxpayer interest on the amount of property taxes still owed for that year.

4. Any governing body enacting the ordinance or order specified in this section shall first agree to provide the county collector with reasonable and necessary funds to implement the ordinance or order.

5. Subsection 1 of this section shall not apply to payment for real property taxes by financial institutions, as defined in section 381.410, RSMo, who pay tax obligations which they service from escrow accounts, as defined in Title 24, Part 3500, Section 17, Code of Federal Regulations."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Skaggs, **House Amendment No. 27** was adopted.

Representative Walton offered **House Amendment No. 28**.

House Amendment No. 28

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Page 74, Section 138.020, Line 19 of said page, by adding after all of said line the following:

"162.386. 1. Notwithstanding any other provision of law to the contrary, in any seven-director school district which includes all of any village with a population of more than two thousand nine hundred but less than three thousand two hundred fifty inhabitants that is located within a county of the first classification with a charter form of government having a population of more than nine hundred thousand inhabitants, the state board of education shall, on or before December 1, 2001, and every ten years thereafter, establish subdistricts for such district. The subdistricts established by the state board shall be compact, contiguous and as nearly equal in population as practicable.

2. All board members elected or appointed in any such district shall be elected or appointed to represent one of the subdistricts, beginning with the first municipal general election after December 1, 2001. Each member shall be elected by the district at large and shall reside in the subdistrict for which he or she is elected, or, in the case of a vacancy, the subdistrict for which he or she is appointed.

3. Elected members of the board in office on December 1, 2001, shall hold office for the length of term for which they were elected, and any members appointed to fill vacancies in office occurring after December 1, 2001, shall serve for the remainder of the term to which the replaced member was elected.

4. At the first municipal general election to occur after December 1, 2001, the elections for these seats of any expiring terms of at-large board members shall be filled by persons elected from the lowest-numbered subdistricts, as those subdistricts are created and numbered by the state board of education. The second such municipal general election shall be for the lowest-numbered subdistricts not filled at the prior election, and the

third such election shall be for the remaining subdistricts not filled at the prior two elections.

5. The law governing school districts and seven-director school districts shall continue to apply to any district described in this section, except as expressly provided in this section."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Smith assumed the Chair.

Representative Walton moved that **House Amendment No. 28** be adopted.

Which motion was defeated by the following vote:

AYES: 049

Bearden	Behnen	Berkowitz	Bland	Boucher
Bowman	Boykins	Brooks	Burcham	Carnahan
Champion	Cierpiot	Clayton	Coleman	Curls
Enz	Ford	Franklin	Gaskill	Harding
Haywood	Hegeman	Hoppe	Hosmer	Johnson 61
Johnson 90	Liese	Marsh	May 149	Mayer
Monaco	Moore	Phillips	Portwood	Ransdall
Reid	Relford	Ridgeway	Ross	Scheve
Shelton	St. Onge	Thompson	Treadway	Troupe
Villa	Walton	Williams	Wilson 42	

NOES: 074

Baker	Ballard	Barnett	Barnitz	Barry 100
Bartle	Berkstresser	Black	Boatright	Bonner
Bray 84	Britt	Burton	Byrd	Campbell
Copenhaver	Crawford	Crowell	Davis	Dolan
Farnen	Fraser	George	Graham	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Hartzler	Hendrickson	Hickey	Holt	Jetton
Jolly	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Levin	Lowe	Luetkemeyer	Marble
McKenna	Murphy	Myers	Naeger	O'Toole
Ostmann	Purgason	Rector	Reinhart	Reynolds
Richardson	Rizzo	Roark	Robirds	Schwab
Scott	Secrest	Seigfreid	Selby	Shields
Shoemyer	Skaggs	Surface	Townley	Vogel
Ward	Willoughby	Wilson 25	Wright	

PRESENT: 010

Abel	Crump	Cunningham	Dempsey	Fares
Foley	Gambaro	Hilgemann	Lawson	Overschmidt

ABSENT WITHLEAVE: 027

Bartelsmeyer	Cooper	Froelker	Gratz	Harlan
Henderson	Hohulin	Holand	Hollingsworth	Hunter
Kelley 47	Koller	Legan	Linton	Lograsso
Long	Luetkenhaus	Mays 50	Merideth	Miller
Nordwald	O'Connor	Smith	Van Zandt	Wagner
Wiggins	Mr. Speaker			

VACANCIES: 003

Representative Shelton offered **House Amendment No. 29**.

Speaker Pro Tem Abel resumed the Chair.

Representative Hoppe raised a point of order that **House Amendment No. 29** amends previously amended material.

The Chair ruled the point of order well taken.

Representative Black offered **House Amendment No. 29**.

House Amendment No. 29

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Page 74, Section 172.930, by removing said section from the bill; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Black, **House Amendment No. 29** was adopted.

Representative Riback Wilson (25) offered **House Amendment No. 30**.

House Amendment No. 30

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Page 72, Section 135.530, Line 16, by inserting after said line the following:

“137.115. 1. All other laws to the contrary notwithstanding, the assessor or the assessor's deputies in all counties of this state including the city of St. Louis shall annually make a list of all real and tangible personal property taxable in the assessor's city, county, town or district. Except as otherwise provided in subsection 3 of this section, the assessor shall annually assess all personal property at thirty-three and one-third percent of its true value in money as of January first of each calendar year. The assessor shall annually assess all real property, including any new construction and improvements to real property, and possessory interests in real property at the percent of its true value in money set in subsection 5 of this section. The assessor shall annually assess all real property in the following manner: new assessed values shall be determined as of January first of each odd-numbered year and shall be entered in the assessor's books; those same assessed values shall apply in the following even-numbered year, except for new construction and property improvements which shall be valued as though they had been completed as of January first of the preceding odd-numbered year. The assessor may call at the office, place of doing business, or residence of each person required by this chapter to list property, and require the person to make a correct statement of [all taxable real property in the county owned by the person, or under his or her care, charge or management, and] all taxable tangible personal property owned by the person or under his or her care, charge or management, taxable in the county. On or before January first of each even-numbered year, the assessor shall prepare and submit a two-year assessment maintenance plan to the county governing body and the state tax commission for their respective approval or modification. The county governing body shall approve and forward such plan or its alternative to the plan to the state tax commission by

February first. If the county governing body fails to forward the plan or its alternative to the plan to the state tax commission by February first, the assessor's plan shall be considered approved by the county governing body. If the state tax commission fails to approve a plan and if the state tax commission and the assessor and the governing body of the county involved are unable to resolve the differences, in order to receive state cost-share funds outlined in section 137.750, the county or the assessor shall petition the administrative hearing commission, by May first, to decide all matters in dispute regarding the assessment maintenance plan. Upon agreement of the parties, the matter may be stayed while the parties proceed with mediation or arbitration upon terms agreed to by the parties. The final decision of the administrative hearing commission shall be subject to judicial review in the circuit court of the county involved. In the event a valuation of subclass (1) real property within any county of the first classification with a charter form of government, or within a city not within a county, is made by a computer, computer-assisted method or a computer program, the burden of proof, supported by clear, convincing and cogent evidence to sustain such valuation, shall be on the assessor at any hearing or appeal. In any such county, unless the assessor proves otherwise, there shall be a presumption that the assessment was made by a computer, computer-assisted method or a computer program. Such evidence shall include, but shall not be limited to, the following:

(1) The findings of the assessor based on an appraisal of the property by generally accepted appraisal techniques; and

(2) The purchase prices from sales of at least three comparable properties and the address or location thereof. As used in this paragraph, the word "comparable" means that:

- (a) Such sale was closed at a date relevant to the property valuation; and
- (b) Such properties are not more than one mile from the site of the disputed property, except where no similar properties exist within one mile of the disputed property, the nearest comparable property shall be used. Such property shall be within five hundred square feet in size of the disputed property, and resemble the disputed property in age, floor plan, number of rooms, and other relevant characteristics.

2. Assessors in each county of this state and the city of St. Louis may send personal property assessment forms through the mail.

3. The following items of personal property shall each constitute separate subclasses of tangible personal property and shall be assessed and valued for the purposes of taxation at the following percents of their true value in money:

- (1) Grain and other agricultural crops in an unmanufactured condition, one-half of one percent;
- (2) Livestock, twelve percent;
- (3) Farm machinery, twelve percent;
- (4) Motor vehicles which are eligible for registration as and are registered as historic motor vehicles pursuant to section 301.131, RSMo, and aircraft which are at least twenty-five years old and which are used solely for noncommercial purposes and are operated less than fifty hours per year or aircraft that are home built from a kit, five percent;

(5) Poultry, twelve percent; and

(6) Tools and equipment used for pollution control and tools and equipment used in retooling for the purpose of introducing new product lines or used for making improvements to existing products by any company which is located in a state enterprise zone and which is identified by any standard industrial classification number cited in subdivision (6) of section 135.200, RSMo, twenty-five percent.

4. The person listing the property shall enter a true and correct statement of the property, in a printed blank prepared for that purpose. The statement, after being filled out, shall be signed and either affirmed or sworn to as provided in section 137.155. The list shall then be delivered to the assessor.

5. All subclasses of real property, as such subclasses are established in section 4(b) of article X of the Missouri Constitution and defined in section 137.016, shall be assessed at the following percentages of true value:

- (1) For real property in subclass (1), nineteen percent;
- (2) For real property in subclass (2), twelve percent; and
- (3) For real property in subclass (3), thirty-two percent.

6. Manufactured homes, as defined in section 700.010, RSMo, which are actually used as dwelling units shall be assessed at the same percentage of true value as residential real property for the purpose of taxation. The percentage of assessment of true value for such manufactured homes shall be the same as for residential real property. If the county collector cannot identify or find the manufactured home when attempting to attach the manufactured home for payment of taxes owed by the manufactured home owner, the county collector may request the county commission to have the manufactured home removed from the tax books, and such request shall be granted within thirty days after the request

is made; however, the removal from the tax books does not remove the tax lien on the manufactured home if it is later identified or found. A manufactured home located in a manufactured home rental park, rental community or on real estate not owned by the manufactured home owner shall be considered personal property. A manufactured home located on real estate owned by the manufactured home owner may be considered real property.

7. Each manufactured home assessed shall be considered a parcel for the purpose of reimbursement pursuant to section 137.750, unless the manufactured home has been converted to real property in compliance with section 700.111, RSMo, and assessed as a realty improvement to the existing real estate parcel.

8. Any amount of tax due and owing based on the assessment of a manufactured home shall be included on the personal property tax statement of the manufactured home owner unless the manufactured home has been converted to real property in compliance with section 700.111, RSMo, in which case the amount of tax due and owing on the assessment of the manufactured home as a realty improvement to the existing real estate parcel shall be included on the real property tax statement of the real estate owner.

9. The assessor of each county and each city not within a county shall use the trade-in value published in the October issue of the National Automobile Dealers' Association Official Used Car Guide, or its successor publication, as the recommended guide of information for determining the true value of motor vehicles described in such publication. In the absence of a listing for a particular motor vehicle in such publication, the assessor shall use such information or publications which in the assessor's judgment will fairly estimate the true value in money of the motor vehicle.

10. If the assessor increases the assessed valuation of any parcel of subclass (1) real property by more than seventeen percent since the last assessment, excluding increases due to new construction or improvements, then the assessor shall conduct a physical inspection of such property.

137.155. 1. The oath to be signed and affirmed or sworn to by each person making a list of property required by this chapter is as follows:

I,, do solemnly swear, or affirm, that the foregoing list contains a true and correct statement of all the [real property and] tangible personal property, made taxable by the laws of the state of Missouri, which I owned or which I had under my charge or management on the first day of January, 19.... I further solemnly swear, or affirm, that I have not sent or taken, or caused to be sent or taken, any property out of this state to avoid taxation. So help me God.

2. Any person who refuses to make oath or affirmation to his **or her** list, when required so to do by the assessor or his **or her** deputy, shall, upon conviction, be deemed guilty of a misdemeanor and no property shall be exempt from executions issued on judgments in prosecutions [under] **pursuant to** this section.

3. The list and oath shall be filed by the assessor, after [he] **the assessor** has completed his [assessor's] **or her** books, in the office of the county clerk, who, after entering the filing thereon, shall preserve and safely keep them.

137.360. 1. The certificate to be signed by each person making a list of property required by sections 137.325 to 137.420 shall be as follows:

I,, do hereby certify that the foregoing list contains a true and correct statement of all the [real property and] tangible personal property made taxable by the laws of the state of Missouri, which I owned or which I had under my charge or management on the first day of January, 19.... I further certify that I have not sent or taken or caused to be sent or taken any property out of this state to avoid taxation. Any person who refuses to make the certification to his **or her** list, when required so to do by the assessor or his **or her** deputy, shall upon conviction be deemed guilty of a misdemeanor and no property shall be exempt from executions issued on judgments in prosecutions [under] **pursuant to** this section.

2. The list and certificate shall be filed by the assessor after [he] **the assessor** has completed his [assessor's] **or her** books in the office of the county clerk who, after entering the filing thereon, shall preserve and safely keep them.”; and

Further amend the title and enacting clause accordingly

On motion of Representative Riback Wilson (25), **House Amendment No. 30** was adopted.

Representative Portwood offered **House Amendment No. 31**.

Representative Crump raised a point of order that **House Amendment No. 31** is out of order pursuant to Rule 86.

The Chair ruled the point of order well taken.

Representative Myers offered **House Amendment No. 31.**

House Amendment No. 31

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Page 130, Line 10, by inserting after all of said line the following:

"Section 1. The state of Missouri hereby waives all rights to its possibility of reverter in the real property particularly described in the quitclaim deed in Book 279 at Pages 76-77 of the office of the recorder of deeds of Scott County."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Myers, **House Amendment No. 31** was adopted.

Representative Bearden offered **House Amendment No. 32.**

House Amendment No. 32

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Page 72, Section 137.239, by deleting all of said section and amending the title and enacting clause accordingly.

On motion of Representative Bearden, **House Amendment No. 32** was adopted.

Representative Cunningham offered **House Amendment No. 33.**

House Amendment No. 33

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Page 74, Section 138.020, Line 19, by inserting after all of said line the following:

"162.856. 1. In each special school district with a population in excess of one hundred thousand persons, there is hereby established a "Governing Council" which shall consist of one member of the board of education of each school district, all or a portion of which is contained in the special school district. The first governing council shall be formed on or before May 31, 1996, or the effective date of this section, May 24, 1996, whichever is later.

(1) Each member of the governing council shall be elected by the board of education of the school district on which the member serves. The board of education of a school district within the special school district may elect a new member to the governing council to fill a vacancy from that district and may replace the existing district member on the governing council at any time, upon providing written notice of the change to the secretary of the governing council.

(2) **The members of the governing council of a special school district in a county of the first classification with a charter form of government and a population in excess of eight hundred thousand shall serve two-year terms that begin June first. Each governing council member may serve up to two terms, but no member shall serve consecutive terms, and no member shall serve a second term until three other members of the board of education of the school district on which the member serves have served as governing council members. No member who has served for four or more years by June 1, 2001, shall continue to serve after the effective date of this section or June 1, 2001, whichever is later, nor shall any such member serve as governing council member until three other members of the board of education of the school district on which the member serves have served as governing council members. Each board of education shall elect a successor member for any member**

whose term has been ended pursuant to this subdivision within thirty days of the effective date of this section.

2. The governing council of a special school district shall have the following powers and duties:

(1) To establish such rules and procedures as may be necessary to carry out its powers and duties as provided in this section;

(2) To elect a chairman, a secretary and such other officers as it deems necessary;

(3) To review and give final approval of the annual budget of the special school district subject to the following provisions:

(a) For the 1996-97, 1997-98 and 1998-99 school years, the board of education of a special school district shall submit its proposed budget to the governing council no later than April first prior to the beginning of the school year, except that, for the 1996-97 school year only, the board of education shall submit its proposed budget to the governing council no later than thirty days after May 24, 1996. The governing council shall then either accept this budget proposal or make any amendments it deems appropriate and adopt the annual budget as amended no later than sixty days after receipt of the proposed budget;

(b) For the 1999-2000 school year and each school year thereafter:

a. The board of education of a special school district shall develop, in cooperation with the governing council, its annual budget which shall, following adoption by the board, be submitted to the governing council no later than April first prior to the beginning of the school year for final approval;

b. The governing council shall accept or reject the proposed budget by May first prior to the beginning of the school year. If rejected, the proposed budget shall be returned to the board of education no later than May first with a statement setting forth the reasons for the rejection;

c. The governing council and the board of education shall resolve any differences regarding approval of the budget by June thirtieth prior to the beginning of the school year;

(4) To annually review, conduct public hearings on and approve a rolling five-year plan for the operation and management of the district which shall be annually developed by the board of education of the special school district. The plan shall contain, but not be limited to, the following:

(a) The delivery of services;

(b) The structure, governance, administration and financial management of the district;

(c) Cooperation with component school districts; and

(d) Responsiveness to the needs and concerns of the citizens of the special school district.

The plan shall be first approved by the governing council on or before December 31, 1996, and shall be reviewed and approved annually on or before December thirty-first of each following year;

(5) To consult with the parental advisory committee established in section 162.858;

(6) To hold at least four meetings per school year and such other meetings, called by the chairman of the council, a majority of the council members or the board of education of the special school district, as may be necessary to transact business and fulfill the duties established under this section. All meetings of the governing council shall be open to the public, pursuant to chapter 610, RSMo. Minutes shall be kept of all proceedings and shall be a public record;

(7) To compel the attendance of the superintendent, members of the board of education, or any employee of the special school district and the production of papers, records, testimony, and other materials relating to the special school district, and to administer oaths to witnesses and take testimony under oath;

(8) To conduct a study to determine whether a plan should be developed whereby the local school districts assume greater responsibility and authority in the education of children with disabilities.

3. Unless a greater majority is otherwise required, all actions of the governing council shall require a majority of the authorized members who represent at least fifty percent of the population of the district. Population figures shall be adjusted based on the latest census data available."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Cunningham moved that **House Amendment No. 33** be adopted.

Which motion was defeated.

Representative Shelton offered **House Amendment No. 34**.

Representative Byrd raised a point of order that **House Amendment No. 34** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Crump raised a point of order that **House Amendment No. 34** is out of order pursuant to Rule 86.

The Chair ruled the point of order well taken.

Representative Davis offered **House Amendment No. 34**.

House Amendment No. 34

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Page 6, Section 50.1000-15(d), Line 12, by inserting the following at the end of said line:

“50.1010. There is hereby authorized a "County Employees' Retirement Fund" which shall be under the management of a board of directors described in section 50.1030. The board of directors shall be responsible for the administration and the investment of the funds of such county employees' retirement fund. If insufficient funds are generated to provide the benefits payable pursuant to the provisions of sections 50.1000 to 50.1200, the board shall apportion the benefits according to the funds available. **An individual who is in a job classification, which the Retirement System determines is not eligible for coverage under the Retirement System after September 1, 2001, shall not be considered an Employee, unless adequate additional funds are provided for the costs associated with such coverage.**”; and

Further amend said bill by amending the title and enacting clause accordingly.

On motion of Representative Davis, **House Amendment No. 34** was adopted.

Representative Wilson (42) offered **House Amendment No. 35**.

Representative Hoppe raised a point of order that **House Amendment No. 35** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

House Amendment No. 35 was withdrawn.

Representative Britt assumed the Chair.

Representative Hendrickson offered **House Amendment No. 35**.

House Amendment No. 35 was withdrawn.

Representative Hanaway offered **House Amendment No. 35**.

Representative Crump raised a point of order that **House Amendment No. 35** is out of order pursuant to Rule 86.

Representative Britt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Green (15) offered **House Amendment No. 35**.

Representative Byrd raised a point of order that **House Amendment No. 35** is not germane to the bill.

Representative Boatright raised an additional point of order that **House Amendment No. 35** goes beyond the scope of the bill.

Representative Britt requested a parliamentary ruling.

The Parliamentary Committee ruled the points of order well taken.

Representative George offered **House Amendment No. 35**.

House Amendment No. 35

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Pages 35 and 36, Section 77.370, by deleting all of said section; and

Further amend the title and enacting clause accordingly.

On motion of Representative George, **House Amendment No. 35** was adopted.

Representative Hilgemann offered **House Amendment No. 36**.

House Amendment No. 36

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Page 74, Section 138.020, Line 19, by inserting immediately after said line the following:

“140.012 Notwithstanding any other law to the contrary, if any real estate tax payment due under the authority of this chapter is delivered by United States mail to the county collector after the due date for such payment, the date of the United States postmark stamped on the envelope shall be deemed to be the date of delivery. This section shall apply only if the postmark date is on or before the due date for payment of real estate taxes and only if such payment was deposited in the mail postage prepaid, properly addressed to the county collector with whom the payment is required to be filed. If any document is sent by United States registered or certified mail, such registration or certification shall be prima facie evidence that such document was delivered to the person to which or to whom it is addressed. When the due date for payment of real estate taxes falls on a Saturday, a Sunday, or a legal holiday in this state, the payment shall be considered timely if it is performed on the next succeeding day which is not a Saturday, Sunday, or legal holiday.”; and

Further amend said bill, by amending the title and enacting clause accordingly.

On motion of Representative Hilgemann, **House Amendment No. 36** was adopted.

Representative Shelton offered **House Amendment No. 37**.

House Amendment No. 37

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Page 130, Section 1, Line 10, by inserting after said section the following:

"Section 2. The state shall contribute at least \$2 million and no more than \$10 million in assisting in the construction of the proposed St. Louis/St. Charles bridge."; and

Further amend the title and enacting clause accordingly.

Representative Boatright raised a point of order that **House Amendment No. 37** goes beyond the scope of the substitute.

Representative Britt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Shelton moved that **House Amendment No. 37** be adopted.

Which motion was defeated.

Representative Kennedy offered **House Amendment No. 38**.

House Amendment No. 38

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Page 119, Section 447.700, by inserting after all of said section the following:

"447.721. 1. There is hereby created in the state treasury the "Contiguous Property Redevelopment Fund", which shall consist of all moneys appropriated to the fund, all moneys required by law to be deposited in the fund, and all gifts, bequests or donations of any kind to the fund. The fund shall be administered by the department of economic development. Subject to appropriation, the fund shall be used solely for the administration of and the purposes described in this section. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the fund shall not be transferred to the general revenue fund at the end of the biennium; provided, however, that all moneys in the fund on August 28, 2006, shall be transferred to the general revenue fund and the fund shall be abolished as of that date. All interest and moneys earned on investments from moneys in the fund shall be credited to the fund.

2. The governing body of any city not within a county, any county of the first classification without a charter form of government and a population of more than two hundred seven thousand but less than three hundred thousand, any county of the first classification with a population of more than nine hundred thousand, any city with a population of more than three hundred fifty thousand that is located in more than one county or any county of the first classification with a charter form of government and a population of more than six hundred thousand but less than nine hundred thousand may apply to the department of economic development for a grant from the contiguous property redevelopment fund. The department of economic development may promulgate the form for such applications in a manner consistent with this section. Grants from the fund may be made to the governing body to assist the body both acquiring multiple contiguous properties within such city

and engaging in the initial redeveloping of such properties for future use as private enterprise. For purposes of this section, "initial redeveloping" shall include all allowable costs, as that term is defined in section 447.700, and any other costs involving the improvement of the property to a state in which its redevelopment will be more economically feasible than such property would have been if such improvements had not been made.

3. In awarding grants pursuant to this section, the department shall give preference to those projects which propose the assembly of a greater number of acreage than other projects and to those projects which show that private interest exists for usage of the property once any redevelopment aided by grants pursuant to this section is completed.

4. The department of economic development may promulgate rules for the enforcement of this section. No rule or portion of a rule promulgated pursuant to this section shall take effect unless it has been promulgated pursuant to chapter 536, RSMo.

5. The provisions of this section shall expire on August 28, 2006."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Kennedy, **House Amendment No. 38** was adopted.

Representative Hanaway offered **House Amendment No. 39**.

House Amendment No. 39

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Page 82, Section 204.640, Line 11, by adding after the period the following new language:

"Any political entity of this state that performs storm water and/or wastewater public works projects that exceed or are planned to exceed two billion dollars shall develop rules or ordinances for the control of costs and the schedule for cost reimbursable contracts. The rules or ordinances shall be included in the terms and conditions of contracts with all consultants, suppliers and contractors providing services, materials or construction on a cost reimbursable basis for cost plus contracts in excess of one million dollars and/or contracts which may exceed three years. Such rules or ordinances must include specific reporting requirements and standards of allowable costs and schedule variation beyond which the political entity's management intervention and corrective action shall be mandatory.

The rules or ordinances shall include within its purview the functions of planning, directing, coordinating, funds commitment, funding, public interaction, advertising for the selection of professional consultants, legal counsel and auditing of such public works. The rules or ordinances may authorize the use of consultants, but it shall not delegate management prerogatives or fiduciary authority that is inherent to such political entity. The rules or ordinances shall insure adequate checks and balances such that a single consultant shall not be utilized to determine costs, develop internal controls or develop performance standards that could influence either allowable costs or fees for services, which that consultant may provide. Data bases developed, updated or maintained by a consultant providing services to the political entity shall be the sole property of the entity.

The rules or ordinances shall be determined by the governing body of said public entity in conformance with chapter 610 RSMo. The public entity shall accept public testimony and a public comment period of not less than thirty days after the initial draft of said rules or ordinances and prior to final disposition."; and

Further amend the title and enacting clause accordingly.

Representative Bowman offered **House Substitute Amendment No. 1 for House Amendment No. 39**.

House Substitute Amendment No. 1

for
House Amendment No. 39

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Page 82, Section 204.640, Line 11, by adding after the period the following new language:

“Any political entity of this state that performs storm water and/or wastewater public works projects that exceed or are planned to exceed ten billion dollars shall develop rules or ordinances for the control of costs and the schedule for cost reimbursable contracts. The rules or ordinances shall be included in the terms and conditions of contracts with all consultants, suppliers and contractors providing services, materials or construction on a cost reimbursable basis for cost plus contracts in excess of one million dollars and/or contracts which may exceed three years. Such rules or ordinances must include specific reporting requirements and standards of allowable costs and schedule variation beyond which the political entity’s management intervention and corrective action shall be mandatory.

The rules or ordinances shall include within its purview the functions of planning, directing, coordinating, funds commitment, funding, public interaction, advertising for the selection of professional consultants, legal counsel and auditing of such public works. The rules or ordinances may authorize the use of consultants, but it shall not delegate management prerogatives or fiduciary authority that is inherent to such political entity. The rules or ordinances shall insure adequate checks and balances such that a single consultant shall not be utilized to determine costs, develop internal controls or develop performance standards that could influence either allowable costs or fees for services, which that consultant may provide. Data bases developed, updated or maintained by a consultant providing services to the political entity shall be the sole property of the entity.

The rules or ordinances shall be determined by the governing body of said public entity in conformance with chapter 610 RSMo. The public entity shall accept public testimony and a public comment period of not less than thirty days after the initial draft of said rules or ordinances and prior to final disposition.”; and

Further amend the title and enacting clause accordingly.

On motion of Representative Bowman, **House Substitute Amendment No. 1 for House Amendment No. 39** was adopted.

Representative Riback Wilson (25) offered **House Amendment No. 40**.

Representative Dempsey raised a point of order that **House Amendment No. 40** is out of order pursuant to Rule 86.

Representative Britt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Dempsey offered **House Amendment No. 40**.

House Amendment No. 40

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Page 38, Section 82.300, Line 21, by inserting after all of said line the following:

"92.045. 1. Any constitutional charter city in this state which now has or may hereafter acquire a population

in excess of three hundred fifty thousand inhabitants, according to the last federal decennial census, is hereby authorized, for city and local purposes, to license, tax, and regulate the occupation of merchants, manufacturers, and all businesses, avocations, pursuits, and callings that are not exempt from the payment of licenses by law and may, by ordinance, base such licenses on gross receipts, gross profits or net profits, per capita, flat fee, graduated scale based on gross or net receipts or sales, or any other method or measurement of tax or any combination thereof derived or allocable to the carrying on or conducting of any business, avocation, pursuits or callings or activities carried on in such cities **or airports owned, controlled or maintained by such cities.**

2. The local legislative body may grant by ordinance to its administering tax official the power to adopt regulations and rules relating to any matters pertaining to the administration and enforcement of any ordinances enacted in accordance with the authority heretofore given. Copies of such regulations and rules shall be kept in the office of such tax official designated in such ordinance and shall be open to inspection by the public. Said regulations or rules may be changed or amended from time to time."; and

Further amend said bill, Page 111, Section 263.232, Line 24, by inserting immediately after said line the following:

"305.510. 1. "The Missouri-St. Louis Metropolitan Airport Authority" is hereby established. The authority is a body corporate and a political subdivision of the state and shall be known as "The Missouri-St. Louis Metropolitan Airport Authority", and in that name may sue and be sued. Actions of the authority are declared to be in the public interest and for a public purpose, and the authority may exercise the powers herein granted or necessarily implied for the purpose of promoting the general welfare and to provide safe and convenient air travel and transportation to and from the greater St. Louis metropolitan area.

2. [After June 30, 1983, the general assembly shall not appropriate or expend any state moneys for the implementation and continuation of this section or the Missouri-St. Louis metropolitan airport authority.] **Beginning January 1, 2004, the authority shall be responsible for the operation of any and all international airports located in Missouri within fifty miles of the city of St. Louis, and shall exercise any and all powers granted to it in this chapter in the exercise of this responsibility. Nothing herein shall be construed to change the ownership of such international airport.**

3. The authority shall honor all bonds, debts, outstanding obligations and contracts and employee pension plans of any airport or airport authority affected by this section.

4. The operation of such airport by the authority shall replace the operation by any other entity created by local ordinance.

5. Any profit from the operation of any airport or airport authority affected by this section shall continue to be received by the city of St. Louis.

6. The provisions of sections 305.510 and 305.515 shall not affect the tax authorized pursuant to section 92.045, RSMo.

305.515. 1. [The governor, with the advice and consent of the senate, shall appoint four members of the authority; and two of the members shall be appointed for a term of two years, and two for a term of three years. The governor shall designate one of the authority members as chairman for the first two years. Thereafter, the authority membership shall elect a member to serve as chairman.] The mayor of the city of St. Louis [and the supervisor], **the county executive of St. Louis County, the county executive of St. Charles County and the county commissions of Jefferson and Franklin counties**, with the advice and consent of their respective governing bodies, shall each appoint [three members of the authority and of the three, one shall be appointed for a term of two years, one for a term of three years, and one for a term of four years. The county commissions of Jefferson, Franklin and St. Charles counties shall each appoint one member of the authority, each such member to serve a term of four years. Thereafter, all appointments shall be for a term of four years] **one member of the authority for each one hundred thirty thousand residents in the city or county according to the latest decennial census. In no event shall any appointing authority for a city or county appoint a majority of the members of the commission. The first, third and fifth members initially appointed by an appointing authority shall be appointed for a term of four years. The second, fourth and sixth initial members shall be appointed for a term of two years. Appointments subsequent to the initial appointments shall be for a term of four years. Each member shall be subject to removal by the appointing authority. Any fraction of a year shall be considered a full year and each member's term of office shall expire on the appropriate fifteenth day of January, but he shall continue to hold office until his successor is appointed and qualified. One more than one-half of the members of the authority shall constitute a quorum. Vacancies occurring in the membership shall**

be filled by appointment by the person making the original appointment for the unexpired remainder of the term. **The authority membership shall elect a member to serve as chairman.**

2. No person shall be appointed to the authority who is an elected official of the state of Missouri or any political subdivision thereof. No person shall be appointed to the authority who is actively engaged or employed in commercial aeronautics.

3. The members of the authority shall receive as compensation for their services twenty-five dollars per day for the time spent in the performance of their official duties, and also their necessary traveling and other expenses incurred while actually engaged in the discharge of their official duties.

4. Each member shall, before entering upon the duties of his office, take and subscribe the constitutional oath of office. At such time as federal funds are received or revenue bonds are issued, each member shall give bond in the penal sum of one hundred thousand dollars conditioned upon the faithful performance of his duties and the bond shall be filed in the office of the Missouri secretary of state. The cost of the bond shall be paid by the authority."; and

Further amend said bill, Page 130, Section 1, Line 10, by inserting immediately after said line the following:

"Section B. The repeal and reenactment of sections 305.510 and 305.515 shall become effective on January 1, 2004."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Dempsey moved that **House Amendment No. 40** be adopted.

Which motion was defeated.

Representative Gaskill offered **House Amendment No. 41**.

Representative Fraser raised a point of order that **House Amendment No. 41** goes beyond the scope of the bill.

Representative Britt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Riback Wilson (25) offered **House Amendment No. 41**.

Representative Villa assumed the Chair.

Representative Byrd raised a point of order that **House Amendment No. 41** goes beyond the scope of the bill.

Representative Villa requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Bray offered **House Amendment No. 41**.

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Page 74, Section 138.020, Line 19, by inserting after all of said line the following:

"162.291. The voters of each seven-director district other than urban districts shall, at municipal elections, elect two directors who are citizens of the United States and resident taxpayers of the district, who have resided in [this state] **such district** for one year next preceding their election or appointment, and who are at least twenty-four years of age."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Bray, **House Amendment No. 41** was adopted.

Representative Gambaro offered **House Amendment No. 42**.

House Amendment No. 42

AMEND House Substitute for House Committee Substitute for Senate Bill No. 125, Page 74, Section 138.020, Line 19, by inserting after all of said line the following:

"162.605. 1. In addition to the members appointed to the board pursuant to section 162.601, there shall be appointed two additional school board members from the school district at large. Any member appointed pursuant to this section shall:

- (1) Be a resident of the city;
- (2) Be appointed by the mayor of the city; and
- (3) Serve a term of four years, or until a successor is appointed and is qualified. Members may be appointed to additional four-year terms.

2. The first member appointed pursuant to this section shall be appointed immediately after the effective date of this section, and successive appointments for such seat shall occur every four years from the date of such initial appointment. The second member appointed pursuant to this section shall be appointed immediately prior to the 2003-2004 school year, and successive appointments for such seat shall occur every four years from the date of such appointment.

3. The mayor shall appoint members to fill any vacancy created by any member appointed pursuant to this section.

4. Any board member appointed pursuant to this section shall be a member of equal standing with all other members of such board, and all other laws applicable to such board members shall apply to members appointed pursuant to this section, except as otherwise provided in this section."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Gambaro, **House Amendment No. 42** was adopted.

Representative Ward offered **House Amendment No. 43**.

Representative Ransdall raised a point of order that **House Amendment No. 43** goes beyond the scope of the bill.

Representative Villa requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Kennedy offered **House Amendment No. 43**.

Representative Seigfreid raised a point of order that **House Amendment No. 43** goes beyond the scope of the bill.

Representative Villa requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Scheve offered **House Amendment No. 43**.

Speaker Pro Tem Abel resumed the Chair.

House Amendment No. 43 was withdrawn.

On motion of Representative Hoppe, **HS HCS SB 125, as amended**, was adopted by the following vote:

AYES: 070

Barnett	Barnitz	Barry 100	Berkowitz	Berkstresser
Black	Bonner	Bray 84	Britt	Burcham
Byrd	Campbell	Crawford	Crump	Cunningham
Davis	Dempsey	Enz	Fares	Foley
Franklin	Fraser	Gambaro	Gaskill	George
Graham	Green 73	Griesheimer	Hagan-Harrell	Harding
Harlan	Hartzler	Hegeman	Henderson	Hickey
Hilgemann	Hohulin	Holt	Hoppe	Hosmer
Jetton	Kelly 27	Kelly 36	Kennedy	Koller
Legan	Liese	Lowe	Luetkenhaus	Mayer
Mays 50	McKenna	Merideth	Naeger	O'Connor
Portwood	Ransdall	Reinhart	Richardson	Robirds
Scheve	Seigfreid	Shelton	Skaggs	Treadway
Villa	Ward	Williams	Willoughby	Wilson 25

NOES: 045

Bartle	Bearden	Behnen	Bland	Boatright
Boykins	Champion	Cierpiot	Coleman	Cooper
Crowell	Curls	Farnen	Hampton	Hanaway
Haywood	Hendrickson	Hunter	Johnson 61	Kelly 144
King	Levin	Luetkemeyer	Marsh	May 149
Moore	Murphy	Phillips	Purgason	Rector
Reid	Relford	Reynolds	Ridgeway	Roark
Ross	Secrest	Selby	Shields	St. Onge
Thompson	Townley	Vogel	Walton	Wilson 42

PRESENT: 000

ABSENT WITHLEAVE: 045

Abel	Baker	Ballard	Bartelsmeyer	Boucher
Bowman	Brooks	Burton	Carnahan	Clayton

Copenhaver	Dolan	Ford	Froelker	Gratz
Green 15	Holand	Hollingsworth	Johnson 90	Jolly
Kelley 47	Lawson	Linton	Lograsso	Long
Marble	Miller	Monaco	Myers	Nordwald
O'Toole	Ostmann	Overschmidt	Rizzo	Schwab
Scott	Shoemyer	Smith	Surface	Troupe
Van Zandt	Wagner	Wiggins	Wright	Mr. Speaker

VACANCIES: 003

Representative Relford moved that **HS HCS SB 125, as amended**, be referred to the Committee on Fiscal Review and Government Reform.

Which motion was adopted.

REFERRAL OF SENATE BILL

HS HCS SB 125, as amended, was referred to the Committee on Fiscal Review and Government Reform (Fiscal Note).

PERFECTION OF HOUSE BILLS - INFORMAL

HCS HB 113, relating to state building contracts, was taken up and placed back on the Informal Calendar.

HCS HBs 853 & 258, relating to concealable weapons, was taken up and placed back on the Informal Calendar.

HCS HBs 186 & 172, relating to the sales and use tax holiday, was taken up and placed back on the Informal Calendar.

HCS HBs 888, 942 & 943, relating to the tobacco settlement, was taken up and placed back on the Informal Calendar.

HCS HB 472, relating to utility access to public rights-of-way, was taken up and placed back on the Informal Calendar.

HCS HB 293, relating to the contiguous property redevelopment fund, was taken up and placed back on the Informal Calendar.

HCS HBs 663 & 375, relating to property tax collections, was taken up and placed back on the Informal Calendar.

HCS HB 170, relating to property tax collections, was taken up and placed back on the Informal Calendar.

THIRD READING OF SENATE BILLS

SB 416, relating to child labor, was placed on the Informal Calendar.

HCS SCS SB 266, relating to Department of Health programs, was placed on the Informal Calendar.

HCS SS SCS SB 369, relating to utility access to public rights-of-way, was placed on the Informal Calendar.

HCS SB 392, relating to tax incentives for economic development, was placed on the Informal Calendar.

HCS SS SCS SBs 433 & 248, relating to intoxication torts, was placed on the Informal Calendar.

HCS SS SCS SBs 476, 427 & 62, relating to election laws, was placed on the Informal Calendar.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SS SCS SB 226 - Fiscal Review and Government Reform (Fiscal Note)

HCS SB 392 - Fiscal Review and Government Reform (Fiscal Note)

SB 337 - Critical Issues, Consumer Protection and Housing

COMMITTEE REPORTS

Committee on Miscellaneous Bills and Resolutions, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **SS SCS SB 226**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **SB 470**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**.

House Committee Amendment No. 1

AMEND Senate Bill No. 470, Page 1, Section 8.003, Line 6, by deleting all of said line and inserting in lieu thereof the following:

"one employee of the house of representatives appointed by the speaker of the house of representatives and one

employee of the senate appointed by the president pro tempore; and four members appointed by the governor with the advice and consent of"; and

Further amend said bill, Page 2, Section 8.003, Line 12, by deleting the word "**six**" and inserting in lieu thereof "**four**"; and

Further amend said bill, Page 2, Section 8.003, Line 16, by deleting the word "**six**" and inserting in lieu thereof "**four**"; and

Further amend said title, enacting clause and intersectional references accordingly.

CONFERENCE COMMITTEE REPORT NO. 2
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 567

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 567 with Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 8, Senate Amendment No. 9, Senate Amendment No. 10, Senate Amendment No. 15 and Senate Amendment No. 16, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 567, as amended;
2. That the House recede from its position on House Committee Substitute for House Bill No. 567;
3. That the attached Conference Committee Amendment No. 1 be adopted;
4. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 567, with Conference Committee Amendment No. 1, be adopted.

FOR THE HOUSE:

/s/ Rep. Charles Nordwald
/s/ Rep. Joseph Treadway

FOR THE SENATE:

/s/ Sen. David Klarich
/s/ Sen. Bill Kenney

/s/ Rep. Rick Johnson
/s/ Rep. Wes Shoemyer

/s/ Sen. Morris Westfall
/s/ Sen. Patrick Dougherty
/s/ Sen. Harry Wiggins

House Conference Committee Amendment No. 1

AMEND Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 567, Page 69, Section 324.1104, Line 15 of said page, by deleting all of said line and inserting in lieu thereof the following:

"(6) Insurers and their employees, and agents and insurance brokers licensed by the"; and

Further amend said bill, Page 69, Section 324.1104, Lines 18 to 20 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"(7) Any bank, its affiliate or parent subject to the jurisdiction of the director of the division of finance of the state of Missouri or any other state, or under the jurisdiction of a federal regulatory agency."; and

Further amend said bill, Page 157, Section 327.603, Lines 13 and 14 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"subdivisions while performing duties for the state of Missouri or a political subdivision"; and

Further amend said title, enacting clause and intersectional references accordingly.

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE BILL NO. 193**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate on House Committee Substitute for Senate Substitute for Senate Bill No. 193, with House Amendment Nos. 1 and 2, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on House Committee Substitute for Senate Substitute for Senate Bill No. 193, with House Amendments Nos. 1 and 2;
2. That the House recede from its position on House Amendments Nos. 1 and 2 to House Committee Substitute for Senate Substitute for Senate Bill No. 193;
3. That the attached Conference Committee Amendment No. 1 be adopted;
4. That House Committee Substitute for Senate Substitute for Senate Bill No. 193, with

Conference Committee Amendment No. 1, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Steve Henderson
/s/ Chuck Surface
/s/ Dan Ward
/s/ Bill Luetkenhaus
/s/ Chris Liese

FOR THE SENATE:

/s/ Larry Rohrbach
/s/ David Klindt
/s/ Bill Kenney
/s/ John Scott
/s/ Ken Jacob

House Conference Committee Amendment No. 1

AMEND Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 193, Page 1, In the Title, Line 6, by striking the word “**thirty-one**” and inserting in lieu thereof the word “**thirty**”; and

Further amend said bill, Page 1, Section A, Line 5, by striking the word “**thirty-one**” and inserting in lieu thereof the word “**thirty**”; and

Further amend Line 7, by striking the following: “, 375.023”; and

Further amend said bill, Pages 1-2, Section 148.400, Lines 1-10, by striking all of said lines and inserting in lieu thereof the following:

“148.400. All insurance companies or associations organized in or admitted to this state may deduct from premium taxes payable to this state, in addition to all other credits allowed by law, income taxes, franchise taxes, personal property taxes, valuation fees, registration fees and examination fees paid, including taxes and fees paid by the attorney in fact of a reciprocal or interinsurance exchange to the extent attributable to the principal business as such attorney in fact, under any law of this state. **Unless rejected by the general assembly by April 1, 2003, for all tax years beginning on or after January 1, 2003, a deduction for examination fees which exceeds an insurance company’s or association’s premium tax liability for the same tax year shall not be refundable, but may be carried forward to any subsequent tax year, not to exceed five years, until the full deduction is claimed; except that, notwithstanding the provisions of section 148.380, if any deduction is claimed through the carryforward provisions of this section, it shall be credited wholly against the general revenue fund and shall not cause a reduction in revenue to the county foreign insurance fund.**”; and

Further amend said bill, Page 6, Section 375.014, Line 53, by inserting at the end of said line the following: “**or**”; and

Further amend Line 55, by striking the following: “; **or**” and inserting in lieu thereof the following: “.”; and

Further amend Lines 56-59 by striking all of said lines; and

Further amend said bill, Page 19, Section 375.023, Line 1, by striking the following: “**375.023. 1.**” and inserting in lieu thereof the following: “**5.**”; and

Further amend Pages 20 and 21 by renumbering the subsections and amending the intersectional references accordingly; and

Further amend said bill, Page 27, Section 375.076, Line 10, by inserting immediately after the word “**person**” the word “**for**”; and

Further amend said bill, Page 36, Section B, Lines 5-6, by striking the following: "**sections 375.015 and 375.023**" and inserting in lieu thereof the following: "**section 375.015**".

**CONFERENCE COMMITTEE REPORT
ON
HOUSE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NOS. 323 & 230**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate on House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 323 & 230 with House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Substitute Amendment No. 1 for House Amendment No. 5, House Amendment No. 6, House Amendment No. 7, House Substitute Amendment No. 2 for House Amendment No. 8, House Amendment No. 9, House Amendment No. 10 and House Amendment No. 11, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 323 & 230, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 323 & 230;
3. That the attached Conference Committee Substitute for House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 323 & 230 be adopted.

FOR THE HOUSE:

/s/ Rep. Don Koller
/s/ Rep. Francis Overschmidt
/s/ Rep. Mark Hampton
/s/ Rep. Estel Robirds
/s/ Rep. Judy Berkstresser

FOR THE SENATE:

/s/ Sen. Doyle Childers
/s/ Sen. Sidney Johnson
/s/ Sen. Roseann Bentley
/s/ Sen. Sarah Steelman
/s/ Sen. James Mathewson

**CONFERENCE COMMITTEE REPORT
ON
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE**

**FOR
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 267**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate on House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 267 with House Amendment No. 1, House Amendment No. 2, House Substitute Amendment No. 1 for House Amendment No. 3, House Amendment No. 4, House Substitute Amendment No. 1 for House Amendment No. 5, House Amendment No. 6, House Amendment No. 7, House Amendment No. 8, House Amendment No. 9, House Substitute Amendment No. 1 for House Amendment No. 10, House Amendment No. 11, House Amendment No. 12, House Amendment No. 13, House Amendment No. 14, House Amendment No. 15, and House Amendment No. 16, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 267, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 267;
3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 267, be adopted.

FOR THE HOUSE:

/s/ Rep. Don Lograsso
/s/ Rep. Richard Byrd
/s/ Rep. Ralph Monaco
/s/ Rep. Craig Hosmer
/s/ Rep. Russ Carnahan

FOR THE SENATE:

/s/ Sen. David Klarich
/s/ Sen. Michael Gibbons
/s/ Sen. Sarah Steelman
/s/ Sen. Ken Jacob
/s/ Sen. Harold Caskey

**CONFERENCE COMMITTEE REPORT NO. 2
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE**

**FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILLS NOS. 144 & 46**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate, on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bills Nos. 144 & 46, with Senate Amendment Nos. 1 and 2, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bills Nos. 144 & 46, as amended;
2. That the House recede from its position on House Committee Substitute for House Bills Nos. 144 & 46;
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bills Nos. 144 & 46 be Truly Agreed To and Finally Passed.

FOR THE HOUSE:

/s/ Matt Bartle
/s/ Connie Cierpoit
/s/ Ralph Monaco
/s/ Dennis Bonner
/s/ Randall Relford

FOR THE SENATE:

/s/ Bill Kenney
/s/ Ronnie DePasco
/s/ James Mathewson
/s/ Bill Foster
/s/ David Klarich

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HS HCS HB 425**, entitled:

An act to repeal sections 319.015, 319.022, 319.023, 319.024, 319.025, 319.026, 319.030, 319.045 and 319.050, RSMo 2000, relating to underground facility safety and damage prevention, and to enact in lieu thereof twelve new sections relating to the same subject, with an expiration date for a certain section.

With Senate Amendment No. 1, Senate Amendment No. 4, Senate Amendment No. 8, Senate Amendment No. 9, Senate Amendment No. 14 and Senate Amendment No. 15.

Senate Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 425, Page 4, Section 319.022, Line 23 of said page, by inserting after all of said line the following:

“5. An annual audit or review of the notification center shall be performed by a certified public accountant and a report of the findings submitted to the speaker of the house of representatives and the president pro tem of the senate.”.

Senate Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill No. 425, Page 8, Section 319.026, Line 72 of said page, by inserting after all of said line the following:

“319.028. 1. On or after January 1, 2003, an owner or operator of underground facilities, who has become a participant in the notification center as required in section 319.022, will maintain participation in the notification center, unless it is determined that the inaccuracy rate of the notification center reaches 15%. The accuracy rate shall be determined by the number of notifications of an excavation, where the owner or operator has no underground facilities at the excavation site, as described in the excavators notification, divided by the total number of notifications to an owner or operator of underground facilities during any 12 month period.

2. Once the notification center has an inaccuracy rate of 15% or higher for any owner or operator of underground facilities, then any such owner or operator may withdraw from participation in the notification center by providing written notice to the notification center of its withdrawal. The owner or operator shall then file with the Recorder of Deeds for each County it has underground facilities, a statement that it has underground facilities and a name and phone number of a contract person that excavators shall contract and notify of its intent to excavate. The owner or operator shall also publish, at least quarterly, in a newspaper or other publication of general circulation in counties that have underground facilities a statement that the owner or operator has underground facilities and who the excavator shall contact regarding its intent to excavate.

3. After January 1, 2003, in the event that an owner or operator withdraws from the notification center no party may use in an any legal proceeding the fact that an owner or operator has withdrawn from the notification center as evidence to establish negligence, recklessness, lack of adherence to industry standards, or any other manner which would suggest that the owner or operator failed to comply with any standard of care.”;
and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 8

AMEND House Substitute for House Committee Substitute for House Bill No. 425, Page 3, Section 319.015, Line 70 of said page, by inserting after the word “that” the following: **“where”**; and

Further amend Line 72 of said page by inserting after the closing bracket “]” the following: **“are”**; and

Further amend Line 73 of said page by striking “which is” and insert in lieu thereof the following: **“and such lines or facilities are”**; and

Further amend Line 73 of said page by inserting at the end of said line the following: **“, such lines or facilities”**; and

Further amend said bill, Page 10, Section 319.030, Line 51 of said page, by striking “the methods indicated above,” and insert in lieu thereof the following:

“that a person is available at the telephone number given in the notice between 8:00 a.m. and 5:00 p.m. on each working day or that the excavator's telephone is equipped with a recording device or that a facsimile number is provided for receiving facsimile messages, then”; and

Further amend said bill, Page 11, Section 319.036, Line 5 of said page, by striking “[of record]”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 9

AMEND House Substitute for House Committee Substitute for House Bill No. 425, Page 3, Section 319.015, Lines 72-73, by striking the words “located on the real property to which such lines provide service which is”; and

Further amend Line 73 by inserting at the end of said line the following: “**receiving service**”.

Senate Amendment No. 14

AMEND House Substitute for House Committee Substitute for House Bill No. 425, Page 12, Section 319.041, Line 1, by inserting a “[” before “**No**” on said line; and

Further amend said section, Line 4, by inserting a “[” after “**318.026.**”; and

Further amend said section and line, by inserting before “**Notwithstanding**” the following:

“Nothing in the foregoing shall relieve an excavator from the obligation to excavate in a safe and prudent manner, nor shall it absolve an excavator from liability for damage to legally installed facilities.”.

Senate Amendment No. 15

AMEND House Substitute for House Committee Substitute for House Bill No. 425, Page 4, Section 319.022, Lines 4-11, by striking said lines and inserting in lieu thereof the following:

“2. [A] All owners and operators of underground facilities which are located in a county of the first classification or second classification within the state who are not members of a notification center on August 28, 2001, shall become participants in the notification center prior to January 1, 2003. Any person who installs or otherwise becomes an owner or operator of an underground facility which is located within a county of the first classification or second classification on or after January 1, 2003, shall become a participant in the notification center within thirty days of acquiring or operating such underground facility. Beginning January 1, 2003, all owners and operators of underground facilities which are located in a county of the first classification or second classification within the state shall maintain participation in the notification center.

3. All owners and operators of underground facilities which are located in a county of the third classification or fourth classification within the state who are not members of a notification center on August 28, 2001, shall become participants in the notification center prior to January 1, 2005. Any person who installs or otherwise becomes an owner or operator of an underground facility which is located within a county of the third classification or fourth classification on or after January 1, 2005, shall become a participant in the notification center within thirty days of acquiring or operating such underground facility. Beginning January 1, 2005, all owners and operators of underground facilities which are located in a county of the third classification or fourth classification within the state shall maintain participation in the notification center.”.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 12**, and has taken up and passed **CCS SCS HCS HB 12**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the

Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 14**, and has taken up and passed **CCS SCS HCS HB 14**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS HCS SS SCS SB 267, as amended**, and has taken up and passed **CCS HS HCS SS SCS SB 267**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 319, as amended**: Senators Bland, Stoll, Bentley, Yeckel and Kenney.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Friday, May 11, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Seventieth Day, Wednesday, May 9, 2001, page 1755, roll call, by showing Representatives Barry, Kelly (144) and Kelly (27) voting "aye" rather than "absent with leave".

Pages 1757 and 1758, roll call, by showing Representatives Crump and Ridgeway voting "aye" rather than "absent with leave".

Pages 1758 and 1759, roll call, by showing Representatives Behnen, Crump, Fares, Ridgeway and Surface voting "aye" rather than "absent with leave".

Pages 1759 and 1760, roll call, by showing Representative Secrest voting "aye" rather than "absent with leave".

Page 1760, roll call, by showing Representative Ridgeway voting "aye" rather than "absent with leave".

Pages 1760 and 1761, roll call, by showing Representatives Champion, Fares and Purgason voting "aye" rather than "absent with leave".

Pages 1761 and 1762, roll call, by showing Representatives Boatright, Crawford and Purgason voting "aye" rather than "absent with leave".

Page 1763, roll call, by showing Representatives Crump and Purgason voting "aye" rather than "absent with leave".

Pages 1767 and 1768, roll call, by showing Representative Sanders Brooks voting "present"

rather than "absent with leave".

Pages 1767 and 1768, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

Pages 1768 and 1769, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

Pages 1769 and 1770, roll call, by showing Representative Boykins voting "no" rather than "aye".

Pages 1769 and 1770, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

Pages 1770 and 1771, roll call, by showing Representative Boykins voting "no" rather than "aye".

Pages 1770 and 1771, roll call, by showing Representative Sanders Brooks voting "present" rather than "absent with leave".

Pages 1771 and 1772, roll call, by showing Representatives Berkstresser, Sanders Brooks and Ridgeway voting "aye" rather than "absent with leave".

Pages 1772 and 1773, roll call, by showing Representatives Sanders Brooks, Hosmer and McKenna voting "aye" rather than "absent with leave".

Pages 1773 and 1774, roll call, by showing Representatives Sanders Brooks, Hosmer and McKenna voting "aye" rather than "absent with leave".

Pages 1773 and 1774, roll call, by showing Representative Boatright voting "no" rather than "absent with leave".

Pages 1774 and 1775, roll call, by showing Representatives Sanders Brooks, Hosmer and McKenna voting "aye" rather than "absent with leave".

Pages 1775 and 1776, roll call, by showing Representative Portwood voting "aye" rather than "absent with leave".

Pages 1777 and 1778, roll call, by showing Representatives Portwood and Ridgeway voting "aye" rather than "absent with leave".

Pages 1777 and 1778, roll call, by showing Representative Robirds voting "no" rather than "absent with leave".

Pages 1778 and 1779, roll call, by showing Representatives Boucher, Sanders Brooks and

Portwood voting "aye" rather than "absent with leave".

Pages 1779 and 1780, roll call, by showing Representatives Boucher, Sanders Brooks, McKenna and Portwood voting "aye" rather than "absent with leave".

Page 1780, roll call, by showing Representatives Sanders Brooks and Portwood voting "aye" rather than "absent with leave".

Page 1781, roll call, by showing Representative Copenhaver voting "aye" rather than "absent with leave".

Pages 1781 and 1782, roll call, by showing Representatives Sanders Brooks, Burcham, Kelly (144), McKenna, Portwood and Ridgeway voting "aye" rather than "absent with leave".

Pages 1782 and 1783, roll call, by showing Representatives Sanders Brooks, Berkstresser and McKenna voting "aye" rather than "absent with leave".

Pages 1783 and 1784, roll call, by showing Representatives Sanders Brooks, Berkstresser, Burcham, Crump, Kelly (27), McKenna and Portwood voting "aye" rather than "absent with leave".

Pages 1784 and 1785, roll call, by showing Representative Crump voting "aye" rather than "absent with leave".

Pages 1785 and 1786, roll call, by showing Representatives Crump, Kelly (144) and Miller voting "aye" rather than "absent with leave".

Pages 1786 and 1787, roll call, by showing Representatives Barnett, Boucher, Sanders Brooks, Crump, Froelker, Hosmer, Kelly (27) and Scott voting "aye" rather than "absent with leave".

Pages 1787 and 1788, roll call, by showing Representatives Sanders Brooks, Crump, Froelker, Hosmer, Kelly (27), Portwood and Shields voting "aye" rather than "absent with leave".

Pages 1787 and 1788, roll call, by showing Representative Reinhart voting "no" rather than "absent with leave".

Pages 1788 and 1789, roll call, by showing Representatives Sanders Brooks, Crump, Dempsey, Hosmer, Portwood, Reynolds and Scott voting "aye" rather than "absent with leave".

Pages 1788 and 1789, roll call, by showing Representative Crowell voting "no" rather than "absent with leave".

Pages 1792 and 1793, roll call, by showing Representatives Berkstresser and Naeger voting "aye" rather than "absent with leave".

Pages 1793 and 1794, roll call, by showing Representatives Sanders Brooks, Kelly (27) and

Ridgeway voting "aye" rather than "absent with leave".

Pages 1794 and 1795, roll call, by showing Representative Shields voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Friday, May 11, 2001, 9:30 am. Room 414.

CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING

Monday, May 14, 2001, 8:00 p.m. Hearing Room 3.

Executive Session may follow.

To be considered - SB 337

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Monday, May 14, 2001, 8:00 am. Hearing Room 1.

Quarterly business meeting. Release of Oversight reports. AMENDED.

HOUSE CALENDAR

SEVENTY-SECOND DAY, FRIDAY, MAY 11, 2001

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 15 & 13 - Crawford

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 457, HA 2, as amended, tabled - Kreider
- 2 HCS HB 593 - Riback Wilson (25)
- 3 HCS HB 239 - Smith
- 4 HB 802 - Ransdall
- 5 HCS HB 374 - Fraser
- 6 HCS HB 635 - Barry
- 7 HCS HB 868 - Merideth
- 8 HCS HB 253 - Ross
- 9 HB 809, HCA 1 - Carnahan
- 10 HCS HB 340, 303 & 316 - Graham
- 11 HB 640 - Johnson (90)
- 12 HCS HB 723 - Mays (50)
- 13 HCS HB 117 - Riback Wilson (25)
- 14 HCS HB 307 - Wiggins
- 15 HCS HB 921 - Curls
- 16 HB 911 - Carnahan

- 17 HCS HB 511 - Johnson (90)
- 18 HB 63 - Reynolds
- 19 HCS HB 93 - Gaskill

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HCS HB 853 & 258 - Crump
- 3 HCS HB 186 & 172 - Troupe
- 4 HCS HB 888, 942 & 943 - Scheve
- 5 HCS HB 472 - Burton
- 6 HCS HB 293 - Kennedy
- 7 HCS HB 663 & 375 - Kennedy
- 8 HCS HB 170 - Froelker

HOUSE BILLS FOR THIRD READING

- 1 HB 527, (Fiscal Review 4-19-01) - Luetkenhaus
- 2 HB 366, E.C. - Champion
- 3 HS HB 286, E.C. - Smith
- 4 HS HB 715 - Foley

SENATE CONCURRENT RESOLUTION FOR SECOND READING

SCR 31

SENATE JOINT RESOLUTIONS FOR THIRD READING

- 1 HCS SS SCS SJR 1 & 4, (Fiscal Review 5-2-01) - O'Toole
- 2 SS SJR 9 - Gambaro

SENATE BILLS FOR THIRD READING

- 1 HS HCS SB 125, as amended (Fiscal Review 5-10-01) - Hoppe
- 2 HCS SB 460 - Kennedy
- 3 HCS SB 72 - Smith
- 4 HCS SCS SB 236, E.C. - Ladd Baker
- 5 SB 500 - Rizzo
- 6 SB 370, HCA 1 - Smith
- 7 SCS SB 290 - Rizzo
- 8 HCS SCS SB 486 & SB 422 - Hoppe
- 9 HCS SS SB 244 - Koller
- 10 HCS SB 365 - Overschmidt
- 11 HCS SCS SB 591 - Hoppe

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- 12 HCS SCS SB 617 - Rizzo
- 13 HCS SB 288, E.C.(Fiscal Review 5-7-01) - Monaco
- 14 SCS SB 393, E.C. - Treadway
- 15 SCS SB 374 - Ransdall
- 16 HCS SS SCS SB 48 - Hollingsworth
- 17 SS#2 SCS SB 22 & 106, E.C. (Fiscal Review 5-8-01) - Scheve
- 18 SS SCS SB 351, HCA 1 - Hosmer
- 19 HCS SCS SB 10 - Monaco
- 20 HCS SB 275 - Levin
- 21 HCS SS SCS SB 226, (Fiscal Review 5-10-01) - Foley
- 22 SB 470, HCA 1 - O'Toole

SENATE BILLS FOR THIRD READING - INFORMAL

- 1 SB 123 - Hampton
- 2 SB 416 - Wagner
- 3 HCS SCS SB 266 - Barry
- 4 HCS SS SCS SB 369 - Burton
- 5 HCS SB 392, (Fiscal Review 5-10-01) - Rizzo
- 6 HCS SS SCS SB 433 & 248 - Hoppe
- 7 HCS SS SCS SB 476, 427 & 62 - Seigfreid

SENATE BILL FOR THIRD READING - CONSENT - INFORMAL

SB 556 - Hoppe

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 HB 955, SCA 1 - Green (73)
- 2 SS HCR 5, as amended - Mays (50)
- 3 SCS HB 498 - Wagner
- 4 SCS HCR 24 - Boucher
- 5 SCS HB 157 - Hosmer
- 6 HS HCS HB 425, SAs 1, 4, 8, 9, 14 & 15 - O'Toole
- 7 SCS HCS HB 205, 323 & 549 - Relford

BILLS CARRYING REQUEST MESSAGES

- 1 HCS SB 304, (request House recede/grant conference) - Monaco

- 2 HCS SCS SB 151, (House refuse to adopt CCR/request Senate
grant further conference) - Gaskill

BILLS IN CONFERENCE

- 1 HCS SB 462, as amended, E.C. - Legan
- 2 CCR HCS SS SB 193, as amended - Ward
- 3 HCS SB 610 - Hoppe
- 4 CCR HS HCS SS SCS SB 267, as amended - Monaco
- 5 CCR#2 SS SCS HCS HB 567, as amended, E.C. - Treadway
- 6 SCS HCS HB 302 & 38, as amended, E.C. - Hosmer
- 7 CCR#2 SS SCS HCS HB 144 & 46, as amended - Bonner
- 8 CCR HS SS SCS SB 323 & 230, as amended - Koller
- 9 SS SCS HS HB 421, as amended - Hoppe
- 10 HCS SB 319, as amended - Johnson (61)

HOUSE RESOLUTION

HR 922, (5-8-01, pages 1734 & 1735) - Ladd Baker

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

SEVENTY-SECOND DAY, FRIDAY, MAY 11, 2001

Speaker Pro Tem Abel in the Chair.

Prayer by Reverend Rudy Beard.

O Lord, Your presence gives us life itself. We are grateful before You for the gifts You give to Missouri and to us.

This week as we recall the sacred memories of our families, mothers and grandmothers, help us their children, be worthy of the love, devotion and faith we have known in them. And by kindness, compassion, loving care may we honor them in the coming weeks. For the great blessing of our families, our mothers, we praise Your Holy Name. To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Joshua R. Davenport.

The Journal of the seventy-first day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2024	-	Representative Riback Wilson (25)
House Resolution No. 2025	-	Representative Troupe
House Resolution No. 2026	-	Representative Willoughby
House Resolution No. 2027	-	Representative Boatright
House Resolution No. 2028	-	Representative Richardson
House Resolution No. 2029		
through		
House Resolution No. 2031	-	Representative Jetton
House Resolution No. 2032	-	Representative St. Onge
House Resolution No. 2033	-	Representative Luetkenhaus
House Resolution No. 2034	-	Representative Fraser
House Resolution No. 2035	-	Representative Kelly (144)
House Resolution No. 2036		
and		
House Resolution No. 2037	-	Representative Treadway

House Resolution No. 2038
through
House Resolution No. 2040 - Representative Crowell
House Resolution No. 2041
and
House Resolution No. 2042 - Representative Boucher
House Resolution No. 2043 - Representative Treadway
House Resolution No. 2044 - Representative Williams
House Resolution No. 2045 - Representative Hendrickson
House Resolution No. 2046 - Representative Hampton
House Resolution No. 2047 - Representative Carnahan
House Resolution No. 2048 - Representative Coleman
House Resolution No. 2049 - Representative Cunningham
House Resolution No. 2050 - Representative McKenna
House Resolution No. 2051 - Representative Green (73)
House Resolution No. 2052
through
House Resolution No. 2060 - Representative Naeger
House Resolution No. 2061 - Representative Berkowitz
House Resolution No. 2062 - Representative Legan

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 31 was read the second time.

Speaker Kreider assumed the Chair.

HOUSE BILLS WITH SENATE AMENDMENTS

SS HCR 5, as amended, relating to the joint interim committee on telecommunications and energy, was taken up by Representative Mays (50).

On motion of Representative Mays (50), **SS HCR 5, as amended**, was adopted and truly agreed to and finally passed by the following vote:

AYES: 147

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway

Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Legan	Levin	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Richardson	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 001

Reynolds

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Bartelsmeyer	Berkstresser	Cierpiot	Green 73
Lawson	Miller	O'Toole	Ridgeway	Shields
Van Zandt	Wiggins			

VACANCIES: 003

Speaker Kreider declared the bill passed.

SCS HB 498, relating to third class cities, was taken up by Representative Wagner.

On motion of Representative Wagner, **SCS HB 498** was adopted by the following vote:

AYES: 146

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curts	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly

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Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Levin	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Monaco	Moore	Murphy	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker	Bartelsmeyer	Berkstresser	Cierpiot	Green 73
Lawson	Legan	Lograsso	Miller	Nordwald
Ridgeway	Seigfreid	Van Zandt	Wiggins	

VACANCIES: 003

On motion of Representative Wagner, **SCS HB 498** was truly agreed to and finally passed by the following vote:

AYES: 150

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Legan	Levin
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Monaco
Moore	Murphy	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott

Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Bartelsmeyer	Berkstresser	Cierpiot	Kennedy	Lawson
Miller	Nordwald	Ridgeway	Van Zandt	Wiggins

VACANCIES: 003

Speaker Kreider declared the bill passed.

SCS HCS HBs 205, 323 & 549, relating to the conservation commission, was taken up by Representative Relford.

Representative Relford moved that the House refuse to adopt **SCS HCS HBs 205, 323 & 549** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

BILL CARRYING REQUEST MESSAGE

HCS SB 304, relating to the removal of corporate trustees, was taken up by Representative Monaco.

Representative Monaco moved that the House refuse to recede from its position on **HCS SB 304** and grant the Senate a conference.

Which motion was adopted.

Representative Smith assumed the Chair.

Speaker Pro Tem Abel resumed the Chair.

BILLS IN CONFERENCE

CCR No. 2 SS SCS HCS HB 567, as amended, relating to professional registration, was taken up by Representative Treadway.

Representative Treadway moved that **CCR No. 2 SS SCS HCS HB 567, as amended**, be adopted.

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Which motion was defeated by the following vote:

AYES: 052

Abel	Barry 100	Bonner	Bray 84	Britt
Campbell	Carnahan	Clayton	Crump	Davis
Farnen	Foley	Ford	Franklin	Gambaro
George	Green 73	Hagan-Harrell	Harding	Harlan
Hickey	Hilgemann	Holand	Hollingsworth	Hosmer
Johnson 90	Kelly 27	Kennedy	Koller	Linton
Lowe	Luetkenhaus	McKenna	Merideth	Monaco
O'Connor	O'Toole	Overschmidt	Ransdall	Relford
Reynolds	Rizzo	Scheve	Selby	Shelton
Shoemyer	Treadway	Troupe	Villa	Wagner
Wilson 25	Mr. Speaker			

NOES: 100

Ballard	Barnett	Barnitz	Bartle	Bearden
Behnen	Berkowitz	Black	Bland	Boatright
Boucher	Bowman	Boykins	Brooks	Burcham
Burton	Byrd	Champion	Cierpiot	Coleman
Cooper	Copenhaver	Crawford	Crowell	Cunningham
Curls	Dempsey	Dolan	Enz	Fares
Fraser	Froelker	Gaskill	Graham	Gratz
Green 15	Griesheimer	Hampton	Hanaway	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hohulin
Holt	Hoppe	Hunter	Jetton	Johnson 61
Jolly	Kelley 47	Kelly 144	Kelly 36	King
Legan	Levin	Liese	Lograsso	Long
Luetkemeyer	Marble	Marsh	May 149	Mayer
Mays 50	Moore	Murphy	Myers	Naeger
Ostmann	Phillips	Portwood	Purgason	Rector
Reid	Reinhart	Richardson	Ridgeway	Roark
Robirds	Ross	Schwab	Scott	Secrest
Seigfreid	Shields	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Vogel	Walton
Ward	Williams	Willoughby	Wilson 42	Wright

PRESENT: 000

ABSENT WITH LEAVE: 008

Baker	Bartelsmeyer	Berkstresser	Lawson	Miller
Nordwald	Van Zandt	Wiggins		

VACANCIES: 003

Representative Treadway moved that the House refuse to adopt **CCR No. 2 SS SCS HCS HB 567, as amended**, and request the Senate to grant the House further conference.

Which motion was adopted.

CCR No. 2 SS SCS HCS HBs 144 & 46, as amended, relating to prisoner releases and escapes, was taken up by Representative Bonner.

On motion of Representative Bonner, **CCR No. 2 SS SCS HCS HBs 144 & 46, as amended**, was adopted by the following vote:

AYES: 148

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 36
Kennedy	King	Koller	Legan	Levin
Liese	Linton	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Monaco	Moore	Murphy
Myers	Naeger	O'Connor	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Bartelsmeyer	Berkstresser	Kelly 27	Lawson
Lograsso	Long	Miller	Nordwald	O'Toole
Van Zandt	Wiggins			

VACANCIES: 003

On motion of Representative Bonner, **CCS SS SCS HCS HBs 144 & 46** was read the third time and passed by the following vote:

1949 *Journal of the House*

AYES: 149

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Legan
Levin	Liese	Linton	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Monaco	Moore
Murphy	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Troupe	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Bartelsmeyer	Berkstresser	Lawson	Lograsso
Long	Miller	Nordwald	Treadway	Van Zandt
Wiggins				

VACANCIES: 003

Representative Abel declared the bill passed.

CCR HS HCS SS SCS SB 267, as amended, relating to court procedures, was taken up by Representative Monaco.

On motion of Representative Monaco, **CCR HS HCS SS SCS SB 267, as amended**, was adopted by the following vote:

AYES: 127

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Black
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Copenhaver	Crowell	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Fraser
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Hendrickson	Hickey	Hilgemann	Holand
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 27	Kelly 36
Kennedy	Koller	Legan	Liese	Linton
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Monaco	Moore	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Ransdall	Rector	Reid	Reinhart	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schwab	Secrest	Selby	Shelton
Shields	Shoemyer	Skaggs	St. Onge	Thompson
Treadway	Troupe	Villa	Vogel	Wagner
Walton	Ward	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 023

Ballard	Boatright	Cooper	Crawford	Crump
Franklin	Froelker	Henderson	Hohulin	Hollingsworth
Hunter	Kelly 144	King	Levin	Marble
Purgason	Relford	Roark	Scott	Seigfreid
Smith	Surface	Townley		

PRESENT: 000

ABSENT WITH LEAVE: 010

Bartelsmeyer	Berkstresser	Lawson	Long	Miller
Murphy	Nordwald	Van Zandt	Wiggins	Williams

VACANCIES: 003

Representative Clayton assumed the Chair.

Speaker Pro Tem Abel resumed the Chair.

Representative Clayton resumed the Chair.

On motion of Representative Monaco, **CCS HS HCS SS SCS SB 267** was truly agreed to and finally passed by the following vote:

1951 *Journal of the House*

AYES: 130

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Behnen	Berkowitz	Black	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Fraser	Froelker	Gambara	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Hendrickson	Hickey
Hilgemann	Holand	Holt	Hoppe	Hosmer
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 27	Kelly 36	Kennedy	Koller	Legan
Levin	Liese	Linton	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Monaco	Moore
Myers	Naeger	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Ransdall	Rector
Reid	Reinhart	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Schwab	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	St. Onge	Thompson	Treadway	Troupe
Villa	Vogel	Wagner	Walton	Ward
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 019

Ballard	Boatright	Cooper	Franklin	Henderson
Hohulin	Hollingsworth	Hunter	King	Marble
Murphy	Purgason	Roark	Scheve	Scott
Smith	Surface	Townley	Williams	

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Bartelsmeyer	Berkstresser	Kelly 144	Lawson
Long	Miller	Nordwald	Relford	Van Zandt
Wiggins				

VACANCIES: 003

Representative Clayton declared the bill passed.

HOUSE BILLS WITH SENATE AMENDMENTS

HS HCS HB 425, with Senate Amendment No. 1, Senate Amendment No. 4, Senate Amendment No. 8, Senate Amendment No. 9, Senate Amendment No. 14 and Senate Amendment No. 15, relating to underground facility safety, was taken up by Representative O'Toole.

On motion of Representative O'Toole, the House concurred in **Senate Amendment No. 1, Senate Amendment No. 4, Senate Amendment No. 8, Senate Amendment No. 9, Senate Amendment No. 14 and Senate Amendment No. 15**, by the following vote:

AYES: 120

Abel	Ballard	Barnett	Barry 100	Bartle
Bearden	Berkowitz	Black	Bland	Bonner
Bowman	Boykins	Bray 84	Brooks	Burcham
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Copenhaver	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Fares	Farnen	Foley	Ford	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hanaway	Harding	Harlan	Hartzler	Haywood
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Legan	Levin	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	Mays 50	McKenna	Monaco
Myers	Naeger	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Ransdall	Rector	Reid
Reinhart	Reynolds	Richardson	Ridgeway	Robirds
Ross	Scheve	Secrest	Selby	Shelton
Shields	Shoemyer	Skaggs	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 026

Barnitz	Behnen	Boatright	Boucher	Britt
Cooper	Crawford	Hampton	Hegeman	Henderson
Hohulin	Hunter	Koller	May 149	Mayer
Merideth	Moore	Murphy	Portwood	Purgason
Rizzo	Roark	Schwab	Scott	Seigfreid
Smith				

PRESENT: 001

Hendrickson

ABSENT WITH LEAVE: 013

Baker	Bartelsmeyer	Berkstresser	Byrd	Enz
Franklin	Lawson	Lograsso	Miller	Nordwald
Relford	Van Zandt	Wiggins		

VACANCIES: 003

On motion of Representative O'Toole, **HS HCS HB 425, as amended**, was truly agreed to and finally passed by the following vote:

1953 *Journal of the House*

AYES: 109

Abel	Ballard	Barnett	Barry 100	Bartle
Bearden	Black	Bland	Bonner	Bowman
Boykins	Bray 84	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Enz	Fares
Foley	Ford	Fraser	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hanaway	Harding	Harlan
Hartzler	Haywood	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kennedy	Levin	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marsh
Mays 50	McKenna	Monaco	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Ransdall	Rector	Reid	Reinhart	Reynolds
Richardson	Ridgeway	Robirds	Ross	Secrest
Selby	Shelton	Shields	Skaggs	St. Onge
Surface	Thompson	Treadway	Troupe	Villa
Vogel	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 034

Barnitz	Behnen	Berkowitz	Boatright	Boucher
Britt	Cooper	Copenhaver	Crawford	Farnen
Froelker	Hampton	Hegeman	Henderson	Hohulin
Hunter	Kelly 36	King	Koller	May 149
Mayer	Merideth	Moore	Murphy	Portwood
Purgason	Rizzo	Roark	Schwab	Scott
Seigfreid	Shoemyer	Smith	Townley	

PRESENT: 002

Hendrickson Marble

ABSENT WITH LEAVE: 015

Baker	Bartelsmeyer	Berkstresser	Dolan	Franklin
Lawson	Legan	Lograsso	Miller	Nordwald
Relford	Scheve	Van Zandt	Wagner	Wiggins

VACANCIES: 003

Representative Clayton declared the bill passed.

THIRD READING OF SENATE BILLS

HCS SB 460, relating to the sales/use tax, was taken up by Representative Kennedy.

Representative Kennedy offered **HS HCS SB 460**.

Representative Kennedy offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Bill No. 460, Page 8, Section 144.049, Line 17, by inserting after the word “**all**” the words “**state and**”; and

Further amend said bill, Page 8, Section 144.049, Line 20, by inserting after the word “**all**” the words “**state and**”; and

Further amend said bill, Page 11, Section 144.815, Line 15, by inserting after the word “**from**” the words “**all state and**”; and

Further amend said bill, Page 11, Section 144.815, Line 22, by inserting after the words “**pursuant to**” the words “**all state and**”; and

Further amend said bill, Page 19, Section 2, Line 7, by inserting after the word “**all**” the words “**state and**”; and

Further amend said bill, Page 19, Section 2, Line 10, by inserting after the word “**all**” the words “**state and**”.

Speaker Kreider resumed the Chair.

On motion of Representative Kennedy, **House Amendment No. 1** was adopted.

Representative Hanaway requested a division of the question on **HS HCS SB 460**.

Representative Surface offered **House Amendment No. 1 to Part I of HS HCS SB 460**.

House Amendment No. 1

PART I

AMEND House Substitute for House Committee Substitute for Senate Bill No. 460, Page 8, Section 32.378, Line 14, by inserting after said line the following:

“144.025. 1. Notwithstanding any other provisions of law to the contrary, in any retail sale other than retail sales governed by subsection 3 of this section, where any article is taken in trade as a credit or part payment on the purchase price of the article being sold, the tax imposed by sections 144.020 and 144.440 shall be computed only on that portion of the purchase price which exceeds the actual allowance made for the article traded in or exchanged, if there is a bill of sale or other record showing the actual allowance made for the article traded in or exchanged. Where the purchaser of a motor vehicle, trailer, boat or outboard motor receives a rebate from the seller or manufacturer, the tax imposed by sections 144.020 and 144.440 shall be computed only on that portion of the purchase price which exceeds the amount of the rebate, if there is a bill of sale or other record showing the actual rebate given by the seller or manufacturer. Where the trade-in or exchange allowance plus any applicable rebate exceeds the purchase price of the purchased article there shall be no sales or use tax owed. This section shall also apply to motor vehicles, trailers, boats, and outboard motors sold by the owner or holder of the properly assigned certificate of ownership if the seller purchases or contracts to purchase a subsequent motor vehicle, trailer, boat, or outboard motor within one hundred eighty days before or after the date of the sale of the original article and a notarized bill of sale showing the paid sale price is presented to the department of revenue at the time of licensing. A copy of the bill of sale shall be left with the licensing office. Where the subsequent motor vehicle, trailer, boat, or outboard motor is titled more than one hundred eighty days after the sale of the original motor vehicle, trailer, boat, or outboard motor, the allowance pursuant to this section shall be made if the person titling such article establishes that the purchase or contract to purchase was finalized prior to the expiration of the one hundred eighty-day period. **For purposes of this section “trade-in” shall include any insurance proceeds received as the result damage to a motor vehicle, trailer, boat, or outboard motor when such proceeds are used**

to purchase a replacement motor vehicle, trailer, boat, or outboard motor.

2. As used in this section, the term "boat" includes all motorboats and vessels, as the terms "motorboat" and "vessel" are defined in section 306.010, RSMo.

3. As used in this section, the term "motor vehicle" includes motor vehicles as defined in section 301.010, RSMo, recreational vehicles as defined in section 700.010, RSMo, or a combination of a truck as defined in section 301.010, RSMo, and a trailer as defined in section 301.010, RSMo.

4. The provisions of subsection 1 of this section shall not apply to retail sales of manufactured homes in which the purchaser receives a document known as the "Manufacturer's Statement of Origin" for purposes of obtaining a title to the manufactured home from the department of revenue of this state or from the appropriate agency or officer of any other state."; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Surface, **House Amendment No. 1 to Part I of HS HCS SB 460** was adopted.

Representative Barry offered **House Amendment No. 2 to Part I of HS HCS SB 460.**

House Amendment No. 2

PART I

AMEND House Substitute for House Committee Substitute for Senate Bill No. 460, Section 144.049, by inserting immediately before said section the following:

"144.020. 1. A tax is hereby levied and imposed upon all sellers for the privilege of engaging in the business of selling tangible personal property or rendering taxable service at retail in this state. The rate of tax shall be as follows:

(1) Upon every retail sale in this state of tangible personal property, a tax equivalent to four percent of the purchase price paid or charged, or in case such sale involves the exchange of property, a tax equivalent to four percent of the consideration paid or charged, including the fair market value of the property exchanged at the time and place of the exchange, except as otherwise provided in section 144.025;

(2) A tax equivalent to four percent of the amount paid for admission and seating accommodations, or fees paid to, or in any place of amusement, entertainment [or recreation], games and athletic events;

(3) A tax equivalent to four percent of the basic rate paid or charged on all sales of electricity or electrical current, water and gas, natural or artificial, to domestic, commercial or industrial consumers;

(4) A tax equivalent to four percent on the basic rate paid or charged on all sales of local and long distance telecommunications service to telecommunications subscribers and to others through equipment of telecommunications subscribers for the transmission of messages and conversations and upon the sale, rental or leasing of all equipment or services pertaining or incidental thereto; except that, the payment made by telecommunications subscribers or others, pursuant to section 144.060, and any amounts paid for access to the Internet or interactive computer services shall not be considered as amounts paid for telecommunications services;

(5) A tax equivalent to four percent of the basic rate paid or charged for all sales of services for transmission of messages of telegraph companies;

(6) A tax equivalent to four percent on the amount of sales or charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp or other place in which rooms, meals or drinks are regularly served to the public;

(7) A tax equivalent to four percent of the amount paid or charged for intrastate tickets by every person operating a railroad, sleeping car, dining car, express car, boat, airplane and such buses and trucks as are licensed by the division of motor carrier and railroad safety of the department of economic development of Missouri, engaged in the transportation of persons for hire;

(8) A tax equivalent to four percent of the amount paid or charged for rental or lease of tangible personal property, provided that if the lessor or renter of any tangible personal property had previously purchased the property

under the conditions of "sale at retail" as defined in subdivision (8) of section 144.010 or leased or rented the property and the tax was paid at the time of purchase, lease or rental, the lessor, sublessor, renter or subrenter shall not apply or collect the tax on the subsequent lease, sublease, rental or subrental receipts from that property. The purchase or use of motor vehicles, trailers, boats, and outboard motors shall be taxed and the tax paid as provided in sections 144.070 and 144.440. No tax shall be collected on the rental or lease of motor vehicles, trailers, boats, and outboard motors, except as provided in sections 144.070 and 144.440. In no event shall the rental or lease of boats and outboard motors be considered a sale, charge, or fee to, for or in places of amusement, entertainment or recreation nor shall any such rental or lease be subject to any tax imposed to, for, or in such places of amusement, entertainment or recreation. Rental and leased boats or outboard motors shall be taxed under the provisions of the sales tax laws as provided under such laws for motor vehicles and trailers. Tangible personal property which is exempt from the sales or use tax under section 144.030 upon a sale thereof is likewise exempt from the sales or use tax upon the lease or rental thereof;

(9) A tax equivalent to four percent of the amount paid for admission and seating accommodations, or fees paid to, or in any place of recreation, with the exception of membership and other user fees paid to health and fitness centers. The sale of a membership solely for health-benefit activities at a health and fitness center shall not be taxable pursuant to this chapter. User fees charged by health and fitness centers, whether charged to members or non-members, shall not be taxable pursuant to this chapter if the fee is charged solely for a health-benefit activity. The sale of a recreational membership at a health and fitness center shall be taxed at the rate of four percent of the amount paid for the membership. User fees charged by health and fitness centers, whether charged to members or non-members, shall be taxed at the rate of four percent of the fee charged if the fee is charged for a recreational activity. For purposes of this subdivision, the term "health-benefit activities" means activities the primary purpose of which is to improve a person's health and fitness, including but not limited to strength programs, running and weight training; cardiovascular programs, exercises and training; lap swimming and aerobic programs, exercises and training; nutrition-related programs; weight control programs, exercises and training; multiple-step health programs; and any programs, activities, exercise, training or therapy which is referred by a physician or which is paid for by health insurance. For purposes of this subdivision, the term "recreational" or "recreational activities" means all activities not considered to be health-benefit activities, including but not limited to basketball, volleyball, racquetball, karate, dancing, golf, tennis or any games or competitions.

2. All tickets sold which are sold under the provisions of sections 144.010 to 144.525 which are subject to the sales tax shall have printed, stamped or otherwise endorsed thereon, the words "This ticket is subject to a sales tax."."; and

Further amend the title and enacting clause accordingly.

On motion of Representative Barry, **House Amendment No. 2 to Part I of HS HCS SB 460** was adopted.

Representative Bonner offered **House Amendment No. 3 to Part I of HS HCS SB 460.**

House Amendment No. 3

PART I

AMEND House Substitute for House Committee Substitute for Senate Bill No. 460, Page 9, Section 32.375, Line 17, by inserting after all of said line the following:

"144.032. The provisions of section 144.030 to the contrary notwithstanding, any city imposing a sales tax [under the provisions of] **pursuant to** sections 94.500 to 94.570, **section 94.577 or 94.705**, RSMo, or any county imposing a sales tax [under the provisions of] **pursuant to** sections 66.600 to 66.635, RSMo, or any county imposing a sales tax [under the provisions of] **pursuant to** sections 67.500 to 67.729, RSMo, **or any city imposing a sales tax pursuant to sections 644.032 to 644.034, RSMo**, may by ordinance impose a sales tax upon all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only. Such tax shall be administered by the department of revenue and assessed by the retailer in the same manner

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as any other city or county sales tax. Domestic use shall be determined in the same manner as the determination of domestic use for exemption of such sales from the state sales tax [under the provisions of] **pursuant to** section 144.030."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Hegeman raised a point of order that **House Amendment No. 3 to Part I of HS HCS SB 460** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Bonner moved that **House Amendment No. 3 to Part I of HS HCS SB 460** be adopted.

Which motion was defeated.

Representative Skaggs offered **House Amendment No. 4 to Part I of HS HCS SB 460**.

House Amendment No. 4

PART I

AMEND House Substitute for House Committee Substitute for Senate Bill No. 460, Section 32.378, by inserting after all of said section the following:

"94.577. 1. The governing body of any municipality except those located in whole or in part within any first class county having a charter form of government and not containing any part of a city with a population of four hundred thousand or more and adjacent to a city not within a county for that part of the municipality located within such first class county is hereby authorized to impose, by ordinance or order, a one-eighth, one-fourth, three-eighths, or one-half of one percent sales tax on all retail sales made in such municipality which are subject to taxation under the provisions of sections 144.010 to 144.525, RSMo, for the purpose of funding capital improvements, including the operation and maintenance of capital improvements, which may be funded by issuing bonds which will be retired by the revenues received from the sales tax authorized by this section or the retirement of debt under previously authorized bonded indebtedness. A municipality located in a charter county may impose a sales tax on all retail sales for capital improvements as provided in section 94.890. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law; but no ordinance imposing a sales tax under the provisions of this section shall be effective unless the governing body of the municipality submits to the voters of the municipality, at a municipal or state general, primary or special election, a proposal to authorize the governing body of the municipality to impose such tax and, if such tax is to be used to retire bonds authorized under this section, to authorize such bonds and their retirement by such tax, or to authorize the retirement of debt under previously authorized bonded indebtedness.

2. The ballot of submission shall contain, but need not be limited to:

(1) If the proposal submitted involves only authorization to impose the tax authorized by this section, the following language:

Shall the municipality of (municipality's name) impose a sales tax of (insert amount) for the purpose of funding capital improvements which may include the retirement of debt under previously authorized bonded indebtedness?

G YES

G NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No"; or

(2) If the proposal submitted involves authorization to issue bonds and repay such bonds with revenues from the tax authorized by this section, the following language:

Shall the municipality of (municipality's name) issue bonds in the amount of (insert amount) to fund capital improvements and impose a sales tax of (insert amount) to repay bonds?

G YES

G NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in box opposite "No".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, including when the proposal authorizes the reduction of debt under previously authorized bonded indebtedness under subdivision (1) of this subsection, then the ordinance or order and any amendments thereto shall be in effect, except that any proposal submitted under subdivision (2) of this subsection to issue bonds and impose a sales tax to retire such bonds must be approved by the constitutionally required percentage of the voters voting thereon to become effective. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the municipality shall have no power to issue any bonds or impose the sales tax authorized in this section unless and until the governing body of the municipality shall again have submitted another proposal to authorize the governing body of the municipality to issue any bonds or impose the sales tax authorized by this section, and such proposal is approved by the requisite majority of the qualified voters voting thereon; however, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section, **except that any municipality with a population of greater than four hundred thousand and located within more than one county may submit a proposal pursuant to this section to the voters sooner than twelve months from the date of the last proposal submitted pursuant to this section, if the subsequent proposal is submitted to the voters on or before November 6, 2001.**

3. All revenue received by a municipality from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely for capital improvements, including the operation and maintenance of capital improvements, for so long as the tax shall remain in effect. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the special trust fund required by this subsection shall be used solely for the maintenance of the capital improvements made with revenues raised by the tax authorized by this section. Any funds in the special trust fund required by this subsection which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other municipal funds. The provisions of this subsection shall apply only to taxes authorized by this section which have not been imposed to retire bonds issued pursuant to this section.

4. All revenue received by a municipality which issues bonds under this section and imposes the tax authorized by this section to retire such bonds shall be deposited in a special trust fund and shall be used solely to retire such bonds, except to the extent that such funds are required for the operation and maintenance of capital improvements. Once all of such bonds have been retired, all funds remaining in the special trust fund required by this subsection shall be used solely for the maintenance of the capital improvements made with the revenue received as a result of the issuance of such bonds. Any funds in the special trust fund required by this subsection which are not needed to meet current obligations under the bonds issued under this section may be invested by the governing body in accordance with applicable laws relating to the investment of other municipal funds. The provisions of this subsection shall apply only to taxes authorized by this section which have been imposed to retire bonds issued under this section.

5. After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax in the same manner as provided in sections 94.500 to 94.570, and the director of revenue shall collect in addition to the sales tax for the state of Missouri the additional tax authorized under the authority of this section. The tax imposed pursuant to this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue. Except as modified in this section, all provisions of sections 32.085 and 32.087, RSMo, shall apply to the tax imposed under this section.

6. No tax imposed pursuant to this section for the purpose of retiring bonds issued under this section may be terminated until all of such bonds have been retired.

7. In any city not within a county, no tax shall be imposed pursuant to this section for the purpose of funding in whole or in part the construction, operation or maintenance of a sports stadium, field house, indoor or outdoor recreational facility, center, playing field, parking facility or anything incidental or necessary to a complex suitable for any type of professional sport or recreation, either upon, above or below the ground.

8. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any municipality for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such municipalities. If any municipality abolishes the tax, the municipality shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such municipality, the director of revenue shall remit the balance in the account to the municipality and close the account of that municipality. The director of revenue shall notify each municipality of each instance of any amount refunded or any check redeemed from receipts due the municipality."; and

Further amend Page 19, Section B, Line 20, by adding after the word "**clothing**" the words "**for the purpose of funding capital improvement and the repeal and reenactment of Section 94.577 and**"; and

Further amend Page 19, Section B, Line 24, after the word and the words "**the repeal and reenactment of Section 94.577 and**"; and

Further amend Page 20, Lines 1 and 2, by deleting said lines and replacing with "**shall be in full force and effect upon its passage and approval.**"; and

Further amend the rest of title, enacting clause and intersectional references accordingly.

On motion of Representative Skaggs, **House Amendment No. 4 to Part I of HS HCS SB 460** was adopted.

Representative Campbell offered **House Amendment No. 5 to Part I of HS HCS SB 460**.

House Amendment No. 5

PART I

AMEND House Substitute for House Committee Substitute for Senate Bill No. 460, Page 12, Section 144.815, Line 14, by inserting after said line the following:

"144.819. In addition to the exemptions granted pursuant to the provisions of section 144.030, there shall also be specifically exempted from all state and local sales taxes, as defined in section 32.085, RSMo, and sections 144.010 to 144.510 and 144.600 to 144.757, and from the computation of the tax levied, assessed or payable pursuant to all state and local sales taxes as defined in section 32.085, RSMo, and sections 144.010 to 144.525 and 144.600 to 144.811, all materials and supplies used directly in the production of all printed material by firms classified in the 1987 standard industry code classification group 27, except 279 (or their equivalents in the 1997 North American industry classification system), which is intended to be sold ultimately for final use or consumption, if title to the materials and supplies is transferred for consideration to the purchaser of the printed material."; and

Further amend said bill by amending the title and enacting clause accordingly.

On motion of Representative Campbell, **House Amendment No. 5 to Part I of HS HCS SB 460** was adopted.

Representative Lograsso offered **House Amendment No. 6 to Part I of HS HCS SB 460**.

Representative Kennedy raised a point of order that **House Amendment No. 6 to Part I of HS HCS SB 460** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Dempsey offered **House Amendment No. 6 to Part I of HS HCS SB 460**.

House Amendment No. 6 to Part I of HS HCS SB 460 was withdrawn.

Representative Cooper offered **House Amendment No. 6 to Part I of HS HCS SB 460**.

House Amendment No. 6

PART I

AMEND House Substitute for House Committee Substitute for Senate Bill No. 460, Pages 10 to 11, Section 144.195, Lines 13 to 24 of Page 10, and Lines 1 to 12 of Page 11, by deleting all of said lines; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Cooper moved that **House Amendment No. 6 to Part I of HS HCS SB 460** be adopted.

Which motion was defeated by the following vote:

AYES: 059

Ballard	Barnett	Bartle	Bearden	Behnen
Black	Boatright	Bonner	Burcham	Byrd
Champion	Cierpiot	Cooper	Crawford	Crowell
Cunningham	Dempsey	Dolan	Enz	Froelker
Graham	Gratz	Griesheimer	Hartzler	Hegeman
Henderson	Hohulin	Holand	Holt	Hunter
Jetton	Kelly 144	King	Legan	Levin
Lograsso	Long	Marble	Marsh	May 149
Mayer	Moore	Phillips	Purgason	Rector
Reid	Reinhart	Reynolds	Richardson	Ridgeway
Roark	Robirds	Schwab	Secrest	Shields
St. Onge	Townley	Wagner	Wright	

NOES: 066

Abel	Barnitz	Barry 100	Berkowitz	Bland
Boucher	Boykins	Bray 84	Britt	Brooks
Campbell	Carnahan	Clayton	Coleman	Copenhaver
Crump	Curls	Davis	Farnen	Foley
Fraser	Gambaro	Green 15	Green 73	Hagan-Harrell
Harding	Haywood	Hendrickson	Hilgemann	Hollingsworth
Hosmer	Johnson 61	Johnson 90	Jolly	Kelly 27
Kelly 36	Kennedy	Koller	Liese	Lowe
Monaco	Murphy	O'Connor	O'Toole	Overschmidt
Ransdall	Relford	Rizzo	Scheve	Scott
Seigfreid	Selby	Shelton	Shoemyer	Skaggs

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Smith	Thompson	Treadway	Villa	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

PRESENT: 005

Fares	Hampton	Hanaway	McKenna	Ross
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ABSENT WITH LEAVE: 030

Baker	Bartelsmeyer	Berkstresser	Bowman	Burton
Ford	Franklin	Gaskill	George	Harlan
Hickey	Hoppe	Kelley 47	Lawson	Linton
Luetkemeyer	Luetkenhaus	Mays 50	Merideth	Miller
Myers	Naeger	Nordwald	Ostmann	Portwood
Surface	Troupe	Van Zandt	Vogel	Wiggins

VACANCIES: 003

Representative Hosmer requested a verification of the roll call on the adoption of **House Amendment No. 6 to Part I of HS HCS SB 460**.

Representative Shields offered **House Amendment No. 7 to Part I of HS HCS SB 460**.

House Amendment No. 7 to Part I of HS HCS SB 460 was withdrawn.

Representative Hegeman offered **House Amendment No. 7 to Part I of HS HCS SB 460**.

House Amendment No. 7

PART I

AMEND House Substitute for House Committee Substitute for Senate Bill No. 460, Page 10, Section 144.195, Line 17 of said page, by inserting after "**144.190**" the following: "**on any issue for which the person applying for the refund or credit has previously received a refund or credit**"; and

Further amend said bill, Page 11, Section 144.195, Line 2 of said page, by inserting after "**credit**," the following: "**or that the taxpayer has not previously applied for and received a refund or credit on the issue that is the subject of the refund or credit request**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Hegeman moved that **House Amendment No. 7 to Part I of HS HCS SB 460** be adopted.

Which motion was defeated by the following vote:

AYES: 067

Ballard	Barnett	Bartle	Bearden	Behnen
Black	Boatright	Burcham	Burton	Champion
Cierpiot	Cooper	Crawford	Cunningham	Dempsey
Dolan	Enz	Fares	Froelker	Gaskill

Graham	Gratz	Griesheimer	Hanaway	Hartzler
Hegeman	Henderson	Hohulin	Holand	Holt
Hunter	Jetton	Kelly 144	King	Levin
Lograsso	Long	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Moore	Murphy
Naeger	Ostmann	Phillips	Portwood	Purgason
Rector	Reinhart	Reynolds	Richardson	Ridgeway
Roark	Robirds	Ross	Schwab	Scott
Secrest	Shields	St. Onge	Townley	Vogel
Wagner	Wright			

NOES: 071

Abel	Barnitz	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Coleman	Copenhaver	Crump	Curls	Davis
Farnen	Foley	Ford	Franklin	Fraser
Gambaro	Green 15	Hagan-Harrell	Hampton	Harding
Haywood	Hendrickson	Hilgemann	Hollingsworth	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Kelly 27
Kelly 36	Kennedy	Koller	Liese	Lowe
McKenna	Merideth	Monaco	O'Connor	Overschmidt
Ransdall	Reid	Relford	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Thompson	Treadway	Villa	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 022

Baker	Bartelsmeyer	Berkstresser	Byrd	Crowell
George	Green 73	Harlan	Hickey	Kelley 47
Lawson	Legan	Linton	Mays 50	Miller
Myers	Nordwald	O'Toole	Surface	Troupe
Van Zandt	Wiggins			

VACANCIES: 003

Representative Froelker offered **House Amendment No. 8 to Part I of HS HCS SB 460.**

House Amendment No. 8 to Part I of HS HCS SB 460 was withdrawn.

Representative Byrd offered **House Amendment No. 8 to Part I of HS HCS SB 460.**

House Amendment No. 8

PART I

AMEND House Substitute for House Committee Substitute for Senate Bill No. 460, Page 11, Section 144.195, Line 11, by deleting the phrase “abandoned fund account established pursuant to Sections 447.500 to 447.595, RSMo.” and inserting in its stead: **“Political entity upon whose behalf the tax was originally collected.”.**

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Representative Byrd moved that **House Amendment No. 8 to Part I of HS HCS SB 460** be adopted.

Which motion was defeated.

Representative Hunter offered **House Amendment No. 9 to Part I of HS HCS SB 460**.

House Amendment No. 9

PART I

AMEND House Substitute for House Committee Substitute for Senate Bill No. 460, Page 11, Section 144.195, Line 11, by deleting the phrase “abandoned fund account established pursuant to Sections 447.500 to 447.595, RSMO.” and inserting in its stead: “**County Aid Road Trust Fund**”.

Representative Kennedy raised a point of order that **House Amendment No. 9 to Part I of HS HCS SB 460** is dilatory.

The Chair ruled the point of order not well taken.

Representative Hunter moved that **House Amendment No. 9 to Part I of HS HCS SB 460** be adopted.

Which motion was defeated by the following vote:

AYES: 068

Ballard	Barnett	Barnitz	Bearden	Behnen
Black	Boatright	Burcham	Burton	Byrd
Cierpiot	Cooper	Crawford	Crowell	Cunningham
Dempsey	Dolan	Enz	Fares	Gaskill
Graham	Griesheimer	Hartzler	Hegeman	Henderson
Hendrickson	Hohulin	Holand	Holt	Hunter
Jetton	Jolly	Kelley 47	Kelly 144	King
Legan	Levin	Lograsso	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Moore
Naeger	Ostmann	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Richardson
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Secrest	Shields	St. Onge	Townley
Vogel	Ward	Wright		

NOES: 070

Abel	Barry 100	Berkowitz	Bland	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Campbell	Carnahan	Champion	Clayton
Coleman	Copenhaver	Crump	Curls	Davis
Farnen	Foley	Franklin	Fraser	Gambara
Gratz	Green 15	Green 73	Hagan-Harrell	Hampton
Hanaway	Harding	Haywood	Hilgemann	Hollingsworth
Hoppe	Hosmer	Johnson 61	Johnson 90	Kelly 27
Kelly 36	Kennedy	Koller	Liese	Lowe

McKenna	Merideth	Monaco	Murphy	O'Connor
O'Toole	Overschmidt	Relford	Reynolds	Rizzo
Scheve	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	Thompson	Treadway	Villa
Walton	Williams	Willoughby	Wilson 25	Wilson 42

PRESENT: 000

ABSENT WITH LEAVE: 022

Baker	Bartelsmeyer	Bartle	Berkstresser	Ford
Froelker	George	Harlan	Hickey	Lawson
Linton	Long	Mays 50	Miller	Myers
Nordwald	Surface	Troupe	Van Zandt	Wagner
Wiggins	Mr. Speaker			

VACANCIES: 003

On motion of Representative Kennedy, **Part I of HS HCS SB 460, as amended**, was adopted.

HCS SB 460, with Part I of HS, as amended, adopted, and Part II of HS, pending, was laid over.

SB 226, relating to the life sciences research program, was taken up and placed on the Informal Calendar.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 86, as amended**, and has taken up and passed **HCS SB 86, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate grants the House further conference on **HCS SCS SB 151**.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Childers, Bentley, Gross, Stoll and Johnson.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS SS SCS SBs 323 & 230, as amended**, and has taken up and passed **CCS HS SS SCS SBs 323 & 230**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HA 1 to SCR 3** and has taken up and passed **SCR 3, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HA 1 to SCR 18** and has taken up and passed **SCR 18, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS** for **SCR 28** and has taken up and passed **HCS SCR 28**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report #2 on **SS SCS HCS HBs 144 & 46, as amended**, and has taken up and passed **CCS #2 SS SCS HCS HBs 144 & 46**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HBs 205, 323 & 549** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Childers, Foster, Westfall, Johnson and Caskey.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 274**, and requests that the House recede from its position and failing to do so, grant the Senate a conference thereon. Further, that the conferees are allowed to exceed the differences on county employees.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate grants the House further conference on **SS SCS HCS HB 567, as amended**.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Klarich, Loudon, Westfall, Dougherty and Wiggins.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SB 304**: Senators Klarich, Gibbons, Steelman, House and Caskey.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

HCS SCS SB 151: Representatives Gaskill, Luetkemeyer, Ward, Luetkenhaus and Liese

SCS HCS HBs 205, 323 & 549: Representatives Relford, Barnitz, Crump, Legan and Jetton

SS SCS HCS HB 567: Representatives Treadway, Nordwald, Crawford, Johnson (90) and Shoemyer

**CONFERENCE COMMITTEE REPORT NO. 2
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 151**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 151, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 151;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 151; and
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 151 be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Sam Gaskill
/s/ Blaine Luetkemeyer
/s/ Dan Ward
/s/ Bill Luetkenhaus
/s/ Chris Liese

FOR THE SENATE:

/s/ Doyle Childers
/s/ Roseann Bentley
/s/ Chuck Gross
/s/ Stephen Stoll
/s/ Sidney Johnson

**CONFERENCE COMMITTEE REPORT NO. 3
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 567**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 567 with Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 8, Senate Amendment No. 9, Senate Amendment No. 10, Senate Amendment No. 15 and Senate Amendment No. 16, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 567, as amended;
2. That the House recede from its position on House Committee Substitute for House Bill No. 567;
3. That the attached Conference Committee Amendment No. 1 to Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 567 be adopted;
4. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 567, with Conference Committee Amendment No. 1, be adopted.

FOR THE HOUSE:

/s/ Rep. Larry Crawford
/s/ Rep. Joseph Treadway
/s/ Rep. Rick Johnson
/s/ Rep. Wes Shoemyer

FOR THE SENATE:

/s/ Sen. David Klarich
/s/ Sen. John Loudon
/s/ Sen. Morris Westfall
/s/ Sen. Patrick Dougherty
/s/ Sen. Harry Wiggins

Conference Committee Amendment No. 1

AMEND Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 567, Pages 64 and 65, Section 324.1100, by deleting all of said section; and

Further amend said bill, Pages 65 and 66, Section 324.1101, by deleting all of said section; and

Further amend said bill, Pages 66 to 68, Section 324.1102, by deleting all of said section; and

Further amend said bill, Page 68, Section 324.1104, by deleting all of said section; and

Further amend said bill, Pages 68 to 70, Section 324.1106, by deleting all of said section; and

Further amend said bill, Pages 70 and 71, Section 324.1108, by deleting all of said section; and

Further amend said bill, Pages 71 and 72, Section 324.1110, by deleting all of said section; and

Further amend said bill, Pages 72 and 73, Section 324.1112, by deleting all of said section; and

Further amend said bill, Pages 74 and 75, Section 324.1114, by deleting all of said section; and

Further amend said bill, Pages 75 and 76, Section 324.1116, by deleting all of said section; and

Further amend said bill, Pages 76 and 77, Section 324.1118, by deleting all of said section; and

Further amend said bill, Pages 77 and 78, Section 324.1120, by deleting all of said section; and

Further amend said bill, Page 78, Section 324.1122, by deleting all of said section; and

Further amend said bill, Pages 78 and 79, Section 324.1124, by deleting all of said section; and

Further amend said bill, Pages 79 to 81, Section 324.1126, by deleting all of said section; and

Further amend said bill, Pages 81 to 83, Section 324.1128, by deleting all of said section; and

Further amend said bill, Page 83, Section 324.1130, by deleting all of said section; and

Further amend said bill, Pages 83 to 85, Section 324.1132, by deleting all of said section; and

Further amend said bill, Page 85, Section 324.1134, by deleting all of said section; and

Further amend said bill, Page 85, Section 324.1136, by deleting all of said section; and

Further amend said bill, Pages 85 and 86, Section 324.1138, by deleting all of said section; and

Further amend said bill, Pages 86 and 87, Section 324.1140, by deleting all of said section; and

Further amend said bill, Page 157, Section 327.603, Lines 13 and 14 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"subdivisions while performing duties for the state of Missouri or a political subdivision"; and

Further amend said bill, Pages 267 to 270, Section 621.045, by deleting all of said section; and

Further amend said title, enacting clause and intersectional references accordingly.

BILL IN CONFERENCE

Representative Treadway moved that Rule 60(c) be suspended in order for the House to take up **CCR No. 3 SS SCS HCS HB 567, as amended.**

Which motion was adopted by the following vote:

AYES: 123

Abel	Ballard	Barnett	Barnitz	Barry 100
Behnen	Berkowitz	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman

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Crawford	Crump	Curls	Davis	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Harding	Hartzler	Haywood	Hegeman
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Legan	Levin
Liese	Linton	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	McKenna	Merideth
Monaco	Moore	Murphy	Naeger	O'Connor
O'Toole	Overschmidt	Phillips	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
St. Onge	Thompson	Townley	Treadway	Villa
Vogel	Wagner	Walton	Ward	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 015

Bearden	Byrd	Cooper	Crowell	Cunningham
Dempsey	Hanaway	Henderson	Hendrickson	Hohulin
Mayer	Portwood	Roark	Smith	Wright

PRESENT: 001

Copenhaver

ABSENT WITH LEAVE: 021

Baker	Bartelsmeyer	Bartle	Berkstresser	Dolan
Froelker	Harlan	Hickey	Lawson	Lograsso
Long	Mays 50	Miller	Myers	Nordwald
Ostmann	Surface	Troupe	Van Zandt	Wiggins
Williams				

VACANCIES: 003

Speaker Pro Tem Abel resumed the Chair.

CCR No. 3 SS SCS HCS HB 567, as amended, relating to professional registration, was taken up by Representative Treadway.

On motion of Representative Treadway, **CCR No. 3 SS SCS HCS HB 567, as amended**, was adopted by the following vote:

AYES: 139

Abel	Ballard	Barnett	Barnitz	Barry 100
Bearden	Behnen	Berkowitz	Black	Bland
Boatright	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot

Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Gambaro	Gaskill
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hilgemann	Hohulin	Holand	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Legan	Levin
Liese	Linton	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	McKenna
Merideth	Monaco	Moore	Murphy	Naeger
O'Connor	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Thompson	Townley	Treadway	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 021

Baker	Bartelsmeyer	Bartle	Berkstresser	Dolan
Froelker	George	Hickey	Hollingsworth	Lawson
Lograsso	Long	Mays 50	Miller	Myers
Nordwald	O'Toole	Surface	Troupe	Van Zandt
Wiggins				

VACANCIES: 003

On motion of Representative Treadway, **CCS SS SCS HCS HB 567**, as amended by the **CCR**, was read the third time and passed by the following vote:

AYES: 139

Abel	Ballard	Barnett	Barnitz	Barry 100
Bearden	Behnen	Berkowitz	Black	Bland
Boatright	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Gambaro	Gaskill
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36

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Kennedy	King	Koller	Legan	Levin
Liese	Linton	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	McKenna
Merideth	Monaco	Moore	Murphy	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Thompson	Townley	Treadway	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 001

Griesheimer

ABSENT WITH LEAVE: 020

Baker	Bartelsmeyer	Bartle	Berkstresser	Cierpiot
Froelker	George	Hickey	Lawson	Lograsso
Long	Mays 50	Miller	Myers	Nordwald
Scheve	Surface	Troupe	Van Zandt	Wiggins

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 135

Abel	Ballard	Barnett	Barnitz	Barry 100
Bearden	Behnen	Berkowitz	Black	Bland
Boatright	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Enz	Fares	Farnen	Foley	Franklin
Fraser	Gambaro	Gaskill	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Legan	Liese	Linton	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	McKenna	Merideth	Monaco	Moore
Murphy	Naeger	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve

Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Thompson	Townley	Treadway	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 002

Hohulin Purgason

PRESENT: 000

ABSENT WITH LEAVE: 023

Baker	Bartelsmeyer	Bartle	Berkstresser	Clayton
Dolan	Ford	Froelker	George	Hickey
Hunter	Lawson	Levin	Long	Mays 50
Miller	Myers	Nordwald	Richardson	Surface
Troupe	Van Zandt	Wiggins		

VACANCIES: 003

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SCR 31 - Conservation, State Parks and Mining

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SCS SB 387 - Fiscal Review and Government Reform (Fiscal Note)

COMMITTEE REPORT

Committee on Utilities Regulation, Chairman Mays (50) reporting:

Mr. Speaker: Your Committee on Utilities Regulation, to which was referred **SCS SB 387**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**.

House Committee Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 387, Page 4, Section 393.158, Line 109, by inserting after the word “**serves**” the words “**fewer than**”.

MESSAGE FROM THE GOVERNOR

EXECUTIVE OFFICE

May 11, 2001

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
FIRST REGULAR SESSION
91ST GENERAL ASSEMBLY
STATE OF MISSOURI

Herewith I return to you **House Committee Substitute** for **House Bill No. 274** entitled:

"AN ACT"

To repeal section 171.033, RSMo 2000, relating to inclement weather exceptions for mandatory days of school attendance, and to enact in lieu thereof one new section relating to the same subject, with an emergency clause.

On May 11, 2001, I approved said **House Committee Substitute** for **House Bill No. 274**.

Respectfully submitted,

/s/ Bob Holden
Governor

The following members' presence was noted: Berkstresser and Lawson.

ADJOURNMENT

On motion of Representative Foley, the House adjourned until 11:00 a.m., Monday, May 14, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Seventy-first Day, Thursday, May 10, 2001, pages 1808 and 1809, roll call, by showing Representatives Boucher and Naeger voting "aye" rather than "absent with leave".

Pages 1810 and 1811, roll call, by showing Representatives Levin and Moore voting "aye" rather than "absent with leave".

Pages 1811 and 1812, roll call, by showing Representative Barnett voting "aye" rather than "absent with leave".

Pages 1812 and 1813, roll call, by showing Representative Kennedy voting "aye" rather than "absent with leave".

Pages 1813 and 1814, roll call, by showing Representatives Boucher and Reynolds voting "aye" rather than "absent with leave".

Pages 1814 and 1815, roll call, by showing Representatives Carnahan and Crowell voting "aye" rather than "absent with leave".

Pages 1815 and 1816, roll call, by showing Representatives Crowell, Kennedy, Luetkemeyer and Surface voting "aye" rather than "absent with leave".

Pages 1817 and 1818, roll call, by showing Representative Cunningham voting "no" rather than "aye".

Pages 1817 and 1818, roll call, by showing Representative Green (15) voting "aye" rather than "absent with leave".

Pages 1818 and 1819, roll call, by showing Representatives Green (15) and Naeger voting "aye" rather than "absent with leave".

Pages 1819 and 1820, roll call, by showing Representative Green (15) voting "aye" rather than "absent with leave".

Pages 1820 and 1821, roll call, by showing Representatives Green (15) and Shoemyer voting "aye" rather than "absent with leave".

Pages 1821 and 1822, roll call, by showing Representative Froelker voting "aye" rather than "absent with leave".

Pages 1822 and 1823, roll call, by showing Representative Lowe voting "aye" rather than "absent with leave".

Pages 1824 and 1825, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Pages 1827 and 1828, roll call, by showing Representatives Hegeman and Lowe voting "aye" rather than "absent with leave".

Page 1829, roll call, by showing Representative Kennedy voting "aye" rather than "absent with leave".

Page 1830, roll call, by showing Representative Hegeman voting "aye" rather than "absent with leave".

Pages 1830 and 1831, roll call, by showing Representatives Crowell and Wilson (42) voting "aye" rather than "absent with leave".

Pages 1830 and 1831, roll call, by showing Representative Kennedy voting "present" rather than "absent with leave".

1975 *Journal of the House*

Pages 1831 and 1832, roll call, by showing Representative Froelker voting "aye" rather than "absent with leave".

Pages 1833 and 1834, roll call, by showing Representatives Hanaway and Johnson (61) voting "aye" rather than "absent with leave".

Pages 1834 and 1835, roll call, by showing Representatives Green (15), Hanaway, Johnson (61), Purgason and Roark voting "aye" rather than "absent with leave".

Page 1836, roll call, by showing Representatives Hampton, Johnson (61) and Harding voting "aye" rather than "absent with leave".

Pages 1837 and 1838, roll call, by showing Representatives Boucher, Enz, George, Johnson (61) and Robirds voting "aye" rather than "absent with leave".

Page 1839, roll call, by showing Representatives Froelker, Hampton, Johnson (61), Liese and Shields voting "aye" rather than "absent with leave".

Pages 1840 and 1841, roll call, by showing Representatives Hampton, Jetton and Johnson (61) voting "aye" rather than "absent with leave".

Pages 1849 and 1850, roll call, by showing Representative Purgason voting "aye" rather than "absent with leave".

Page 1854, roll call, by showing Representatives Sanders Brooks, Purgason and Surface voting "aye" rather than "absent with leave".

Page 1854, roll call, by showing Representatives Rector and Roark voting "no" rather than "absent with leave".

Pages 1855 and 1856, roll call, by showing Representative Cunningham voting "no" rather than "absent with leave".

Pages 1856 and 1857, roll call, by showing Representatives Barry and Sanders Brooks voting "aye" rather than "absent with leave".

Pages 1857 and 1858, roll call, by showing Representative Behnen voting "aye" rather than "absent with leave".

Pages 1862 and 1863, roll call, by showing Representatives Carnahan, Hampton, Kennedy, Marsh and Shields voting "no" rather than "absent with leave".

Pages 1862 and 1863, roll call, by showing Representative Boykins voting "aye" rather than "absent with leave".

Pages 1906 and 1907, roll call, by showing Representatives Boykins and Johnson (61) voting "no" rather than "aye".

Pages 1906 and 1907, roll call, by showing Representative Froelker voting "no" rather than "absent with leave".

Pages 1909 and 1910, roll call, by showing Representative Froelker voting "no" rather than "absent with leave".

Pages 1923 and 1924, roll call, by showing Representatives Carnahan, Dolan and Myers voting "aye" rather than "absent with leave".

Pages 1923 and 1924, roll call, by showing Representatives Froelker, Surface and Wright voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

CONSERVATION, STATE PARKS AND MINING

Monday, May 14, 2001, 10:30 am. Hearing Room 7.

To be considered - SCR 31

CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING

Monday, May 14, 2001, 8:00 pm. Hearing Room 3.

Executive Session may follow.

To be considered - SB 337

FISCAL REVIEW AND GOVERNMENT REFORM

Monday, May 14, 2001. Hearing Room 5 upon evening adjournment.

Fiscal Review.

To be considered - SB 125, SB 222, SB 226, SB 392, SJR 1

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Monday, May 14, 2001, 8:00 am. Hearing Room 1.

Quarterly business meeting. Release of Oversight reports. AMENDED.

HOUSE CALENDAR

SEVENTY-THIRD DAY, MONDAY, MAY 14, 2001

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 15 & 13 - Crawford

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 457, HA 2, as amended, tabled - Kreider
- 2 HCS HB 593 - Riback Wilson (25)
- 3 HCS HB 239 - Smith
- 4 HB 802 - Ransdall
- 5 HCS HB 374 - Fraser
- 6 HCS HB 635 - Barry
- 7 HCS HB 868 - Merideth
- 8 HCS HB 253 - Ross
- 9 HB 809, HCA 1 - Carnahan
- 10 HCS HB 340, 303 & 316 - Graham
- 11 HB 640 - Johnson (90)
- 12 HCS HB 723 - Mays (50)
- 13 HCS HB 117 - Riback Wilson (25)
- 14 HCS HB 307 - Wiggins
- 15 HCS HB 921 - Curls
- 16 HB 911 - Carnahan
- 17 HCS HB 511 - Johnson (90)
- 18 HB 63 - Reynolds
- 19 HCS HB 93 - Gaskill

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HCS HB 853 & 258 - Crump
- 3 HCS HB 186 & 172 - Troupe
- 4 HCS HB 888, 942 & 943 - Scheve
- 5 HCS HB 472 - Burton
- 6 HCS HB 293 - Kennedy
- 7 HCS HB 663 & 375 - Kennedy
- 8 HCS HB 170 - Froelker

HOUSE BILLS FOR THIRD READING

- 1 HB 527, (Fiscal Review 4-19-01) - Luetkenhaus
- 2 HB 366, E.C. - Champion
- 3 HS HB 286, E.C. - Smith
- 4 HS HB 715 - Foley

SENATE JOINT RESOLUTIONS FOR THIRD READING

- 1 HCS SS SCS SJR 1 & 4, (Fiscal Review 5-2-01) - O'Toole
- 2 SS SJR 9 - Gambaro

SENATE BILLS FOR THIRD READING

- 1 HS HCS SB 125, as amended (Fiscal Review 5-10-01) - Hoppe
- 2 HCS SB 460, Part II of HS, pending - Kennedy
- 3 HCS SB 72 - Smith
- 4 HCS SCS SB 236, E.C. - Ladd Baker
- 5 SB 500 - Rizzo
- 6 SB 370, HCA 1 - Smith
- 7 SCS SB 290 - Rizzo
- 8 HCS SCS SB 486 & SB 422 - Hoppe
- 9 HCS SS SB 244 - Koller
- 10 HCS SB 365 - Overschmidt
- 11 HCS SCS SB 591 - Hoppe
- 12 HCS SCS SB 617 - Rizzo
- 13 HCS SB 288, E.C.(Fiscal Review 5-7-01) - Monaco
- 14 SCS SB 393, E.C. - Treadway
- 15 SCS SB 374 - Ransdall
- 16 HCS SS SCS SB 48 - Hollingsworth
- 17 SS#2 SCS SB 22 & 106, E.C. (Fiscal Review 5-8-01) - Scheve
- 18 SS SCS SB 351, HCA 1 - Hosmer
- 19 HCS SCS SB 10 - Monaco
- 20 HCS SB 275 - Levin
- 21 SB 470, HCA 1 - O'Toole
- 22 SCS SB 387, HCA 1, E.C. (Fiscal Review 5-11-01) - Mays (50)

SENATE BILLS FOR THIRD READING - INFORMAL

- 1 SB 123 - Hampton
- 2 SB 416 - Wagner
- 3 HCS SCS SB 266 - Barry
- 4 HCS SS SCS SB 369 - Burton
- 5 HCS SB 392, (Fiscal Review 5-10-01) - Rizzo
- 6 HCS SS SCS SB 433 & 248 - Hoppe
- 7 HCS SS SCS SB 476, 427 & 62 - Seigfreid
- 8 HCS SS SCS SB 226, (Fiscal Review 5-10-01) - Foley

SENATE BILL FOR THIRD READING - CONSENT - INFORMAL

SB 556 - Hoppe

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 HB 955, SCA 1 - Green (73)
- 2 SCS HCR 24 - Boucher
- 3 SCS HB 157 - Hosmer

BILL CARRYING REQUEST MESSAGE

HCS SB 274, (request House recede/grant conference &
conferees exceed differences on county employees) - Shields

BILLS IN CONFERENCE

- 1 HCS SB 462, as amended, E.C. - Legan
- 2 CCR HCS SS SB 193, as amended - Ward
- 3 HCS SB 610 - Hoppe
- 4 SCS HCS HB 302 & 38, as amended, E.C. - Hosmer
- 5 CCR HS SS SCS SB 323 & 230, as amended - Koller
- 6 SS SCS HS HB 421, as amended - Hoppe
- 7 HCS SB 319, as amended - Johnson (61)
- 8 HCS SB 304 - Monaco
- 9 CCR#2 HCS SCS SB 151 - Gaskill
- 10 SCS HCS HB 205, 323 & 549 - Relford

HOUSE RESOLUTION

HR 922, (5-8-01, pages 1734 & 1735) - Ladd Baker

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

SEVENTY-THIRD DAY, MONDAY, MAY 14, 2001

Speaker Pro Tem Abel in the Chair.

Prayer by Father David Buescher.

The crunch is upon us, O God. As this final week of our session begins, Lord, flex not only our political muscles, but also our spiritual strength. We accept the challenges these five days will bring.

Let this august body roll up their spiritual sleeves, remember the values and goals we stand for, and dig in. Inspire each of these representatives with an array of Your virtues. Let Your Spirit stand under all that is accomplished this week. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Brandon Hoberecht, Josh Whitaker and Samantha Lyons.

The Journal of the seventy-second day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2063 - Representative Legan
House Resolution No. 2064
and
House Resolution No. 2065 - Representative Riback Wilson (25)
House Resolution No. 2066 - Representative Burton
House Resolution No. 2067
through
House Resolution No. 2073 - Representatives Dolan and Green (15)
House Resolution No. 2074
through
House Resolution No. 2085 - Representative Levin
House Resolution No. 2086 - Representative Skaggs
House Resolution No. 2087 - Representative Reynolds
House Resolution No. 2088
through
House Resolution No. 2101 - Representative Levin
House Resolution No. 2102 - Representative Koller
House Resolution No. 2103 - Representative Boucher

House Resolution No. 2104 - Representative Byrd
 House Resolution No. 2105
 and
 House Resolution No. 2106 - Representative Willoughby
 House Resolution No. 2107 - Representative Hanaway
 House Resolution No. 2108 - Representative Gratz
 House Resolution No. 2109 - Representative Wagner
 House Resolution No. 2110 - Representative Rector
 House Resolution No. 2111 - Representative Mayer
 House Resolution No. 2112 - Representative Phillips
 House Resolution No. 2113 - Representative Kreider
 House Resolution No. 2114 - Representative Johnson (90)

HOUSE RESOLUTION

HR 922, relating to an interim committee to study the budget of the Department of Social Services, was taken up by Representative Ladd Baker.

On motion of Representative Ladd Baker, **HR 922** was adopted by the following vote:

AYES: 153

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambara	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Linton	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Brooks

Hartzler

Liese

Lograsso

Long

Reid

Wiggins

VACANCIES: 003

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 12**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 14**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HS HCS HB 107**, entitled:

An act to repeal section 537.675, RSMo 2000, relating to judicial and administrative procedures, and to enact in lieu thereof seven new sections relating to the same subject.

With Senate Amendment No. 1

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 107, Page 1, Section A, Line 3, by inserting immediately after said line the following:

"476.777. 1. There is hereby established in the state treasury a special fund, to be known as the "Missouri CASA Fund". The state treasurer shall credit to and deposit in the Missouri CASA fund all moneys which may be appropriated to it by the general assembly and also any gifts, contributions, grants, bequests or other aid received from federal, private or other sources, in addition to any moneys deposited pursuant to section 488.636. The general assembly may appropriate moneys into the fund to support the court-appointed special advocate (CASA) program throughout the state.

2. The state treasurer shall invest moneys in the Missouri CASA fund in the same manner as surplus state funds are invested pursuant to section 30.260, RSMo. All earnings resulting from the investment of moneys in the fund shall be credited to the Missouri CASA fund.

3. The state courts administrator shall administer and disburse moneys in the Missouri CASA fund based on the following requirements:

(1) The office of state courts administrator shall set aside funding for new start-up CASA programs throughout the state;

(2) Every recognized CASA program shall receive a base rate allocation, with availability of additional funding based on the number of children with abuse or neglect cases under the jurisdiction of the court; and

(3) All CASA programs being considered for funding shall be recognized by and affiliated with the state and national CASA associations.

4. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the Missouri CASA fund shall not revert to the credit of the general revenue fund at the end of the biennium.

488.636. In addition to all other court costs for domestic relations cases, the circuit clerk shall collect an additional surcharge in the amount of two dollars per case for each domestic relations petition filed before a circuit judge or associate circuit judge. Such surcharges collected by circuit court clerks shall be collected and disbursed as provided by sections 488.010 to 488.020. Such fees shall be payable to the state treasurer, to be deposited into the Missouri CASA fund.”; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HS HB 381**, entitled:

An act to repeal sections 149.015, 407.927, 407.929 and 407.931, RSMo 2000, relating to the sale of tobacco products to minors, and to enact in lieu thereof fifteen new sections relating to the same subject, with penalty provisions and an effective date for certain sections.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 4, Senate Amendment No. 7, Senate Amendment No. 10, Senate Amendment No. 13 and Senate Amendment No. 17

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 381, Page 13, Section 407.931, Line 1 of said page, by deleting “two hours” and inserting in lieu thereof the following: **“ninety minutes”**.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 381, Page 7, Section 149.212, Line 29 of said page, by adding after the period (.) on said line the following:

“Any person who sells, distributes, or manufactures cigarettes and sustains direct economic or commercial injury as a result of a violation of sections 149.200 to 149.215 may bring an action in good faith for appropriate injunctive relief.”.

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 381, Page 5, Section 149.200, Line 20, by deleting the following: “, and federal trademark and copyright laws”; and

Further amend said bill, Page 7, Section 149.209, Lines 16-22, by deleting all of said lines; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 7

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 381, Page 14, Section 407.931, Lines 2-16, by deleting all of said lines.

Senate Amendment No. 10

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 381, Page 12, Section 407.931, Line 4 of said page, by inserting after “location” the following: “**within two years**”; and

Further amend Line 6 of said page by inserting after “location” the following: “**within two years**”; and

Further amend Line 9 of said page by inserting after “location” the following: “**within two years**”; and

Further amend Line 13 of said page by inserting after “location” the following: “**within two years**”; and

Further amend Line 26 of said page by striking “attended training” and inserting in lieu thereof the following: “**been trained**”.

Senate Amendment No. 13

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 381, Page 7, Section 149.203.2, Line 6, by inserting after “149.215” the following: “**or 196.1000 to 196.1003**”.

Senate Amendment No. 17

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 381, Page 15, Section 407.934, Line 12, by deleting all said line following period “.” and further deleting all of Lines 13-16.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report No. 3 on **SS SCS HCS HB 567, as amended**, and has taken up and passed **CCS SS SCS HCS HB 567**.

Emergency clause adopted.

BILL IN CONFERENCE

CCR HS SS SCS SBs 323 & 230, as amended, relating to sales taxes, was taken up by Representative Koller.

On motion of Representative Koller, **CCR HS SS SCS SBs 323 & 230, as amended**, was adopted by the following vote:

AYES: 114

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Burton	Campbell
Carnahan	Champion	Coleman	Cooper	Copenhaver
Crump	Curls	Davis	Dempsey	Dolan
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	George	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton

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Harding	Harlan	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Kelly 27
Kelly 36	Kennedy	Koller	Lawson	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	May 149
Mayer	Mays 50	McKenna	Merideth	Monaco
Moore	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Ransdall	Relford	Reynolds
Richardson	Rizzo	Robirds	Ross	Scheve
Scott	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 038

Bartle	Boatright	Burcham	Byrd	Cierpiot
Clayton	Crawford	Crowell	Cunningham	Enz
Gaskill	Hanaway	Hendrickson	Hohulin	Holand
Hunter	Jetton	Kelley 47	Kelly 144	King
Legan	Levin	Linton	Lograsso	Marsh
Miller	Murphy	Phillips	Portwood	Purgason
Rector	Reinhart	Ridgeway	Roark	Schwab
Secrest	St. Onge	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 008

Baker	Brooks	Graham	Hartzler	Liese
Myers	Reid	Wiggins		

VACANCIES: 003

CCS HS SS SCS SBs 323 & 230, as amended, was placed on the Informal Calendar.

THIRD READING OF SENATE BILL

HCS SB 460, with Part I of HS, as amended, adopted, and Part II of HS, pending, relating to sales/use tax, was taken up by Representative Kennedy.

Representative Hegeman offered **House Amendment No. 1 to Part II of HS HCS SB 460.**

*House Amendment No. 1
to
Part II*

AMEND Part II of House Substitute for House Committee Substitute for Senate Bill No. 460, Page 13, Section 144.1059, Line 20 of said page, by deleting from said line the word "**shall**" and inserting in lieu thereof the word "**may**"; and

Further amend said bill, Page 14, Section 144.1059, Line 5 of said page, by inserting after the word "**discussions**" a comma ","; and

Further amend said bill, Page 14, Section 144.1059, Lines 6 to 24 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"including the impact of any action taken or proposed to be taken by the multistate group involved in such discussions on the taxpayers of the state of Missouri."; and

Further amend said bill, Page 15, Section 144.1059, Lines 1 to 5 of said page, by deleting all of said lines; and

Further amend said bill, Page 15, Section 144.1065, Line 11 of said page, by inserting at the end of said the following:

"Such report shall be delivered to the governor, the secretary of state, the president pro tempore of the senate and the speaker of the house of representatives and shall simultaneously be made publicly available by the secretary of state to any person requesting a copy.

144.1066. Unless four of the five delegates agree, the delegates shall not enter into or vote for any streamlined sales and use tax agreement that:

(1) Requires adoption of a definition of any term that would cause any item or transaction that is now excluded or exempted from sales or use tax to become subject to sales or use tax;

(2) Requires the state of Missouri to fully exempt or fully apply sales taxes to the sale of food or any other item;

(3) Restricts the ability of local governments under statutes in effect on the effective date of this bill to enact one or more local taxes on one or more items without application of the tax to all sales within the taxing jurisdiction, however, restriction of any such taxes allowed by statutes effective after the effective date of this bill may be supported;

(4) Provides for adoption of any uniform rate structure that would result in a tax increase for any Missouri taxpayer;

(5) Affects the sourcing of sales tax transactions; or

(6) Prohibits limitations or thresholds on the application of sales and use tax rates or prohibits any current sales or use tax exemption in the state of Missouri, including exemptions that are based on the value of the transaction or item."; and

Further amend said bill, Page 15, Section 144.1068, Line 12 of said page, by deleting all of said line and inserting in lieu thereof the following:

"144.1068. In addition to the requirements of section 144.1066, the delegates shall not enter into any";
and

Further amend said bill, Page 15, Section 144.1068, Line 19 of said page, by inserting after the word **"of"** the following: **"use tax";** and

Further amend said bill, Page 15, Section 144.1068, Line 21 of said page, by inserting before the word **"sales"** the following: **"The form used for filing";** and

Further amend said bill, Page 16, Section 144.1068, Line 8 of said page, by inserting after the word **"following"** the following: **"so long as they do not conflict with the provisions of section 144.1066";** and

Further amend said bill, Page 17, Section 144.1068, Line 9 of said page, by inserting after the word **"member"** the following: **", only if the agreement and any amendment thereto complies with the provisions of section 144.1066";** and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Kennedy offered **House Substitute Amendment No. 1 for House Amendment No. 1 to Part II of HS HCS SB 460.**

*House Substitute Amendment No. 1
for
House Amendment No. 1
to
Part II*

AMEND Part II of House Substitute for House Committee Substitute for Senate Bill No. 460, Page 14, Section 144.1059, Line 3, by inserting after the words “**of the senate.**” the following:

“The delegates shall recommend to the committees responsible for reviewing tax issues in the senate and the house of representatives each year what state statutes are required to be amended to be substantially in compliance with the agreement.”; and

Further amend said bill, Page 15, Section 144.1065, Line 8, by inserting after the word “**state.**” the following: **“Adoption of the agreement by this state does not amend or modify any law of this state.”; and**

Further amend said bill, Page 15, Section 144.1068, Line 12, by inserting after the number “**144.1068.**” the following:

**“1. The director of revenue shall not enter into the streamlined sales and use tax agreement until legislation substantially complying with the requirements of the agreement is enacted into law.
2.”.**

On motion of Representative Kennedy, **House Substitute Amendment No. 1 for House Amendment No. 1 to Part II of HS HCS SB 460** was adopted.

Representative Hanaway offered **House Amendment No. 2 to Part II of HS HCS SB 460.**

*House Amendment No. 2
to
Part II*

AMEND Part II of House Substitute for House Committee Substitute for Senate Bill No. 460, Pages 13 and 14, Section 144.1059, Lines 23 and 24 on Page 13 and Lines 1 through 3 on Page 14, by deleting all of said lines and inserting in lieu thereof the following:

"appointed by the governor, one member of the majority party in the house of representatives appointed by the speaker of the house of representatives, one member of the minority party in the house of representatives appointed by minority leader of the house of representatives, one member of the majority party in the senate appointed by the pro tempore of the senate and one member of the minority party in the senate appointed by minority leader of the senate. Such".

On motion of Representative Hanaway, **House Amendment No. 2 to Part II of HS HCS SB 460** was adopted.

Representative Shields offered **House Amendment No. 3 to Part II of HS HCS SB 460.**

*House Amendment No. 3
to
Part II*

AMEND Part II of House Substitute for House Committee Substitute for Senate Bill No. 460, Page 20, Section B, Line 2, by adding one new section:

“Section A. Chapter 144, RSMo, is amended by adding thereto one new section, to be known as section 144.817, to read as follows:

144.817. In addition to the exemptions granted pursuant to the provisions of section 144.030, RSMo, there shall also be specifically exempted from the provisions of the local sales tax law as defined in section 32.085, RSMo, section 238.235, RSMo, and sections 144.010 to 144.525 and 144.600 to 144.745, RSMo, and from the computation of the tax levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, RSMO, section 238.235, RSMo, and sections 144.010 to 144.525 and 144.600 to 144.745, RSMo, purchases of any item of tangible personal property which is, within one year of such purchase, donated without charge to the state of Missouri. The exemption prescribed in this section includes purchases of all items of tangible personal property converted into an item donated as a gift to the state of Missouri.”; and

Further amend said bill by amending title, enacting clauses, and intersectional references accordingly.

On motion of Representative Shields, **House Amendment No. 3 to Part II of HS HCS SB 460** was adopted.

On motion of Representative Kennedy, **Part II of HS HCS SB 460, as amended**, was adopted.

MOTION

Representative Marble moved that **HS HCS SB 460, as amended**, be referred to the Committee on Fiscal Review and Government Reform pursuant to Rule 28.

Which motion was defeated by the following vote:

AYES: 068

Ballard	Bartle	Bearden	Behnen	Berkstresser
Boatright	Bray 84	Burcham	Byrd	Campbell
Cierpiot	Cooper	Crawford	Crowell	Cunningham
Fares	Franklin	Froelker	Gratz	Green 73
Griesheimer	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Hollingsworth	Holt	Hunter	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 36	King
Lawson	Levin	Linton	Long	Luetkemeyer
Marble	Marsh	May 149	Mayer	Miller
Moore	Murphy	O'Toole	Phillips	Portwood
Purgason	Ransdall	Rector	Reinhart	Richardson
Rizzo	Roark	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Townley	Vogel
Wagner	Wilson 25	Wright		

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NOES: 072

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Berkowitz	Black	Bonner	Britt
Burton	Carnahan	Clayton	Coleman	Copenhaver
Crump	Curls	Davis	Dempsey	Enz
Farnen	Foley	Fraser	Gambaro	Gaskill
George	Green 15	Hampton	Hanaway	Harding
Harlan	Haywood	Hickey	Hilgemann	Jetton
Johnson 61	Kelly 27	Kennedy	Koller	Legan
Lograsso	Lowe	Luetkenhaus	Mays 50	McKenna
Merideth	Monaco	Naeger	O'Connor	Ostmann
Overschmidt	Reid	Relford	Reynolds	Ridgeway
Robirds	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Treadway
Van Zandt	Villa	Walton	Ward	Willoughby
Wilson 42	Mr. Speaker			

PRESENT: 008

Bland	Boykins	Dolan	Ford	Hagan-Harrell
Holand	Myers	Nordwald		

ABSENT WITH LEAVE: 012

Boucher	Bowman	Brooks	Champion	Graham
Hoppe	Hosmer	Liese	Thompson	Troupe
Wiggins	Williams			

VACANCIES: 003

On motion of Representative Kennedy, **HS HCS SB 460, as amended**, was read the third time and passed by the following vote:

AYES: 138

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Hickey	Hilgemann	Holand	Holt	Hoppe
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Purgason	Ransdall	Rector	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo

Robirds	Ross	Scheve	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 42	Wright	Mr. Speaker		

NOES: 015

Boatright	Burcham	Henderson	Hendrickson	Hohulin
Hollingsworth	Linton	Long	Murphy	Phillips
Portwood	Roark	Schwab	Townley	Wilson 25

PRESENT: 000

ABSENT WITH LEAVE: 007

Baker	Ballard	Brooks	Hosmer	Liese
Reid	Wiggins			

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 137

Abel	Baker	Barnett	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Burton	Byrd
Campbell	Carnahan	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambara	Gaskill
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Holt
Hoppe	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Linton	Lograsso	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Purgason
Ransdall	Rector	Reinhart	Reynolds	Richardson
Rizzo	Robirds	Ross	Scheve	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	St. Onge	Surface	Thompson
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 42	Mr. Speaker			

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NOES: 015

Barnitz	Boatright	Burcham	Champion	Green 73
Hollingsworth	Long	Merideth	Portwood	Roark
Schwab	Shoemyer	Townley	Wilson 25	Wright

PRESENT: 000

ABSENT WITH LEAVE: 008

Ballard	Brooks	Hosmer	Liese	Reid
Relford	Ridgeway	Wiggins		

VACANCIES: 003

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 163**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HBs 441, 94 & 244**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 621**, entitled:

An act to amend chapter 217, RSMo, relating to the department of corrections, by adding thereto one new section creating the Missouri state penitentiary redevelopment commission.

With Senate Committee Amendment No. 1 and Senate Amendment No. 1

Senate Committee Amendment No. 1

AMEND House Bill No. 621, Page 1, Section 217.900, Line 12, by inserting at the end of said line the following:

“No elected or appointed official of the state of Missouri or of any city or county in this state shall be appointed to the commission.”; and

Further amend said bill and section, Page 2, Lines 29 to 31, by striking all of said lines and inserting in lieu thereof the following: **“penitentiary;”**.

Senate Amendment No. 1

AMEND House Bill No. 621, Page 1, Section 217.900, Line 6, by inserting after the word “city” and before the “;” on said line the following: **“with the advice and consent of the governing body of that city”**.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 626**, entitled:

An act to repeal sections 451.022 and 451.040, RSMo 2000, relating to marriage, and to enact in lieu thereof two new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 769**, entitled:

An act to amend chapter 166, RSMo, by adding thereto one new section relating to the privacy of personal information of participants in the Missouri higher education savings program.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5 and Senate Amendment No. 6

Senate Amendment No. 1

AMEND House Bill No. 769, Page 1, Section A, Line 2, by inserting after all of said line the following:

"160.560. 1. The provisions of this section shall be known and may be cited as the "Mastering Math Program".

2. Beginning July 1, 2003, the department of elementary and secondary education shall provide four-year, competitive matching grants to assist public school districts:

(1) In interpretation of algebraic and pre-algebraic concepts throughout the district's elementary school, middle school and junior high school curriculum; and

(2) With the establishment or enhancement of middle school or junior high school programs providing a curriculum that focuses on algebra to be offered no later than the ninth grade in the school's curriculum.

3. Grant applications may be submitted on behalf of a school building, a combination of school buildings or for all schools in the district.

4. Grant applications shall include, but shall not be limited to:

(1) A description of the school's current mathematics program, which shall, at a minimum, specifically address the focus on algebra or pre-algebra concepts in the curriculum;

(2) An evaluation of the areas of needed instructional improvement or enhancement;

(3) A description of the process of instructional improvement, including a statement regarding parental involvement in program implementation; and

(4) A description of the method for evaluating student progress, which shall, at a minimum, include stated goals for improvement in student performance.

5. Continued funding to a grantee after the second year of the grant shall be based upon improvement in student performance on the eighth grade mathematics portion of the state-wide assessment established pursuant to section 160.518.

6. Upon the conclusion of the grant and based on improvement in student performance on the mathematics portion of the state-wide assessment established pursuant to section 160.518 during the period of the grant, the department of elementary and secondary education may reimburse the grantee for its local match under the grant, with such reimbursement funds to be placed to the credit of the school district's operating funds.

7. The department of elementary and secondary education shall establish standards by rule promulgated pursuant to chapter 536, RSMo, for improvement of student performance relating to continued grant funding and refund of matching funds pursuant to this section.

8. Grants shall be distributed in equal amounts within geographic areas established proportionately based upon student population; provided that funds may be reallocated by the department of elementary and secondary education if an area has insufficient applications or insufficient eligible applications to obligate all funds for the area."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND House Bill No. 769, Page 1, Section A, Line 2, by inserting after said line the following:

“160.067. 1. All personally identifiable student records maintained by a public elementary or secondary school shall be kept in such a manner that such records shall not be open for inspection to persons not employed by the school district, except as otherwise provided by law or as otherwise provided pursuant to 34 CFR Part 99. Any personally identifiable student records maintained on electronic media shall be maintained in such a manner as to assure that there is not access to such records by any unauthorized person. No personally identifiable student records, however maintained, shall be made available to any person who is not employed by the school district, except:

(1) With the prior written permission of the parent, guardian or other custodian of a student under the age of eighteen years; or

(2) With the prior written permission of the parent, guardian or other custodian of the student or the student, if the student is eighteen years of age or older; or

(3) In response to a subpoena in a pending civil or criminal action.

2. The provisions of this section shall not apply to section 160.261, 167.115, RSMo, or 167.117, RSMo.”;
and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND House Bill No. 769, Page 1, Section 166.456, Line 5, by adding after the end of said line the following:

“Section 1. The home address, home email address and home phone number of any state employee shall not be released without their express permission.”; and

Further amend said bill, amending the titling and enacting clause accordingly.

Senate Amendment No. 4

AMEND House Bill No. 769, Page 1, Section 166.456, Line 5, by inserting after all of said line the following:

“172.880. 1. There is hereby established, at the Rolla campus of the University of Missouri, a summer program to be known as the "Missouri Engineering and Science Academy" (MESA) for the purpose of educating high ability high school students who have an interest in science, math or engineering and have demonstrated abilities in science and mathematics.

2. The academy curriculum will be developed by faculty at the Rolla campus of the University of Missouri. The academy will be managed and funded through the Rolla campus of the University of Missouri subject to appropriation.

172.890. 1. There is hereby established, at the Rolla campus of the University of Missouri, a science summer program for in-service science teachers to enhance their knowledge and awareness of environmental matters associated with the history of natural resource development and land use changes in Missouri.

2. The goals of this program shall include:

(1) Educating teachers who are community leaders about environmental concerns and potential health and public safety risks;

(2) Increasing the local capacity of educators to develop and deliver a coordinated environmental education program;

(3) Developing and illustrating the concepts that demonstrate how the geologic environment directly impacts and controls the social and economic development of Missouri;

(4) Providing opportunities for participants to acquire knowledge about the development of Missouri's

mineral and agricultural resources; and

(5) Providing opportunities for science teachers to build networks for common growth and support as they pursue effective careers in teaching the children of Missouri.

3. The science summer program established pursuant to this section will be funded, administered and taught by faculty at the Rolla campus of the University of Missouri with assistance from the department of elementary and secondary education.

4. Participating in the science summer program may be included as part of a teacher's participation in the career plan of a school district participating in the career development and teacher excellence plan pursuant to sections 168.500 to 168.515, RSMo, to the extent such participation is consistent with the teacher's career plan approved by the school board."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND House Bill No. 769, Page 10, Section 166.456, Line 5, by inserting immediately after said line the following:

"188.015. [Unless the language or context clearly indicates a different meaning is intended, the following words or phrases for the purposes of sections 188.010 to 188.130 shall be given the meaning ascribed to them] **As used in this chapter, the following terms mean:**

(1) "Abortion", the intentional destruction of the life of an embryo or fetus in his or her mother's womb or the intentional termination of the pregnancy of a mother with an intention other than to increase the probability of a live birth or to remove a dead or dying unborn child;

(2) "Abortion facility", a clinic, physician's office, or any other place or facility in which abortions are performed other than a hospital;

(3) "Conception", the fertilization of the ovum of a female by a sperm of a male;

(4) "Department", the department of health and senior services;

[(4)] **(5) "Gestational age", [length] duration** of pregnancy as measured from the first day of the woman's last menstrual period;

[(5)] **(6) "Physician", any person licensed to practice medicine in this state by the state board of registration of the healing arts;**

[(6)] **(7) "Unborn child", the offspring of human beings from the moment of conception until birth and at every stage of its biological development, including the human conceptus, zygote, morula, blastocyst, embryo, and fetus;**

[(7)] **(8) "Viability", that stage of fetal development when the life of the unborn child may be continued indefinitely outside the womb by natural or artificial life-supportive systems.**

188.052. 1. An individual abortion report for each abortion performed or induced upon a woman shall be completed by her attending physician. **The report shall include:**

(1) Information required by the United States Standard Report of Induced Termination of Pregnancy, published by the National Center for Health Statistics, Centers for Disease Control and Prevention, United States Department of Health and Human Services, or its successor publication or agency; and

(2) Additional information on the type of abortion procedure used, including the specific surgical or nonsurgical method or the specific abortion-inducing drug or drug combination employed, including by way of example, but not of limitation:

(a) First trimester surgical methods, such as: menstrual regulation, also sometimes referred to as menstrual extraction, menstrual induction, miniabortion and endometrial aspiration; vacuum aspiration, also sometimes referred to as suction curettage; and sharp curettage;

(b) Second and third trimester surgical methods, such as: dilation and evacuation or "D&E", intact D&E, dilation and extraction or "D&X"; partial birth abortion; hysterotomy; and hysterectomy;

(c) Labor induction methods, such as: intrauterine saline instillation, intrauterine prostaglandin instillation, intrauterine urea instillation; oxytocin infusion; and prostaglandin vaginal suppository;

(d) Drugs or drug combinations employed in early pregnancy, such as methotrexate; mifepristone; tamoxifen; misoprostol; other prostaglandin analogues; and any combination thereof;

(e) Other methods and drugs employed, such as: incomplete drug-induced abortion followed by a surgical abortion; and injection of potassium chloride or digoxin to cause fetal death.

2. An individual complication report for any post-abortion care performed upon a woman shall be completed by the physician providing such post-abortion care. This report shall include, **but not be limited to:**

- (1) The date of the abortion;
- (2) The name and address of the abortion facility or hospital where the abortion was performed;
- (3) The nature of the abortion complication diagnosed or treated.

3. All abortion reports shall be signed by the attending physician, and submitted to the [state] department [of health] within forty-five days from the date of the abortion. All complication reports shall be signed by the physician providing the post-abortion care and submitted to the department [of health] within forty-five days from the date of the post-abortion care.

4. A copy of the abortion report shall be made a part of the medical record of the patient of the facility or hospital in which the abortion was performed.

5. The [state] department [of health] shall be responsible for collecting all abortion reports and complication reports and collating and evaluating all data gathered therefrom and shall annually publish a statistical report based on such data from abortions performed **or induced and post-abortion care provided** in the previous calendar year. **The report shall include the duration of pregnancy, by weekly increments, at which abortions were performed or induced. The report shall not include any information that would allow the public to identify a specific:**

- (1) **Patient who obtained an abortion or who received post-abortion care;**
- (2) **Physician who performed or induced an abortion or who provided post-abortion care; or**
- (3) **Hospital or abortion facility where the abortion was performed or induced or which provided post-abortion care.**

188.055. 1. Every abortion facility, hospital, and physician shall be supplied with forms by the department [of health] for use in regards to the consents and reports required by sections 188.010 to 188.085. A purpose and function of such consents and reports shall be the preservation of maternal health and life by adding to the sum of medical knowledge through the compilation of relevant maternal health and life data and to monitor all abortions performed to assure that they are done only under and in accordance with the provisions of the law.

2. All information obtained by physician, hospital, or abortion facility from a patient for the purpose of preparing reports to the department [of health under] **pursuant to** sections 188.010 to 188.085 or reports received by the [division of health] **department** shall be confidential and shall be used only for statistical purposes. Such records, however, may be inspected and health data acquired by local, state, or national public health officers.

188.070. Any [physician or other] person who [fails to maintain] **knowingly violates** the confidentiality of any records [or], reports [required under] **or documents maintained by the abortion facility or hospital or received by the department pursuant to** sections 188.010 to 188.085 is guilty of a [misdemeanor and, upon conviction, shall be punished as provided by law] **class D felony**.

191.655. 1. Any individual aggrieved by a violation of chapter 188, RSMo, relating to the confidentiality of medical records may, if a civil remedy is not otherwise provided for in the statute, bring a civil action for damages. If it is found in a civil action that:

- (1) **A person has negligently violated the statute, the person is liable, for each violation, for:**
 - (a) **The greater of actual damages or liquidated damages of one thousand dollars; and**
 - (b) **Court costs and reasonable attorney's fees incurred by the person bringing the action; and**
 - (c) **Such other relief, including injunctive relief, as the court may deem appropriate; or**
- (2) **A person has willfully or intentionally or recklessly violated the statute, the person is liable, for each violation, for:**
 - (a) **The greater of actual damages or liquidated damages of five thousand dollars; and**
 - (b) **Exemplary damages; and**
 - (c) **Court costs and reasonable attorney's fees incurred by the person bringing the action; and**
 - (d) **Such other relief, including injunctive relief, as the court may deem appropriate.**

2. The remedies available in this section are cumulative and in addition to any other criminal or administrative penalties otherwise provided for by law."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

AMEND House Bill No. 769, Page 1, Section A, Line 2, by inserting immediately after said line the following:

"162.481. 1. Except as otherwise provided in this section, all elections of school directors in urban districts shall be held biennially at the same times and places as municipal elections.

2. In any urban district which includes all or the major part of a city which first obtained a population of more than seventy-five thousand inhabitants by reason of the 1960 federal decennial census, elections of directors shall be held on municipal election days of even-numbered years. The directors of the prior district shall continue as directors of the urban district until their successors are elected as herein provided. On the first Tuesday in April, 1964, four directors shall be elected, two for terms of two years to succeed the two directors of the prior district who were elected in 1960 and two for terms of six years to succeed the two directors of the prior district who were elected in 1961. The successors of these directors shall be elected for terms of six years. On the first Tuesday in April, 1968, two directors shall be elected for terms to commence on November 5, 1968, and to terminate on the first Tuesday in April, 1974, when their successors shall be elected for terms of six years. No director shall serve more than two consecutive six-year terms after October 13, 1963.

3. **Except as otherwise provided in subsection 4 of this section**, hereafter when a seven-director district becomes an urban district, the directors of the prior seven-director district shall continue as directors of the urban district until the expiration of the terms for which they were elected and until their successors are elected as provided in this subsection. The first biennial school election for directors shall be held in the urban district at the time provided in subsection 1 which is on the date of or subsequent to the expiration of the terms of the directors of the prior district which are first to expire, and directors shall be elected to succeed the directors of the prior district whose terms have expired. If the terms of two directors only have expired, the directors elected at the first biennial school election in the urban district shall be elected for terms of six years. If the terms of four directors have expired, two directors shall be elected for terms of six years and two shall be elected for terms of four years. At the next succeeding biennial election held in the urban district, successors for the remaining directors of the prior seven-director district shall be elected. If only two directors are to be elected they shall be elected for terms of six years each. If four directors are to be elected, two shall be elected for terms of six years and two shall be elected for terms of two years. After seven directors of the urban district have been elected under this subsection, their successors shall be elected for terms of six years.

4. In any school district in any city with a population of one hundred thousand or more inhabitants which is located within a county of the first classification that adjoins no other county of the first classification, **or any school district which becomes an urban school district by reason of the 2000 federal decennial census**, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and the terms shall be for three years and until their successors are duly elected and qualified for all directors elected on and after August 28, 1998."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

MOTION

Representative Crump moved that Rule 26 be suspended to allow the House conferees to meet in conference for today only while the House is in session.

Which motion was adopted by the following vote:

AYES: 128

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Black
Bland	Boatright	Bonner	Bowman	Boykins
Bray 84	Britt	Burcham	Burton	Byrd

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Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Copenhaver	Crawford	Crowell	Crump
Curls	Davis	Enz	Fares	Farnen
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Harding
Harlan	Hartzler	Haywood	Hegeman	Hendrickson
Hickey	Hilgemann	Hollingsworth	Holt	Hoppe
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Legan	Levin	Linton	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Ransdall	Richardson	Ridgeway	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 016

Bartelsmeyer	Berkstresser	Cooper	Cunningham	Dempsey
Dolan	Hanaway	Henderson	Hohulin	Holand
Purgason	Rector	Reinhart	Reynolds	Roark
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 016

Ballard	Boucher	Brooks	Foley	Hosmer
Hunter	Lawson	Liese	Lograsso	Long
Moore	Murphy	Reid	Relford	Van Zandt
Wiggins				

VACANCIES: 003

THIRD READING OF SENATE BILL

HCS SB 72, relating to the electronic storage of records, was taken up by Representative Smith.

Representative Smith offered **HS HCS SB 72**.

Representative St. Onge raised a point of order that **HS HCS SB 72** goes beyond the scope of the original bill.

The Chair ruled the point of order not well taken.

Representative Smith offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Bill No. 72, Pages 6-11, Section 191.940, by deleting all of said section and inserting in lieu thereof the following:

“191.940. 1. For the purposes of this section the following terms mean:

(1) “Disclose”, to release, transfer, provide access to, or divulge in any other manner information outside the entity holding the information, except that disclosure shall not include any information divulged directly to the individual to whom such information pertains;

(2) “Federal Privacy Rules”, the federal Health Insurance Portability and Accountability Act privacy rules promulgated by the United States Department of Health and Human Services, 45 CFR Parts 160 to 164;

(3) “Health Information”, any information or data except age or gender, whether oral or recorded in any form or medium, created by or derived from a health care provider or an individual that relates to:

(a) The past, present or future physical, mental or behavioral health or condition of an individual;

(b) The provision of health care to an individual; or

(c) Payment for the provision of health care to an individual;

(4) “Licensee”, all licensed insurers, producers and other persons licensed or required to be licensed, or authorized or required to be authorized, or registered or required to be registered pursuant to chapter 375, RSMo, a health maintenance organization holding or required to hold, a certificate of authority pursuant to chapter 354, RSMo, or any other entity or person subject to the supervision and regulation of the department of insurance;

(5) “nonpublic personal health information”, health information;

(a) That identifies an individual who is the subject of the information; or

(b) With respect to which there is a reasonable basis to believe that the information could be used to identify an individual;

(6) “Person”, without limitation, an individual, a foreign or domestic corporation whether for profit or not-for-profit, a partnership a limited liability company, an unincorporated society or association, two or more persons having a joint or common interest, a governmental agency or any other entity.

2. Any person who, in the ordinary course of business, practice of a profession or rendering of a service, creates, stores, receives or furnishes nonpublic personal health information shall not disclose by any means of communication such nonpublic personal health information except pursuant to a prior, written authorization of the person to whom such information pertains or such person’s authorized representative, if:

(1) The nonpublic personal health information is disclosed in exchange for consideration to an affiliate or other third party; or

(2) The purpose of the disclosure is:

(a) For the marketing of services or goods for personal, family or household purposes;

(b) To facilitate an employer’s employment-related decisions, including, but not limited to, hiring, termination, and the establishment of any other conditions of employment, except as necessary to provide health or other benefits to an existing employee;

(c) For use in connection with the evaluation of an existing or requested extension of credit for personal, family or household purposes; or

(d) Unrelated to the business, practice or service offered by the disclosing person or entity.

(3) Nothing in this section shall be deemed to prohibit any disclosure of nonpublic personal health information as is necessary to comply with any other state or federal law.

4. Any person other than a licensee who knowingly violates the provisions of this section shall be assessed an administrative penalty of not more than five hundred dollars for each violation of this section. An administrative penalty under this section may be assessed by a state agency responsible for regulating the person or by the attorney general.

5. In addition to the penalties provided in subsection 4 of this section, any person that violates this section shall be subject to civil action for damages or equitable relief.

6. To the extent a person other than a licensee is subject to and complies with all requirements of the federal Health Insurance Portability and Accountability Act privacy rules promulgated by the United States Department of Health and Human Services, 45 CFR Parts 160 to 164 (the “federal privacy rules”), such person shall be deemed to be in compliance with this section. Until April 14, 2003, a person other than a licensee that

is subject to the federal privacy rules shall be deemed to be in compliance with this section upon demonstration of a good faith effort to comply with the requirements of the federal privacy rules.

7. Irrespective of whether a licensee is subject to the federal privacy rules, if a licensee complies with all requirements of the federal privacy rules except for the effective date provision, the licensee shall be deemed to be in compliance with this section. Until April 14, 2003, a licensee shall be deemed to be in compliance with this section upon demonstration of a good faith effort to comply with the requirements of the federal privacy rules.

8. If a licensee complies with the model regulation adopted on September 26, 2000, by the National Association of Insurance Commissioners entitled "Privacy of Consumer Financial and Health Information Regulation", the licensee shall be deemed to be in compliance with this section.

9. Notwithstanding the provisions of subsections 5, 6 and 7 of this section, no person or licensee may disclose nonpublic personal health information for marketing purposes contrary to paragraph (a) of subdivision (2) of subsection 2 of this section.

10. The provisions of this act do no apply to information from or to consumer reporting agencies as defined by the federal Fair Credit Reporting Act, 15 U.S.C. Sec. 1681 et seq., or debt collectors as defined by the federal Fair Debt Collection Practices Act, 15 U.S.C. Sec. 1692 et seq. to the extent these entities are engaged in activities regulated by these federal acts.

11. The provisions of this act do not apply to information disclosed in connection with a proposed or actual sale, merger, transfer, or exchange of all or a portion of a business or operating unit, including but not limited to the sale of a portfolio of loans, if the disclosure of nonpublic personal health information concerns solely consumers of the business or unit and the disclosure of the nonpublic personal health information is not the primary reason for the sale, merger, transfer or exchange.

12. The director of the department of insurance shall have the sole authority to enforce this section with respect to licensees including, without limitation, treating violations of this section by licensees as unfair practices pursuant to sections 375.930 to 375.948, RSMo.

13. There shall be established a "Commission on Health Information Privacy" to study the issue of the protection of the privacy of nonpublic personal health information. By January 1, 2003, the commission shall make a recommendation to the general assembly of what additional legislative measures should be enacted to protect the privacy of nonpublic health information, after which the commission shall expire.

(1) The members of the commission shall be named by the governor and shall be citizens and residents of the state. The commission shall consist of fifteen individuals: one representative from the health insurance industry; one representative from the life insurance industry; one representative from the property and casualty insurance industry; three representatives from consumer advocacy organizations; three representatives from health care provider organizations; one representative from the department of health; one representative from the department of insurance; and four at-large representatives with demonstrated interest or expertise in health information privacy issues.

(2) Members shall receive no remuneration for their services but shall be reimbursed for actual and reasonable expenses incurred by them in the performance of their duties."

Representative Byrd raised a point of order that **House Amendment No. 1** goes beyond the scope and is not germane to the bill.

The Chair ruled the point of order not well taken.

Representative Harlan offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for Senate Bill No. 72, Pages 6-11, Section 191.940, by deleting all of said section and inserting in lieu thereof the following:

“191.940. 1. For the purposes of this section the following terms mean:

(1) **“Disclose”, to release, transfer, provide access to, or divulge in any other manner information outside the entity holding the information, except that disclosure shall not include any information divulged directly to the individual to whom such information pertains;**

(2) **“Federal Privacy Rules”, the federal Health Insurance Portability and Accountability Act privacy rules promulgated by the United States Department of Health and Human Services, 45 CFR Parts 160 to 164;**

(3) **“Health Information”, any information or data except age or gender, whether oral or recorded in any form or medium, created by or derived from a health care provider or an individual that relates to:**

(a) **The past, present or future physical, mental or behavioral health or condition of an individual;**

(b) **The provision of health care to an individual; or**

(c) **Payment for the provision of health care to an individual;**

(4) **“Licensee”, all licensed insurers, producers and other persons licensed or required to be licensed, or authorized or required to be authorized, or registered or required to be registered pursuant to chapter 375, RSMo, a health maintenance organization holding or required to hold, a certificate of authority pursuant to chapter 354, RSMo, or any other entity or person subject to the supervision and regulation of the department of insurance;**

(5) **“nonpublic personal health information”, health information:**

(a) **That identifies an individual who is the subject of the information; or**

(b) **With respect to which there is a reasonable basis to believe that the information could be used to identify an individual;**

(6) **“Person”, without limitation, an individual, a foreign or domestic corporation whether for profit or not-for-profit, a partnership a limited liability company, an unincorporated society or association, two or more persons having a joint or common interest, a governmental agency or any other entity.**

2. Any person who, in the ordinary course of business, practice of a profession or rendering of a service, creates, stores, receives or furnishes nonpublic personal health information shall not disclose by any means of communication such nonpublic personal health information except pursuant to a prior, written authorization of the person to whom such information pertains or such person’s authorized representative, if:

(1) **The nonpublic personal health information is disclosed in exchange for consideration to an affiliate or other third party; or**

(2) **The purpose of the disclosure is:**

(a) **For the marketing of services or goods for personal, family or household purposes;**

(b) **To facilitate an employer’s employment-related decisions, including, but not limited to, hiring, termination, and the establishment of any other conditions of employment, except as necessary to provide health or other benefits to an existing employee;**

(c) **For use in connection with the evaluation of an existing or requested extension of credit for personal, family or household purposes; or**

(d) **Unrelated to the business, practice or service offered by the disclosing person or entity.**

(3) **Nothing in this section shall be deemed to prohibit any disclosure of nonpublic personal health information as is necessary to comply with any other state or federal law.**

4. Any person other than a licensee who knowingly violates the provisions of this section shall be assessed an administrative penalty of not more than five hundred dollars for each violation of this section. An administrative penalty under this section may be assessed by a state agency responsible for regulating the person or by the attorney general.

5. In addition to the penalties provided in subsection 4 of this section, any person that violates this section shall be subject to civil action for damages or equitable relief.

6. To the extent a person other than a licensee is subject to and complies with all requirements of the federal privacy rules, such person shall be deemed to be in compliance with this section. Until April 14, 2003, a person other than a licensee that is subject to the federal privacy rules shall be deemed to be in compliance with this section upon demonstration of a good faith effort to comply with the requirements of the federal privacy rules.

7. Irrespective of whether a licensee is subject to the federal privacy rules, if a licensee complies with all requirements of the federal privacy rules except for the effective date provision, the licensee shall be deemed to be in compliance with this section. Until April 14, 2003, a licensee shall be deemed to be in compliance with this section upon demonstration of a good faith effort to comply with the requirements of the federal privacy rules.

8. If a licensee complies with the model regulation adopted on September 26, 2000, by the National Association of Insurance Commissioners entitled "Privacy of Consumer Financial and Health Information Regulation", the licensee shall be deemed to be in compliance with this section.

9. Notwithstanding the provisions of subsections 5, 6 and 7 of this section, no person or licensee may disclose nonpublic personal health information for marketing purposes contrary to paragraph (a) of subdivision (2) of subsection 2 of this section.

10. The provisions of this act do not apply to information from or to consumer reporting agencies as defined by the federal Fair Credit Reporting Act, 15 U.S.C. Sec. 1681 et seq., or debt collectors as defined by the federal Fair Debt Collection Practices Act, 15 U.S.C. Sec. 1692 et seq. to the extent these entities are engaged in activities regulated by these federal acts.

11. The provisions of this act do not apply to information disclosed in connection with a proposed or actual sale, merger, transfer, or exchange of all or a portion of a business or operating unit, including but not limited to the sale of a portfolio of loans, if the disclosure of nonpublic personal health information concerns solely consumers of the business or unit and the disclosure of the nonpublic personal health information is not the primary reason for the sale, merger, transfer or exchange.

12. The director of the department of insurance shall have the sole authority to enforce this section with respect to licensees including, without limitation, treating violations of this section by licensees as unfair practices pursuant to sections 375.930 to 375.948, RSMo.

13. There shall be established a "Commission on Health Information Privacy" to study the issue of the protection of the privacy of nonpublic personal health information. By January 1, 2003, the commission shall make a recommendation to the general assembly of what additional legislative measures should be enacted to protect the privacy of nonpublic health information, after which the commission shall expire.

(1) The members of the commission shall be named by the governor and shall be citizens and residents of the state. The commission shall consist of fifteen individuals: one representative from the health insurance industry; one representative from the life insurance industry; one representative from the property and casualty insurance industry; three representatives from consumer advocacy organizations; three representatives from health care provider organizations; one representative from the department of health; one representative from the department of insurance; and four at-large representatives with demonstrated interest or expertise in health information privacy issues.

(2) Members shall receive no remuneration for their services but shall be reimbursed for actual and reasonable expenses incurred by them in the performance of their duties."

On motion of Representative Harlan, **House Substitute Amendment No. 1 for House Amendment No. 1** was adopted.

Representative Seigfreid offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Bill No. 72, Section A, Page 1, Line 13, by inserting all the following immediately after said line:

"105.473. 1. Each lobbyist shall, not later than five days after beginning any activities as a lobbyist, file standardized registration forms, verified by a written declaration that it is made under the penalties of perjury, along with a filing fee of ten dollars, with the commission. The forms shall include the lobbyist's name and business address, the name and address of all persons such lobbyist employs for lobbying purposes, the name and address of each lobbyist principal by whom such lobbyist is employed or in whose interest such lobbyist appears or works. The commission shall maintain files on all lobbyists' filings, which shall be open to the public. Each lobbyist shall file an updating statement under oath within one week of any addition, deletion, or change in the lobbyist's employment or representation. The filing fee shall be deposited to the general revenue fund of the state. The lobbyist principal or a lobbyist employing another person for lobbying purposes may notify the commission that a judicial, executive or legislative lobbyist is no longer authorized to lobby for the principal or the lobbyist and should be removed from the commission's files.

2. Each person shall, before giving testimony before any committee of the general assembly, give to the secretary of such committee such person's name and address and the identity of any lobbyist or organization, if any, on whose behalf such person appears. A person who is not a lobbyist as defined in section 105.470 shall not be required to give such person's address if the committee determines that the giving of such address would endanger the person's physical health.

3. (1) During any period of time in which a lobbyist continues to act as an executive lobbyist, judicial lobbyist or a legislative lobbyist, the lobbyist shall file with the commission on standardized forms prescribed by the commission monthly reports which shall be due at the close of business on the tenth day of the following month;

(2) Each report filed pursuant to this subsection shall include a statement, verified by a written declaration that it is made under the penalties of perjury, setting forth the following:

(a) The total of all expenditures by the lobbyist or his or her lobbyist principals made on behalf of all public officials, their staffs and employees, and their spouses and dependent children, which expenditures shall be separated into at least the following categories by the executive branch, judicial branch and legislative branch of government: [printing and publication expenses; media and other advertising expenses;] travel; entertainment; [honoraria;] meals, food and beverages; and gifts;

(b) An itemized listing of the name of the recipient and the nature and amount of each expenditure by the lobbyist or his or her lobbyist principal, including a service or anything of value, for all expenditures made during any reporting period, paid or provided to or for a public official, such official's staff, employees, spouse or dependent children;

(c) The total of all expenditures made by a lobbyist or lobbyist principal for occasions and the identity of the group invited, the date and description of the occasion and the amount of the expenditure for each occasion when any of the following are invited in writing:

- a. All members of the senate;
- b. All members of the house of representatives;
- c. All members of a joint committee of the general assembly or a standing committee of either the house of representatives or senate; or
- d. All members of a caucus of the general assembly if the caucus consists of at least ten members, a list of the members of the caucus has been previously filed with the ethics committee of the house or the senate, and such list has been approved by either of such ethics committees;

(d) Any expenditure made on behalf of a public official, or the public official's staff, employees, spouse or dependent children, if such expenditure is solicited by such public official, the public official's staff, employees, or spouse or dependent children, from the lobbyist or his or her lobbyist principals and the name of such person or persons, except any expenditures made to any not for profit corporation, charitable, fraternal or civic organization or other association formed to provide for good in the order of benevolence;

(e) A statement detailing any direct business relationship or association or partnership the lobbyist has with any public official.

The reports required by this subdivision shall cover the time periods since the filing of the last report or since the lobbyist's employment or representation began, whichever is most recent.

4. No expenditure reported pursuant to this section shall include any amount expended by a lobbyist or lobbyist principal on himself or herself. **No expenditure reported pursuant to this section shall include any payment, gift, compensation, fee expenditure or anything of value which is bestowed upon or given to any public official or a staff member, employee, spouse or dependent child of a public official when it is compensation for employment or given as an employment benefit and when such employment is in addition to their employment as a public official.** All expenditures disclosed pursuant to this section shall be valued on the report at the actual amount of the payment made, or the charge, expense, cost, or obligation, debt or bill incurred by the lobbyist or the person the lobbyist represents. Whenever a lobbyist principal employs more than one lobbyist, expenditures of the lobbyist principal shall not be reported by each lobbyist, but shall be reported by one of such lobbyists.

5. Any lobbyist principal shall provide in a timely fashion whatever information is reasonably requested by the lobbyist principal's lobbyist for use in filing the reports required by this section.

6. All information required to be filed pursuant to the provisions of this section with the commission shall be kept available by the executive director of the commission at all times open to the public for inspection and copying for a reasonable fee for a period of five years from the date when such information was filed.

7. No person shall knowingly employ any person who is required to register as a registered lobbyist but is not registered pursuant to this section. Any person who knowingly violates this subsection shall be subject to a civil penalty

in an amount of not more than ten thousand dollars for each violation. Such civil penalties shall be collected by action filed by the commission.

8. No lobbyist shall knowingly omit, conceal, or falsify in any manner information required pursuant to this section.

9. The prosecuting attorney of Cole County shall be reimbursed only out of funds specifically appropriated by the general assembly for investigations and prosecutions for violations of this section.

10. Any public official or other person whose name appears in any lobbyist report filed pursuant to this section who contests the accuracy of the portion of the report applicable to such person may petition the commission for an audit of such report and shall state in writing in such petition the specific disagreement with the contents of such report. The commission shall investigate such allegations in the manner described in section 105.959. If the commission determines that the contents of such report are incorrect, incomplete or erroneous, it shall enter an order requiring filing of an amended or corrected report.

11. The commission shall provide a report listing the total spent by a lobbyist for the month and year to any member or member-elect of the general assembly, judge or judicial officer, or any other person holding an elective office of state government on or before the twentieth day of each month. For the purpose of providing accurate information to the public, the commission shall not publish information in either written or electronic form for ten working days after providing the report pursuant to this subsection. The commission shall not release any portion of the lobbyist report if the accuracy of the report has been questioned pursuant to subsection 10 of this section unless it is conspicuously marked "Under Review".

12. Each lobbyist or lobbyist principal by whom the lobbyist was employed, or in whose behalf the lobbyist acted, shall provide a general description of the proposed legislation or action by the executive branch or judicial branch which the lobbyist or lobbyist principal supported or opposed. This information shall be supplied to the commission on March fifteenth and May thirtieth of each year.

105.475. [1. The provisions of sections 105.470 to 105.473 shall not apply to any public official or a staff member, employee, spouse or dependent child of a public official when employed by a lobbyist principal and who is acting on behalf of the lobbyist principal in their employment, except if such person's employment is as a lobbyist for the lobbyist principal.

2.] The provisions of sections 105.470 to 105.473 shall not apply to any member of a union who is acting in either an employment capacity or contractual capacity in association with the union, except if such person's employment or contractual capacity is as a lobbyist for the union.

105.477. 1. The commission shall supply a computer program which shall be used for filing by modem or by a common magnetic media chosen by the commission. The computer program shall be able to run on DOS, Windows or Macintosh based personal computers [or run on any other common personal computer operating environment which may become available in the future].

2. The commission shall have the appropriate software and hardware in place by January 1, 1998, for acceptance of reports electronically. The commission shall make this information available via an Internet Web site connection by no later than January 1, 1999.

3. All lobbyists shall file expenditure reports required by the commission electronically either through modem or common magnetic media. In addition, lobbyists shall file a signed form prescribed by the commission which verifies the information filed electronically within five working days; except that, [if] **when** a means becomes available which will allow a verifiable electronic signature, the commission may accept this in lieu of a [written statement] **signed form**.

4. All records that are in electronic format, not otherwise closed by law, shall be available in electronic format to the public. The commission shall maintain and provide for public inspection, a listing of all reports, with a complete description for each field contained on the report, that has been used to extract information from their database files. The commission shall develop a report or reports which contain every field in each database.

5. Annually, the commission shall provide[, without cost, a system-wide dump of] **to the general assembly at no cost a complete copy of** information contained in the commission's electronic **reporting** database files [to the general assembly]. The information [is to] **shall** be copied onto a medium specified by the general assembly. Such information shall not contain records otherwise closed by law. It is the intent of the general assembly to provide open access to the commission's records. The commission shall make every reasonable effort to comply with requests for information and shall take a liberal interpretation when considering such requests. Priority shall be given to public requests for reports identifying lobbyist or lobbyist principal expenditures per individual legislator.

105.961. 1. Upon receipt of a complaint as described by section 105.957, the commission shall assign the complaint to a special investigator, who may be a commission employee, who shall investigate and determine the merits

of the complaint. Within ten days of such assignment, the special investigator shall review such complaint and disclose, in writing, to the commission any conflict of interest which the special investigator has or might have with respect to the investigation and subject thereof. Within one hundred twenty days of receipt of the complaint from the commission, the special investigator shall submit the special investigator's report to the commission. The commission, after review of such report, shall determine:

- (1) That there is reasonable grounds for belief that a violation has occurred; or
- (2) That there are no reasonable grounds for belief that a violation exists and the complaint should be dismissed;

or

(3) That additional time is necessary to complete the investigation, and the status and progress of the investigation to date. The commission, in its discretion, may allow the investigation to proceed for additional successive periods of one hundred twenty days each, pending reports regarding the status and progress of the investigation at the end of each such period.

2. When the commission concludes, based on the report from the special investigator, or based on an audit conducted pursuant to section 105.959, that there are reasonable grounds to believe that a violation of any criminal law has occurred, and if the commission believes that criminal prosecution would be appropriate upon a vote of **at least** four members of the commission, the commission shall refer the report to the Missouri office of prosecution services, prosecutors coordinators training council established in section 56.760, RSMo, which shall submit a panel of five attorneys for recommendation to the court having criminal jurisdiction, for appointment of an attorney to serve as a special prosecutor; except that, the attorney general of Missouri or any assistant attorney general shall not act as such special prosecutor. The court shall then appoint from such panel a special prosecutor pursuant to section 56.110, RSMo, who shall have all the powers provided by section 56.130, RSMo. The court shall allow a reasonable and necessary attorney's fee for the services of the special prosecutor. Such fee shall be assessed as costs if a case is filed, or ordered by the court if no case is filed, and paid together with all other costs in the proceeding by the state, in accordance with rules and regulations promulgated by the state courts administrator, subject to funds appropriated to the office of administration for such purposes. If the commission does not have sufficient funds to pay a special prosecutor, the commission shall refer the case to the prosecutor or prosecutors having criminal jurisdiction. If the prosecutor having criminal jurisdiction is not able to prosecute the case due to a conflict of interest, the court may appoint a special prosecutor, paid from county funds, upon appropriation by the county or the attorney general to investigate and, if appropriate, prosecute the case. The special prosecutor or prosecutor shall commence an action based on the report by the filing of an information or seeking an indictment within sixty days of the date of such prosecutor's appointment, or shall file a written statement with the commission explaining why criminal charges should not be sought. If the special prosecutor or prosecutor fails to take either action required by this subsection, upon request of the commission, a new special prosecutor, who may be the attorney general, shall be appointed. The report may also be referred to the appropriate disciplinary authority over the person who is the subject of the report.

3. When the commission concludes, based on the report from the special investigator or based on an audit conducted pursuant to section 105.959, that there are reasonable grounds to believe that a violation of any law has occurred which is not a violation of criminal law or that criminal prosecution is not appropriate, the commission [shall] **may** conduct a hearing which shall be a closed meeting and not open to the public. The hearing shall be conducted pursuant to the procedures provided by sections 536.063 to 536.090, RSMo, and shall be considered to be a contested case for purposes of such sections. The commission shall determine, in its discretion, whether or not that there is probable cause that a violation has occurred. If the commission determines, by a vote of at least four members of the commission, that probable cause exists that a violation has occurred, the commission may refer its findings and conclusions to the appropriate disciplinary authority over the person who is the subject of the report, as described in subsection 7 of this section. **If the commission determines by a vote of at least four members that a hearing is not appropriate, the commission may, by a vote of at least four members, seek an agreement with the party or parties determined to have violated the provisions of subsection 1 of section 105.957, and the commission may collect a fee for such violation in an amount not greater than one thousand dollars.** After the commission determines by a vote of at least four members of the commission that probable cause exists that a violation has occurred, and the commission has referred the findings and conclusions to the appropriate disciplinary authority over the person subject of the report, the subject of the report may appeal the determination of the commission to the administrative hearing commission. Such appeal shall stay the action of the Missouri ethics commission. Such appeal shall be filed not later than the fourteenth day after the subject of the commission's action receives actual notice of the commission's action.

4. If the appropriate disciplinary authority receiving a report from the commission pursuant to subsection 3 of

this section fails to follow, within sixty days of the receipt of the report, the recommendations contained in the report, or if the commission determines, by a vote of at least four members of the commission that some action other than referral for criminal prosecution or for action by the appropriate disciplinary authority would be appropriate, the commission shall take any one or more of the following actions:

- (1) Notify the person to cease and desist violation of any provision of law which the report concludes was violated and that the commission may seek judicial enforcement of its decision pursuant to subsection 5 of this section;
- (2) Notify the person of the requirement to file, amend or correct any report, statement, or other document or information required by sections 105.473, 105.483 to 105.492, or chapter 130, RSMo, and that the commission may seek judicial enforcement of its decision pursuant to subsection 5 of this section; and
- (3) File the report with the executive director to be maintained as a public document; or
- (4) Issue a letter of concern or letter of reprimand to the person, which would be maintained as a public document; or
- (5) Issue a letter that no further action shall be taken, which would be maintained as a public document; or
- (6) Through reconciliation agreements or civil action, the power to seek fees for violations in an amount not greater than one thousand dollars or double the amount involved in the violation.

5. Upon vote of at least four members, the commission may initiate formal judicial proceedings seeking to obtain any of the following orders:

- (1) Cease and desist violation of any provision of sections 105.450 to 105.496, or chapter 130, RSMo, or sections 105.955 to 105.963;
- (2) Pay any civil penalties required by sections 105.450 to 105.496 or chapter 130, RSMo;
- (3) File any reports, statements, or other documents or information required by sections 105.450 to 105.496, or chapter 130, RSMo; or
- (4) Pay restitution for any unjust enrichment the violator obtained as a result of any violation of any criminal statute as described in subsection 6 of this section.

The Missouri ethics commission shall give actual notice to the subject of the complaint of the proposed action as set out in this section. The subject of the complaint may appeal the action of the Missouri ethics commission, other than a referral for criminal prosecution, to the administrative hearing commission. Such appeal shall stay the action of the Missouri ethics commission. Such appeal shall be filed no later than fourteen days after the subject of the commission's actions receives actual notice of the commission's actions.

6. In the proceeding in circuit court, the commission may seek restitution against any person who has obtained unjust enrichment as a result of violation of any provision of sections 105.450 to 105.496, or chapter 130, RSMo, and may recover on behalf of the state or political subdivision with which the alleged violator is associated, damages in the amount of any unjust enrichment obtained and costs and attorney's fees as ordered by the court.

7. The appropriate disciplinary authority to whom a report shall be sent pursuant to subsection 2 or 3 of this section shall include, but not be limited to, the following:

- (1) In the case of a member of the general assembly, the ethics committee of the house of which the subject of the report is a member;
- (2) In the case of a person holding an elective office or an appointive office of the state, if the alleged violation is an impeachable offense, the report shall be referred to the ethics committee of the house of representatives;
- (3) In the case of a person holding an elective office of a political subdivision, the report shall be referred to the governing body of the political subdivision;
- (4) In the case of any officer or employee of the state or of a political subdivision, the report shall be referred to the person who has immediate supervisory authority over the employment by the state or by the political subdivision of the subject of the report;
- (5) In the case of a judge of a court of law, the report shall be referred to the commission on retirement, removal and discipline, or if the inquiry involves an employee of the judiciary to the applicable presiding judge;
- (6) In the case of a person holding an appointive office of the state, if the alleged violation is not an impeachable offense, the report shall be referred to the governor;
- (7) In the case of a statewide elected official, the report shall be referred to the attorney general;
- (8) In a case involving the attorney general, the report shall be referred to the prosecuting attorney of Cole County.

8. The special investigator having a complaint referred to the special investigator by the commission shall have the following powers:

(1) To request and shall be given access to information in the possession of any person or agency which the special investigator deems necessary for the discharge of the special investigator's responsibilities;

(2) To examine the records and documents of any person or agency, unless such examination would violate state or federal law providing for confidentiality;

(3) To administer oaths and affirmations;

(4) Upon refusal by any person to comply with a request for information relevant to an investigation, an investigator may issue a subpoena for any person to appear and give testimony, or for a subpoena duces tecum to produce documentary or other evidence which the investigator deems relevant to a matter under the investigator's inquiry. The subpoenas and subpoenas duces tecum may be enforced by applying to a judge of the circuit court of Cole County or any county where the person or entity that has been subpoenaed resides or may be found, for an order to show cause why the subpoena or subpoena duces tecum should not be enforced. The order and a copy of the application therefor shall be served in the same manner as a summons in a civil action, and if, after hearing, the court determines that the subpoena or subpoena duces tecum should be sustained and enforced, the court shall enforce the subpoena or subpoena duces tecum in the same manner as if it had been issued by the court in a civil action; and

(5) To request from the commission such investigative, clerical or other staff assistance or advancement of other expenses which are necessary and convenient for the proper completion of an investigation. Within the limits of appropriations to the commission, the commission may provide such assistance, whether by contract to obtain such assistance or from staff employed by the commission, or may advance such expenses.

9. (1) Any retired judge may request in writing to have the judge's name removed from the list of special investigators subject to appointment by the commission or may request to disqualify himself or herself from any investigation. Such request shall include the reasons for seeking removal;

(2) By vote of **at least** four members of the commission, the commission may disqualify a judge from a particular investigation or may permanently remove the name of any retired judge from the list of special investigators subject to appointment by the commission.

10. Any person who is the subject of any investigation pursuant to this section shall be entitled to be represented by counsel at any proceeding before the special investigator or the commission.

11. The provisions of sections 105.957, 105.959 and 105.961 are in addition to other provisions of law under which any remedy or right of appeal or objection is provided for any person, or any procedure provided for inquiry or investigation concerning any matter. The provisions of this section shall not be construed to limit or affect any other remedy or right of appeal or objection.

12. No person shall be required to make or file a complaint to the commission as a prerequisite for exhausting the person's administrative remedies before pursuing any civil cause of action allowed by law.

13. If, in the opinion of the commission, the complaining party was motivated by malice or reason contrary to the spirit of any law on which such complaint was based, in filing the complaint without just cause, this finding shall be reported to appropriate law enforcement authorities. Any person who knowingly files a complaint without just cause, or with malice, is guilty of a class A misdemeanor.

14. A respondent party who prevails in a formal judicial action brought by the commission shall be awarded those reasonable fees and expenses incurred by that party in the formal judicial action, unless the court finds that the position of the commission was substantially justified or that special circumstances make such an award unjust.

15. The special investigator and members and staff of the commission shall maintain confidentiality with respect to all matters concerning a complaint until and if a report is filed with the commission, with the exception of communications with any person which are necessary to the investigation. The report filed with the commission resulting from a complaint acted upon under the provisions of this section shall not contain the name of the complainant or other person providing information to the investigator, if so requested in writing by the complainant or such other person. Any person who violates the confidentiality requirements imposed by this section or subsection 17 of section 105.955 required to be confidential is guilty of a class A misdemeanor and shall be subject to removal from or termination of employment by the commission.

16. Any judge of the court of appeals or circuit court who ceases to hold such office by reason of the judge's retirement and who serves as a special investigator pursuant to this section shall receive annual compensation, salary or retirement for such services at the rates of compensation provided for senior judges by subsections 1, 2 and 4 of section 476.682, RSMo. Such retired judges shall by the tenth day of each month following any month in which the judge provided services pursuant to this section certify to the commission and to the state courts administrator the amount of time engaged in such services by hour or fraction thereof, the dates thereof, and the expenses incurred and allowable pursuant to this section. The commission shall then issue a warrant to the state treasurer for the payment of

the salary and expenses to the extent, and within limitations, provided for in this section. The state treasurer upon receipt of such warrant shall pay the same out of any appropriations made for this purpose on the last day of the month during which the warrant was received by the state treasurer.”; and

Further amend said house substitute, Section 109.241, Page 6, Line 1, by inserting all the following immediately after said line:

“130.011. As used in this chapter, unless the context clearly indicates otherwise, the following terms mean:

(1) "Appropriate officer" or "appropriate officers", the person or persons designated in section 130.026 to receive certain required statements and reports;

(2) "Ballot measure" or "measure", any proposal submitted or intended to be submitted to qualified voters for their approval or rejection, including any proposal submitted by initiative petition, referendum petition, or by the general assembly or any local governmental body having authority to refer proposals to the voter;

(3) "Candidate", an individual who seeks nomination or election to public office. The term "candidate" includes an elected officeholder who is the subject of a recall election, an individual who seeks nomination by the individual's political party for election to public office, an individual standing for retention in an election to an office to which the individual was previously appointed, an individual who seeks nomination or election whether or not the specific elective public office to be sought has been finally determined by such individual at the time the individual meets the conditions described in paragraph (a) or (b) of this subdivision, and an individual who is a "write-in candidate" as defined in subdivision (28) of this section. A candidate shall be deemed to seek nomination or election when the person first:

(a) Receives contributions or makes expenditures or reserves space or facilities with intent to promote the person's candidacy for office; or

(b) Knows or has reason to know that contributions are being received or expenditures are being made or space or facilities are being reserved with the intent to promote the person's candidacy for office; except that, such individual shall not be deemed a candidate if the person files a statement with the appropriate officer within five days after learning of the receipt of contributions, the making of expenditures, or the reservation of space or facilities disavowing the candidacy and stating that the person will not accept nomination or take office if elected; provided that, if the election at which such individual is supported as a candidate is to take place within five days after the person's learning of the above-specified activities, the individual shall file the statement disavowing the candidacy within one day; or

(c) Announces or files a declaration of candidacy for office;

(4) "Cash", currency, coin, United States postage stamps, or any negotiable instrument which can be transferred from one person to another person without the signature or endorsement of the transferor;

(5) "Check", a check drawn on a state or federal bank, or a draft on a negotiable order of withdrawal account in a savings and loan association or a share draft account in a credit union;

(6) "Closing date", the date through which a statement or report is required to be complete;

(7) "Committee", a person or any combination of persons, who accepts contributions or makes expenditures for the primary or incidental purpose of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage or defeat of any ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee or for the purpose of contributing funds to another committee:

(a) "Committee", does not include:

a. A person or combination of persons, if neither the aggregate of expenditures made nor the aggregate of contributions received during a calendar year exceeds five hundred dollars and if no single contributor has contributed more than two hundred [fifty] **seventy-five** dollars of such aggregate contributions;

b. An individual, other than a candidate, who accepts no contributions and who deals only with the individual's own funds or property;

c. A corporation, cooperative association, partnership, proprietorship, or joint venture organized or operated for a primary or principal purpose other than that of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage or defeat of any ballot measure, and it accepts no contributions, and all expenditures it makes are from its own funds or property obtained in the usual course of business or in any commercial or other transaction and which are not contributions as defined by subdivision (12) of this section;

d. A labor organization organized or operated for a primary or principal purpose other than that of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more

candidates, or the qualification, passage, or defeat of any ballot measure, and it accepts no contributions, and expenditures made by the organization are from its own funds or property received from membership dues or membership fees which were given or solicited for the purpose of supporting the normal and usual activities and functions of the organization and which are not contributions as defined by subdivision (12) of this section;

e. A person who acts as an authorized agent for a committee in soliciting or receiving contributions or in making expenditures or incurring indebtedness on behalf of the committee if such person renders to the committee treasurer or deputy treasurer or candidate, if applicable, an accurate account of each receipt or other transaction in the detail required by the treasurer to comply with all record keeping and reporting requirements of this chapter;

f. Any department, agency, board, institution or other entity of the state or any of its subdivisions or any officer or employee thereof, acting in the person's official capacity;

(b) The term "committee" includes, but is not limited to, each of the following committees: campaign committee, candidate committee, continuing committee and political party committee;

(8) "Campaign committee", a committee, other than a candidate committee, which shall be formed by an individual or group of individuals to receive contributions or make expenditures and whose sole purpose is to support or oppose the qualification and passage of one or more particular ballot measures in an election or the retention of judges under the nonpartisan court plan, such committee shall be formed no later than thirty days prior to the election for which the committee receives contributions or makes expenditures, and which shall terminate the later of either thirty days after the general election or upon the satisfaction of all committee debt after the general election, except that no committee retiring debt shall engage in any other activities in support of a measure for which the committee was formed;

(9) "Candidate committee", a committee which shall be formed by a candidate to receive contributions or make expenditures in behalf of the person's candidacy and which shall continue in existence for use by an elected candidate or which shall terminate the later of either thirty days after the general election for a candidate who was not elected or upon the satisfaction of all committee debt after the election, except that no committee retiring debt shall engage in any other activities in support of the candidate for which the committee was formed. Any candidate for elective office shall have only one candidate committee for the elective office sought, which is controlled directly by the candidate for the purpose of making expenditures. A candidate committee is presumed to be under the control and direction of the candidate unless the candidate files an affidavit with the appropriate officer stating that the committee is acting without control or direction on the candidate's part;

(10) "Continuing committee", a committee of continuing existence which is not formed, controlled or directed by a candidate, and is a committee other than a candidate committee or campaign committee, whose primary or incidental purpose is to receive contributions or make expenditures to influence or attempt to influence the action of voters whether or not a particular candidate or candidates or a particular ballot measure or measures to be supported or opposed has been determined at the time the committee is required to file any statement or report pursuant to the provisions of this chapter. "Continuing committee" includes, but is not limited to, any committee organized or sponsored by a business entity, a labor organization, a professional association, a trade or business association, a club or other organization and whose primary purpose is to solicit, accept and use contributions from the members, employees or stockholders of such entity and any individual or group of individuals who accept and use contributions to influence or attempt to influence the action of voters. Such committee shall be formed no later than thirty days prior to the election for which the committee receives contributions or makes expenditures;

(11) "Connected organization", any organization such as a corporation, a labor organization, a membership organization, a cooperative, or trade or professional association which expends funds or provides services or facilities to establish, administer or maintain a committee or to solicit contributions to a committee from its members, officers, directors, employees or security holders. An organization shall be deemed to be the connected organization if more than fifty percent of the persons making contributions to the committee during the current calendar year are members, officers, directors, employees or security holders of such organization or their spouses;

(12) "Contribution", a payment, gift, loan, advance, deposit, or donation of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification, passage or defeat of any ballot measure, or for the support of any committee supporting or opposing candidates or ballot measures or for paying debts or obligations of any candidate or committee previously incurred for the above purposes. A contribution of anything of value shall be deemed to have a money value equivalent to the fair market value. "Contribution" includes, but is not limited to:

(a) A candidate's own money or property used in support of the person's candidacy other than expense of the candidate's food, lodging, travel, and payment of any fee necessary to the filing for public office;

(b) Payment by any person, other than a candidate or committee, to compensate another person for services

rendered to that candidate or committee;

(c) Receipts from the sale of goods and services, including the sale of advertising space in a brochure, booklet, program or pamphlet of a candidate or committee and the sale of tickets or political merchandise;

(d) Receipts from fund-raising events including testimonial affairs;

(e) Any loan, guarantee of a loan, cancellation or forgiveness of a loan or debt or other obligation by a third party, or payment of a loan or debt or other obligation by a third party if the loan or debt or other obligation was contracted, used, or intended, in whole or in part, for use in an election campaign or used or intended for the payment of such debts or obligations of a candidate or committee previously incurred, or which was made or received by a committee;

(f) Funds received by a committee which are transferred to such committee from another committee or other source, except funds received by a candidate committee as a transfer of funds from another candidate committee controlled by the same candidate but such transfer shall be included in the disclosure reports;

(g) Facilities, office space or equipment supplied by any person to a candidate or committee without charge or at reduced charges, except gratuitous space for meeting purposes which is made available regularly to the public, including other candidates or committees, on an equal basis for similar purposes on the same conditions;

(h) The direct or indirect payment by any person, other than a connected organization, of the costs of establishing, administering, or maintaining a committee, including legal, accounting and computer services, fund raising and solicitation of contributions for a committee;

(i) "Contribution" does not include:

a. Ordinary home hospitality or services provided without compensation by individuals volunteering their time in support of or in opposition to a candidate, committee or ballot measure, nor the necessary and ordinary personal expenses of such volunteers incidental to the performance of voluntary activities, so long as no compensation is directly or indirectly asked or given;

b. An offer or tender of a contribution which is expressly and unconditionally rejected and returned to the donor within ten business days after receipt or transmitted to the state treasurer;

c. Interest earned on deposit of committee funds;

d. The costs incurred by any connected organization listed pursuant to subdivision (4) of subsection 5 of section 130.021 for establishing, administering or maintaining a committee, or for the solicitation of contributions to a committee which solicitation is solely directed or related to the members, officers, directors, employees or security holders of the connected organization;

(13) "County", any one of the several counties of this state or the city of St. Louis;

(14) "Disclosure report", an itemized report of receipts, expenditures and incurred indebtedness which is prepared on forms approved by the Missouri ethics commission and filed at the times and places prescribed;

(15) "Election", any primary, general or special election held to nominate or elect an individual to public office, to retain or recall an elected officeholder or to submit a ballot measure to the voters, and any caucus or other meeting of a political party or a political party committee at which that party's candidate or candidates for public office are officially selected. A primary election and the succeeding general election shall be considered separate elections;

(16) "Expenditure", a payment, advance, conveyance, deposit, donation or contribution of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification or passage of any ballot measure or for the support of any committee which in turn supports or opposes any candidate or ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee; a payment, or an agreement or promise to pay, money or anything of value, including a candidate's own money or property, for the purchase of goods, services, property, facilities or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification or passage of any ballot measure or for the support of any committee which in turn supports or opposes any candidate or ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee. An expenditure of anything of value shall be deemed to have a money value equivalent to the fair market value. "Expenditure" includes, but is not limited to:

(a) Payment by anyone other than a committee for services of another person rendered to such committee;

(b) The purchase of tickets, goods, services or political merchandise in connection with any testimonial affair or fund-raising event of or for candidates or committees, or the purchase of advertising in a brochure, booklet, program or pamphlet of a candidate or committee;

(c) The transfer of funds by one committee to another committee;

(d) The direct or indirect payment by any person, other than a connected organization for a committee, of the costs of establishing, administering or maintaining a committee, including legal, accounting and computer services, fund

raising and solicitation of contributions for a committee; but

(e) "Expenditure" does not include:

a. Any news story, commentary or editorial which is broadcast or published by any broadcasting station, newspaper, magazine or other periodical without charge to the candidate or to any person supporting or opposing a candidate or ballot measure;

b. The internal dissemination by any membership organization, proprietorship, labor organization, corporation, association or other entity of information advocating the election or defeat of a candidate or candidates or the passage or defeat of a ballot measure or measures to its directors, officers, members, employees or security holders, provided that the cost incurred is reported pursuant to [subsection 2 of] section [130.051] **130.048**;

c. Repayment of a loan, but such repayment shall be indicated in required reports;

d. The rendering of voluntary personal services by an individual of the sort commonly performed by volunteer campaign workers and the payment by such individual of the individual's necessary and ordinary personal expenses incidental to such volunteer activity, provided no compensation is, directly or indirectly, asked or given;

e. The costs incurred by any connected organization listed pursuant to subdivision (4) of subsection 5 of section 130.021 for establishing, administering or maintaining a committee, or for the solicitation of contributions to a committee which solicitation is solely directed or related to the members, officers, directors, employees or security holders of the connected organization;

f. The use of a candidate's own money or property for expense of the candidate's personal food, lodging, travel, and payment of any fee necessary to the filing for public office, if such expense is not reimbursed to the candidate from any source;

(17) "Exploratory committees", a committee which shall be formed by an individual to receive contributions and make expenditures on behalf of this individual in determining whether or not the individual seeks elective office.

Such committee shall terminate no later than December thirty-first of the year prior to the general election for the possible office;

(18) "Fund-raising event", an event such as a dinner, luncheon, reception, coffee, testimonial, rally, auction or similar affair through which contributions are solicited or received by such means as the purchase of tickets, payment of attendance fees, donations for prizes or through the purchase of goods, services or political merchandise;

(19) "In-kind contribution" or "in-kind expenditure", a contribution or expenditure in a form other than money;

(20) "Labor organization", any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work;

(21) "Loan", a transfer of money, property or anything of ascertainable monetary value in exchange for an obligation, conditional or not, to repay in whole or in part and which was contracted, used, or intended for use in an election campaign, or which was made or received by a committee or which was contracted, used, or intended to pay previously incurred campaign debts or obligations of a candidate or the debts or obligations of a committee;

(22) "Person", an individual, group of individuals, corporation, partnership, committee, proprietorship, joint venture, any department, agency, board, institution or other entity of the state or any of its political subdivisions, union, labor organization, trade or professional or business association, association, political party or any executive committee thereof, or any other club or organization however constituted or any officer or employee of such entity acting in the person's official capacity;

(23) "Political merchandise", goods such as bumper stickers, pins, hats, ties, jewelry, literature, or other items sold or distributed at a fund-raising event or to the general public for publicity or for the purpose of raising funds to be used in supporting or opposing a candidate for nomination or election or in supporting or opposing the qualification, passage or defeat of a ballot measure;

(24) "Political party", a political party which has the right under law to have the names of its candidates listed on the ballot in a general election;

(25) "Political party committee", a state, district, county, city, or area committee of a political party, as defined in section 115.603, RSMo, which may be organized as a not-for-profit corporation under Missouri law, and which committee is of continuing existence, and has the primary or incidental purpose of receiving contributions and making expenditures to influence or attempt to influence the action of voters on behalf of the political party;

(26) "Public office" or "office", any state, judicial, county, municipal, school or other district, ward, township, or other political subdivision office or any political party office which is filled by a vote of registered voters;

(27) "Regular session", includes that period beginning on the first Wednesday after the first Monday in January

and ending following the first Friday after the second Monday in May;

(28) "Write-in candidate", an individual whose name is not printed on the ballot but who otherwise meets the definition of "candidate" in subdivision (3) of this section.

130.016. 1. No candidate for statewide elected office, general assembly, judicial office other than municipal judge, or municipal office in a city with a population of more than one hundred thousand shall be required to comply with the requirements to file a statement of organization or disclosure reports of contributions and expenditures for any election in which neither the aggregate of contributions received nor the aggregate of expenditures made on behalf of such candidate exceeds five hundred dollars and no single contributor, other than the candidate, has contributed more than two hundred [fifty] **seventy-five** dollars of the aggregate contributions received, provided that:

(1) The candidate files a sworn exemption statement with the appropriate officer that the candidate does not intend to either receive contributions or make expenditures in the aggregate of more than five hundred dollars or receive contributions from any single contributor, other than himself or herself, that aggregate more than two hundred [fifty] **seventy-five** dollars and that the total of all contributions received or expenditures made by the candidate and all committees or any other person with his knowledge and consent in support of his candidacy will not exceed five hundred dollars and that the aggregate of contributions received from any single contributor will not exceed two hundred [fifty] **seventy-five** dollars. Such exemption statement shall be filed no later than the date set forth in section 130.046 on which a disclosure report would otherwise be required if the candidate does not file the exemption statement. The exemption statement shall be filed on a form furnished to each appropriate officer by the executive director of the Missouri ethics commission. Each appropriate officer shall make the exemption statement available to candidates and shall direct each candidate's attention to the exemption statement and explain its purpose to the candidate; and

(2) The sworn exemption statement includes a statement that the candidate understands that records of contributions and expenditures must be maintained from the time the candidate first receives contributions or makes expenditures and that an exemption from filing a statement of organization or disclosure reports does not exempt the candidate from other provisions of this chapter. Each candidate described in subsection 1 of this section, who files a statement of exemption, shall file a statement of limited activity for each reporting period, described in section 130.046.

2. Any candidate who has filed an exemption statement as provided in subsection 1 of this section shall not accept any contribution or make any expenditure in support of the person's candidacy, either directly or indirectly or by or through any committee or any other person acting with the candidate's knowledge and consent, which would cause such contributions or expenditures to exceed the limits specified in subdivision (1) of subsection 1 of this section unless the candidate later rejects the exemption pursuant to the provisions of subsection 3 of this section. Any contribution received in excess of such limits shall be returned to the donor or transmitted to the state treasurer to escheat to the state.

3. If, after filing the exemption statement provided for in this section, the candidate subsequently determines the candidate wishes to exceed any of the limits in subdivision (1) of subsection 1 of this section, the candidate shall file a notice of rejection of the exemption with the appropriate officer; however, such rejection shall not be filed later than thirty days before election. A notice of rejection of exemption shall be accompanied by a statement of organization as required by section 130.021 and any other statements and reports which would have been required if the candidate had not filed an exemption statement.

4. A primary election and the immediately succeeding general election are separate elections, and restrictions on contributions and expenditures set forth in subsection 2 of this section shall apply to each election; however, if a successful primary candidate has correctly filed an exemption statement prior to the primary election and has not filed a notice of rejection prior to the date on which the first disclosure report applicable to the succeeding general election is required to be filed, the candidate shall not be required to file an exemption statement for that general election if the limitations set forth in subsection 1 of this section apply to the succeeding general election.

5. A candidate who has an existing candidate committee formed for a prior election for which all statements and reports required by this chapter have been properly filed shall be eligible to file the exemption statement as provided in subsection 1 of this section and shall not be required to file the disclosure reports pertaining to the election for which the candidate is eligible to file the exemption statement if the candidate and the treasurer or deputy treasurer of such existing candidate committee continue to comply with the requirements, limitations and restrictions set forth in subsections 1, 2, 3 and 4 of this section. The exemption permitted by this subsection does not exempt a candidate or the treasurer of the candidate's existing candidate committee from complying with the requirements of subsections 6 and 7 of section 130.046 applicable to a prior election.

6. No nonpartisan candidate for supreme court, circuit court, or associate circuit court, or candidate for political party office, or for county office or municipal office in a city of one hundred thousand or less, or for any special purpose district office shall be required to file an exemption statement pursuant to this section in order to be exempted from

forming a committee and filing disclosure reports required of committees pursuant to this chapter if the aggregate of contributions received or expenditures made by the candidate and any other person with the candidate's knowledge and consent in support of the person's candidacy does not exceed one thousand dollars and the aggregate of contributions from any single contributor does not exceed two hundred [fifty] **seventy-five** dollars. No candidate for any office listed in this subsection shall be excused from complying with the provisions of any section of this chapter, other than the filing of an exemption statement under the conditions specified in this subsection.

7. If any candidate for an office listed in subsection 6 of this section exceeds the limits specified in subsection 6 of this section, the candidate shall form a committee no later than thirty days prior to the election for which the contributions were received or expended which shall comply with all provisions of this chapter for committees.

130.021. 1. Every committee shall have a treasurer who, except as provided in subsection 10 of this section, shall be a resident of this state. A committee may also have a deputy treasurer who, except as provided in subsection 10 of this section, shall be a resident of this state, to serve in the capacity of committee treasurer in the event the committee treasurer is unable for any reason to perform the treasurer's duties.

2. Every candidate for offices listed in subsection 1 of section 130.016 who has not filed a statement of exemption pursuant to that subsection and every candidate for offices listed in subsection 6 of section 130.016 who is not excluded from filing a statement of organization and disclosure reports pursuant to subsection 6 shall form a candidate committee and appoint a treasurer. Thereafter, all contributions on hand and all further contributions received by such candidate and any of the candidate's own funds to be used in support of the person's candidacy shall be deposited in a candidate committee depository account established pursuant to the provisions of subsection 4 of this section, and all expenditures shall be made through the candidate, treasurer or deputy treasurer of the person's candidate committee. Nothing in this chapter shall prevent a candidate from appointing himself or herself as a committee of one and serving as the person's own treasurer, maintaining the candidate's own records and filing all the reports and statements required to be filed by the treasurer of a candidate committee.

3. A candidate who has more than one candidate committee supporting the person's candidacy shall designate one of those candidate committees as the committee responsible for consolidating the aggregate contributions to all such committees under the candidate's control and direction as required by section 130.041.

4. (1) Every committee shall have a single official fund depository within this state which shall be a federally or state-chartered bank, a federally or state-chartered savings and loan association, or a federally or state-chartered credit union in which the committee shall open and thereafter maintain at least one official depository account in its own name. An "official depository account" shall be a checking account or some type of negotiable draft or negotiable order of withdrawal account, and the official fund depository shall, regarding an official depository account, be a type of financial institution which provides a record of deposits, canceled checks or other canceled instruments of withdrawal evidencing each transaction by maintaining copies within this state of such instruments and other transactions. All contributions which the committee receives in money, checks and other negotiable instruments shall be deposited in a committee's official depository account. Contributions shall not be accepted and expenditures shall not be made by a committee except by or through an official depository account and the committee treasurer, deputy treasurer or candidate. Contributions received by a committee shall not be commingled with any funds of an agent of the committee, a candidate or any other person, except that contributions from a candidate of the candidate's own funds to the person's candidate committee shall be deposited to an official depository account of the person's candidate committee. No expenditure shall be made by a committee when the office of committee treasurer is vacant except that when the office of a candidate committee treasurer is vacant, the candidate shall be the treasurer until the candidate appoints a new treasurer.

(2) A committee treasurer, deputy treasurer or candidate may withdraw funds from a committee's official depository account and deposit such funds in one or more savings accounts in the committee's name in any bank, savings and loan association or credit union within this state, and may also withdraw funds from an official depository account for investment in the committee's name in any certificate of deposit, bond or security. Proceeds from interest or dividends from a savings account or other investment or proceeds from withdrawals from a savings account or from the sale of an investment shall not be expended or reinvested, except in the case of renewals of certificates of deposit, without first redepositing such proceeds in an official depository account. Investments, other than savings accounts, held outside the committee's official depository account at any time during a reporting period shall be disclosed by description, amount, any identifying numbers and the name and address of any institution or person in which or through which it is held in an attachment to disclosure reports the committee is required to file. Proceeds from an investment such as interest or dividends or proceeds from its sale, shall be reported by date and amount. In the case of the sale of an investment, the names and addresses of the persons involved in the transaction shall also be stated. Funds held in

savings accounts and investments, including interest earned, shall be included in the report of money on hand as required by section 130.041.

5. The treasurer or deputy treasurer acting on behalf of any person or organization or group of persons which is a committee by virtue of the definitions of "committee" in section 130.011 and any candidate who is not excluded from forming a committee in accordance with the provisions of section 130.016 shall file a statement of organization with the appropriate officer within twenty days after the person or organization becomes a committee but no later than [the date for filing the first report required pursuant to the provisions of section 130.046] **thirty days prior to the election for which the committee accepts contributions or makes expenditures.** The statement of organization shall contain the following information:

(1) The name, mailing address and telephone number, if any, of the committee filing the statement of organization. If the committee is deemed to be affiliated with a connected organization as provided in subdivision (11) of section 130.011, the name of the connected organization, or a legally registered fictitious name which reasonably identifies the connected organization, shall appear in the name of the committee. If the committee is a candidate committee, the name of the candidate shall be a part of the committee's name;

(2) The name, mailing address and telephone number of the candidate;

(3) The name, mailing address and telephone number of the committee treasurer, and the name, mailing address and telephone number of its deputy treasurer if the committee has named a deputy treasurer;

(4) The names, mailing addresses and titles of its officers, if any;

(5) The name and mailing address of any connected organizations with which the committee is affiliated;

(6) The name and mailing address of its depository, and the name and account number of each account the committee has in the depository;

(7) Identification of the major nature of the committee such as a candidate committee, campaign committee, continuing committee, political party committee, incumbent committee, or any other committee according to the definition of "committee" in section 130.011;

(8) In the case of the candidate committee designated in subsection 3 of this section, the full name and address of each other candidate committee which is under the control and direction of the same candidate, together with the name, address and telephone number of the treasurer of each such other committee;

(9) The name and office sought of each candidate supported or opposed by the committee;

(10) The ballot measure concerned, if any, and whether the committee is in favor of or opposed to such measure.

6. A committee may omit the information required in subdivisions (9) and (10) of subsection 5 of this section if, on the date on which it is required to file a statement of organization, the committee has not yet determined the particular candidates or particular ballot measures it will support or oppose. Any contribution received over the allowable contribution limits described in section 130.032 shall be returned to the contributor by the committee within five business days of the declaration of candidacy or position on a candidate or a particular ballot measure of the committee.

7. A committee which has filed a statement of organization and has not terminated shall not be required to file another statement of organization, except that when there is a change in any of the information previously reported as required by subdivisions (1) to (8) of subsection 5 of this section an amended statement of organization shall be filed within twenty days after the change occurs, but no later than the date of the filing of the next report required to be filed by that committee by section 130.046.

8. Upon termination of a committee, a termination statement indicating dissolution shall be filed not later than ten days after the date of dissolution with the appropriate officer or officers with whom the committee's statement of organization was filed. The termination statement shall include: the distribution made of any remaining surplus funds and the disposition of any deficits; and the name, mailing address and telephone number of the individual responsible for preserving the committee's records and accounts as required in section 130.036.

9. Any statement required by this section shall be signed and attested by the committee treasurer or deputy treasurer, and by the candidate in the case of a candidate committee.

10. A committee domiciled outside this state shall be required to file a statement of organization and appoint a treasurer residing in this state and open an account in a depository within this state; provided that either of the following conditions prevails:

(1) The aggregate of all contributions received from persons domiciled in this state exceeds twenty percent in total dollar amount of all funds received by the committee in the preceding twelve months; or

(2) The aggregate of all contributions and expenditures made to support or oppose candidates and ballot measures in this state exceeds one thousand five hundred dollars in the current calendar year.

11. If a committee domiciled in this state receives a contribution of one thousand five hundred dollars or more from any committee domiciled outside of this state, the committee domiciled in this state shall file a disclosure report with the commission. The report shall disclose the full name, mailing address, telephone numbers and domicile of the contributing committee and the date and amount of the contribution. The report shall be filed within forty-eight hours of the receipt of such contribution if the contribution is received after the last reporting date before the election.

130.031. 1. No contribution of cash in an amount of more than one hundred dollars shall be made by or accepted from any single contributor for any election by a continuing committee, a campaign committee, a political party committee, an exploratory committee or a candidate committee.

2. Except for expenditures from a petty cash fund which is established and maintained by withdrawals of funds from the committee's depository account and with records maintained pursuant to the record-keeping requirements of section 130.036 to account for expenditures made from petty cash, each expenditure of more than fifty dollars, except an in-kind expenditure, shall be made by check drawn on the committee's depository and signed by the committee treasurer, deputy treasurer or candidate. A single expenditure from a petty cash fund shall not exceed fifty dollars, and the aggregate of all expenditures from a petty cash fund during a calendar year shall not exceed the lesser of five thousand dollars or ten percent of all expenditures made by the committee during that calendar year. A check made payable to "cash" shall not be made except to replenish a petty cash fund.

3. No contribution shall be made or accepted and no expenditure shall be made or incurred, directly or indirectly, in a fictitious name, in the name of another person, or by or through another person in such a manner as to conceal the identity of the actual source of the contribution or the actual recipient and purpose of the expenditure. Any person who receives contributions for a committee shall disclose to that committee's treasurer, deputy treasurer or candidate the recipient's own name and address and the name and address of the actual source of each contribution such person has received for that committee. Any person who makes expenditures for a committee shall disclose to that committee's treasurer, deputy treasurer or candidate such person's own name and address, the name and address of each person to whom an expenditure has been made and the amount and purpose of the expenditures the person has made for that committee.

4. No anonymous contribution of more than twenty-five dollars shall be made by any person, and no anonymous contribution of more than twenty-five dollars shall be accepted by any candidate or committee. If any anonymous contribution of more than twenty-five dollars is received, it shall be returned immediately to the contributor, if the contributor's identity can be ascertained, and if the contributor's identity cannot be ascertained, the candidate, committee treasurer or deputy treasurer shall immediately transmit that portion of the contribution which exceeds twenty-five dollars to the state treasurer and it shall escheat to the state.

5. The maximum aggregate amount of anonymous contributions which shall be accepted in any calendar year by any committee shall be the greater of five hundred dollars or one percent of the aggregate amount of all contributions received by that committee in the same calendar year. If any anonymous contribution is received which causes the aggregate total of anonymous contributions to exceed the foregoing limitation, it shall be returned immediately to the contributor, if the contributor's identity can be ascertained, and, if the contributor's identity cannot be ascertained, the committee treasurer, deputy treasurer or candidate shall immediately transmit the anonymous contribution to the state treasurer to escheat to the state.

6. Notwithstanding the provisions of subsection 5 of this section, contributions from individuals whose names and addresses cannot be ascertained which are received from a fund-raising activity or event, such as defined in section 130.011, shall not be deemed anonymous contributions, provided the following conditions are met:

- (1) There are twenty-five or more contributing participants in the activity or event;
- (2) The candidate, committee treasurer, deputy treasurer or the person responsible for conducting the activity or event makes an announcement that it is illegal for anyone to make or receive a contribution in excess of one hundred dollars unless the contribution is accompanied by the name and address of the contributor;
- (3) The person responsible for conducting the activity or event does not knowingly accept payment from any single person of more than one hundred dollars unless the name and address of the person making such payment is obtained and recorded pursuant to the record-keeping requirements of section 130.036;
- (4) A statement describing the event shall be prepared by the candidate or the treasurer of the committee for whom the funds were raised or by the person responsible for conducting the activity or event and attached to the disclosure report of contributions and expenditures required by section 130.041. The following information to be listed in the statement is in addition to, not in lieu of, the requirements elsewhere in this chapter relating to the recording and reporting of contributions and expenditures:

- (a) The name and mailing address of the person or persons responsible for conducting the event or activity and

the name and address of the candidate or committee for whom the funds were raised;

(b) The date on which the event occurred;

(c) The name and address of the location where the event occurred and the approximate number of participants in the event;

(d) A brief description of the type of event and the fund-raising methods used;

(e) The gross receipts from the event and a listing of the expenditures incident to the event;

(f) The total dollar amount of contributions received from the event from participants whose names and addresses were not obtained with such contributions and an explanation of why it was not possible to obtain the names and addresses of such participants;

(g) The total dollar amount of contributions received from contributing participants in the event who are identified by name and address in the records required to be maintained pursuant to section 130.036.

7. No candidate or committee in this state shall accept contributions from any out-of-state committee unless the out-of-state committee from whom the contributions are received has filed a statement of organization pursuant to section 130.021 or has filed the reports required by [sections 130.049 and 130.050, whichever is applicable to that committee] **section 130.049.**

8. Any person publishing, circulating, or distributing any printed matter relative to any candidate for public office or any ballot measure shall on the face of the printed matter identify in a clear and conspicuous manner the person who paid for the printed matter with the words "Paid for by" followed by the proper identification of the sponsor pursuant to this section. For the purposes of this section, "printed matter" shall be defined to include any pamphlet, circular, handbill, sample ballot, advertisement, including advertisements in any newspaper or other periodical, sign, including signs for display on motor vehicles, or other imprinted or lettered material; but "printed matter" is defined to exclude materials printed and purchased prior to May 20, 1982, if the candidate or committee can document that delivery took place prior to May 20, 1982; any sign personally printed and constructed by an individual without compensation from any other person and displayed at that individual's place of residence or on that individual's personal motor vehicle; any items of personal use given away or sold, such as campaign buttons, pins, pens, pencils, book matches, campaign jewelry, or clothing, which is paid for by a candidate or committee which supports a candidate or supports or opposes a ballot measure and which is obvious in its identification with a specific candidate or committee and is reported as required by this chapter; and any news story, commentary, or editorial printed by a regularly published newspaper or other periodical without charge to a candidate, committee or any other person.

(1) In regard to any printed matter paid for by a candidate from the candidate's personal funds, it shall be sufficient identification to print the first and last name by which the candidate is known.

(2) In regard to any printed matter paid for by a committee, it shall be sufficient identification to print the name of the committee as required to be registered by subsection 5 of section 130.021 and the name and title of the committee treasurer who was serving when the printed matter was paid for.

(3) In regard to any printed matter paid for by a corporation or other business entity, labor organization, or any other organization not defined to be a committee by subdivision (7) of section 130.011 and not organized especially for influencing one or more elections, it shall be sufficient identification to print the name of the entity, the name of the principal officer of the entity, by whatever title known, and the mailing address of the entity, or if the entity has no mailing address, the mailing address of the principal officer.

(4) In regard to any printed matter paid for by an individual or individuals, it shall be sufficient identification to print the name of the individual or individuals and the respective mailing address or addresses, except that if more than five individuals join in paying for printed matter it shall be sufficient identification to print the words "For a list of other sponsors contact:" followed by the name and address of one such individual responsible for causing the matter to be printed, and the individual identified shall maintain a record of the names and amounts paid by other individuals and shall make such record available for review upon the request of any person. No person shall accept for publication or printing nor shall such work be completed until the printed matter is properly identified as required by this subsection.

9. Any broadcast station transmitting any matter relative to any candidate for public office or ballot measure as defined by this chapter shall identify the sponsor of such matter as required by federal law.

10. The provisions of subsection 8 or 9 of this section shall not apply to candidates for elective federal office, provided that persons causing matter to be printed or broadcast concerning such candidacies shall comply with the requirements of federal law for identification of the sponsor or sponsors.

11. It shall be a violation of this chapter for any person required to be identified as paying for printed matter pursuant to subsection 8 of this section or paying for broadcast matter pursuant to subsection 9 of this section to refuse to provide the information required or to purposely provide false, misleading, or incomplete information.

12. It shall be a violation of this chapter for any committee to offer chances to win prizes or money to persons to encourage such persons to endorse, send election material by mail, deliver election material in person or contact persons at their homes; except that, the provisions of this subsection shall not be construed to prohibit hiring and paying a campaign staff.

130.041. 1. Except as provided in subsection 5 of section 130.016, the candidate, if applicable, treasurer or deputy treasurer of every committee which is required to file a statement of organization, shall file a legibly printed or typed disclosure report of receipts and expenditures. The reports shall be filed with the appropriate officer designated in section 130.026 at the times and for the periods prescribed in section 130.046. Except as provided in [sections 130.049 and 130.050] **section 130.049**, each report shall set forth:

(1) The full name, as required in the statement of organization pursuant to subsection 5 of section 130.021, and mailing address of the committee filing the report and the full name, mailing address and telephone number of the committee's treasurer and deputy treasurer if the committee has named a deputy treasurer;

(2) The amount of money, including cash on hand at the beginning of the reporting period;

(3) Receipts for the period, including:

(a) Total amount of all monetary contributions received which can be identified in the committee's records by name and address of each contributor. In addition, the candidate committee shall make a reasonable effort to obtain and report the employer, or occupation if self-employed or notation of retirement, of each person from whom the committee received one or more contributions which in the aggregate total in excess of one hundred dollars and shall make a reasonable effort to obtain and report a description of any contractual relationship over five hundred dollars between the contributor and the state if the candidate is seeking election to a state office or between the contributor and any political subdivision of the state if the candidate is seeking election to another political subdivision of the state;

(b) Total amount of all anonymous contributions accepted;

(c) Total amount of all monetary contributions received through fund-raising events or activities from participants whose names and addresses were not obtained with such contributions, with an attached statement or copy of the statement describing each fund-raising event as required in subsection 6 of section 130.031;

(d) Total dollar value of all in-kind contributions received;

(e) A separate listing by name and address and employer, or occupation if self-employed or notation of retirement, of each person from whom the committee received contributions, in money or any other thing of value, aggregating more than one hundred dollars, together with the date and amount of each such contribution;

(f) A listing of each loan received by name and address of the lender and date and amount of the loan. For each loan of more than one hundred dollars, a separate statement shall be attached setting forth the name and address of the lender and each person liable directly, indirectly or contingently, and the date, amount and terms of the loan;

(4) Expenditures for the period, including:

(a) The total dollar amount of expenditures made by check drawn on the committee's depository;

(b) The total dollar amount of expenditures made in cash;

(c) The total dollar value of all in-kind expenditures made;

(d) The full name and mailing address of each person to whom an expenditure of money or any other thing of value in the amount of more than one hundred dollars has been made, contracted for or incurred, together with the date, amount and purpose of each expenditure. Expenditures of one hundred dollars or less may be grouped and listed by categories of expenditure showing the total dollar amount of expenditures in each category, except that the report shall contain an itemized listing of each payment made to campaign workers by name, address, date, amount and purpose of each payment and the aggregate amount paid to each such worker;

(e) A list of each loan made, by name and mailing address of the person receiving the loan, together with the amount, terms and date;

(5) The total amount of cash on hand as of the closing date of the reporting period covered, including amounts in depository accounts and in petty cash fund;

(6) The total amount of outstanding indebtedness as of the closing date of the reporting period covered;

(7) The amount of expenditures for or against a candidate or ballot measure during the period covered and the cumulative amount of expenditures for or against that candidate or ballot measure, with each candidate being listed by name, mailing address and office sought. For the purpose of disclosure reports, expenditures made in support of more than one candidate or ballot measure or both shall be apportioned reasonably among the candidates or ballot measure or both. In apportioning expenditures to each candidate or ballot measure, political party committees and continuing committees need not include expenditures for maintaining a permanent office, such as expenditures for salaries of regular staff, office facilities and equipment or other expenditures not designed to support or oppose any particular

candidates or ballot measures; however, all such expenditures shall be listed pursuant to subdivision (4) of this subsection;

(8) A separate listing by full name and address of any committee including a candidate committee controlled by the same candidate for which a transfer of funds or a contribution in any amount has been made during the reporting period, together with the date and amount of each such transfer or contribution;

(9) A separate listing by full name and address of any committee, including a candidate committee controlled by the same candidate from which a transfer of funds or a contribution in any amount has been received during the reporting period, together with the date and amount of each such transfer or contribution;

(10) Each committee that receives a contribution which is restricted or designated in whole or in part by the contributor for transfer to a particular candidate, committee or other person shall include a statement of the name and address of that contributor in the next disclosure report required to be filed after receipt of such contribution, together with the date and amount of any such contribution which was so restricted or designated by that contributor, together with the name of the particular candidate or committee to whom such contribution was so designated or restricted by that contributor and the date and amount of such contribution.

2. For the purpose of this section and any other section in this chapter except [sections 130.049 and 130.050] **section 130.049** which requires a listing of each contributor who has contributed a specified amount, the aggregate amount shall be computed by adding all contributions received from any one person during the following periods:

(1) In the case of a candidate committee, the period shall begin on the date on which the candidate became a candidate according to the definition of the term "candidate" in section 130.011 and end at 11:59 p.m. on the day of the primary election, if the candidate has such an election or at 11:59 p.m. on the day of the general election. If the candidate has a general election held after a primary election, the next aggregating period shall begin at 12:00 midnight on the day after the primary election day and shall close at 11:59 p.m. on the day of the general election. Except that for contributions received during the thirty-day period immediately following a primary election, the candidate shall designate whether such contribution is received as a primary election contribution or a general election contribution;

(2) In the case of a campaign committee, the period shall begin on the date the committee received its first contribution and end on the closing date for the period for which the report or statement is required;

(3) In the case of a political party committee or a continuing committee, the period shall begin on the first day of January of the year in which the report or statement is being filed and end on the closing date for the period for which the report or statement is required; except, if the report or statement is required to be filed prior to the first day of July in any given year, the period shall begin on the first day of July of the preceding year.

3. The disclosure report shall be signed and attested by the committee treasurer or deputy treasurer and by the candidate in case of a candidate committee.

4. The words "consulting or consulting services, fees, or expenses", or similar words, shall not be used to describe the purpose of a payment as required in this section. The reporting of any payment to such an independent contractor shall be on a form supplied by the appropriate officer, established by the ethics commission and shall include identification of the specific service or services provided including, but not limited to, public opinion polling, research on issues or opposition background, print or broadcast media production, print or broadcast media purchase, computer programming or data entry, direct mail production, postage, rent, utilities, phone solicitation, or fund raising, and the dollar amount prorated for each service.

130.046. 1. The disclosure reports required by section 130.041 for all committees shall be filed at the following times and for the following periods:

(1) Not later than the eighth day before an election for the period closing on the twelfth day before the election if the committee has made any contribution or expenditure either in support or opposition to any candidate or ballot measure;

(2) Not later than the thirtieth day after an election for a period closing on the twenty-fifth day after the election, if the committee has made any contribution or expenditure either in support of or opposition to any candidate or ballot measure; except that, a successful candidate who takes office prior to the twenty-fifth day after the election shall have complied with the report requirement of this subdivision if a disclosure report is filed by such candidate and any candidate committee under the candidate's control before such candidate takes office, and such report shall be for the period closing on the day before taking office; and

(3) Not later than the fifteenth day following the close of each calendar quarter.

Notwithstanding the provisions of this subsection, if any committee accepts contributions or makes expenditures in support of or in opposition to a ballot measure or a candidate, and the report required by this subsection for the most

recent calendar quarter is filed prior to the fortieth day before the election on the measure or candidate, the committee shall file an additional disclosure report not later than the fortieth day before the election for the period closing on the forty-fifth day before the election.

2. In the case of a ballot measure to be qualified to be on the ballot by initiative petition or referendum petition, or a recall petition seeking to remove an incumbent from office, disclosure reports relating to the time for filing such petitions shall be made as follows:

(1) In addition to the disclosure reports required to be filed pursuant to subsection 1 of this section the treasurer of a committee, other than a continuing committee, supporting or opposing a petition effort to qualify a measure to appear on the ballot or to remove an incumbent from office shall file an initial disclosure report fifteen days after the committee begins the process of raising or spending money. After such initial report, the committee shall file quarterly disclosure reports as required by subdivision (3) of subsection 1 of this section until such time as the reports required by subdivisions (1) and (2) of subsection 1 of this section are to be filed. In addition the committee shall file a second disclosure report no later than the fifteenth day after the deadline date for submitting such petition. The period covered in the initial report shall begin on the day the committee first accepted contributions or made expenditures to support or oppose the petition effort for qualification of the measure and shall close on the fifth day prior to the date of the report;

(2) If the measure has qualified to be on the ballot in an election and if a committee subject to the requirements of subdivision (1) of this subsection is also required to file a preelection disclosure report for such election any time within thirty days after the date on which disclosure reports are required to be filed in accordance with subdivision (1) of this subsection, the treasurer of such committee shall not be required to file the report required by subdivision (1) of this subsection, but shall include in the committee's preelection report all information which would otherwise have been required by subdivision (1) of this subsection.

3. The candidate, if applicable, treasurer or deputy treasurer of a committee shall file disclosure reports pursuant to this section, except for any calendar quarter in which the contributions received by the committee or the expenditures or contributions made by the committee do not exceed five hundred dollars. The reporting dates and periods covered for such quarterly reports shall not be later than the fifteenth day of January, April, July and October for periods closing on the thirty-first day of December, the thirty-first day of March, the thirtieth day of June and the thirtieth day of September. No candidate, treasurer or deputy treasurer shall be required to file the quarterly disclosure report required not later than the fifteenth day of any January immediately following a November election, provided that such candidate, treasurer or deputy treasurer shall file the information required on such quarterly report on the quarterly report to be filed not later than the fifteenth day of April immediately following such November election. Each report by such committee shall be cumulative from the date of the last report. In the case of the continuing committee's first report, the report shall be cumulative from the date of the continuing committee's organization. Every candidate, treasurer or deputy treasurer shall file, at a minimum, the campaign disclosure reports covering the quarter immediately preceding the date of the election and those required by subdivisions (1) and (2) of subsection 1 of this section. A continuing committee shall submit additional reports if it makes aggregate expenditures, other than contributions to a committee, of five hundred dollars or more, within the reporting period at the following times for the following periods:

(1) Not later than the [seventh] **eighth** day before an election for the period closing on the twelfth day before the election;

(2) Not later than forty-eight hours after aggregate expenditures of five hundred dollars or more are made after the twelfth day before the election; and

(3) Not later than the thirtieth day after an election for a period closing on the twenty-fifth day after the election.

4. The reports required to be filed no later than the thirtieth day after an election and any subsequently required report shall be cumulative so as to reflect the total receipts and disbursements of the reporting committee for the entire election campaign in question. The period covered by each disclosure report shall begin on the day after the closing date of the most recent disclosure report filed and end on the closing date for the period covered. If the committee has not previously filed a disclosure report, the period covered begins on the date the committee was formed; except that in the case of a candidate committee, the period covered begins on the date the candidate became a candidate according to the definition of the term candidate in section 130.011.

5. Notwithstanding any other provisions of this chapter to the contrary:

(1) Certain disclosure reports pertaining to any candidate who receives nomination in a primary election and thereby seeks election in the immediately succeeding general election shall not be required in the following cases:

(a) If there are less than fifty days between a primary election and the immediately succeeding general election, the disclosure report required to be filed quarterly; provided that, any other report required to be filed prior to the

primary election and all other reports required to be filed not later than the [seventh] eighth day before the general election are filed no later than the final dates for filing such reports;

(b) If there are less than eighty-five days between a primary election and the immediately succeeding general election, the disclosure report required to be filed not later than the thirtieth day after the primary election need not be filed; provided that any report required to be filed prior to the primary election and any other report required to be filed prior to the general election are filed no later than the final dates for filing such reports; and

(2) No disclosure report needs to be filed for any reporting period if during that reporting period the committee has neither received contributions aggregating more than five hundred dollars nor made expenditure aggregating more than five hundred dollars and has not received contributions aggregating more than two hundred [fifty] **seventy-five** dollars from any single contributor **and if the committee's treasurer files a statement with the appropriate officer that the committee has not exceeded the identified thresholds in the reporting period.** Any contributions received or expenditures made which are not reported because [of] this statement is filed in lieu of a disclosure report shall be included in the next disclosure report filed by the committee. [A] **This report shall not be filed [for] in lieu of two or more consecutive disclosure [quarters] periods** if either the contributions received or expenditures made in the aggregate during those reporting periods exceed five hundred dollars [and a report]. **This statement shall not be filed in lieu of the report** not later than the thirtieth day after an election if that report would show a deficit of more than one thousand dollars.

6. (1) If the disclosure report required to be filed by a committee not later than the thirtieth day after an election shows a deficit of unpaid loans and other outstanding obligations in excess of five thousand dollars, semiannual supplemental disclosure reports shall be filed with the appropriate officer for each succeeding semiannual period until the deficit is reported in a disclosure report as being reduced to five thousand dollars or less; except that, a supplemental semiannual report shall not be required for any semiannual period which includes the closing date for the reporting period covered in any regular disclosure report which the committee is required to file in connection with an election. The reporting dates and periods covered for semiannual reports shall be not later than the fifteenth day of January and July for periods closing on the thirty-first day of December and the thirtieth day of June;

(2) Committees required to file reports pursuant to subsection 2 or 3 of this section which are not otherwise required to file disclosure reports for an election shall file semiannual reports as required by this subsection if their last required disclosure report shows a total of unpaid loans and other outstanding obligations in excess of five thousand dollars.

7. In the case of a committee which disbands and is required to file a termination statement pursuant to the provisions of section 130.021 with the appropriate officer not later than the tenth day after the committee was dissolved, the candidate, committee treasurer or deputy treasurer shall attach to the termination statement a complete disclosure report for the period closing on the date of dissolution. A committee shall not utilize the provisions of subsection 8 of section 130.021 or the provisions of this subsection to circumvent or otherwise avoid the reporting requirements of subsection 6 or 7 of this section.

8. Disclosure reports shall be filed with the appropriate officer not later than 5:00 p.m. prevailing local time of the day designated for the filing of the report and a report postmarked not later than midnight of the day previous to the day designated for filing the report shall be deemed to have been filed in a timely manner. The appropriate officer may establish a policy whereby disclosure reports may be filed by facsimile transmission.

130.049. **1.** An out-of-state committee which according to the provisions of subsection 10 of section 130.021 is not required to file a statement of organization and is not required to file the full disclosure reports required by section 130.041 shall file reports with the Missouri ethics commission according to the provisions of [such sections] **this subsection** if the committee makes contributions or expenditures in support of or in opposition to candidates or ballot measures in this state in any election covered by this chapter or makes contributions to any committee domiciled in this state. An initial report shall be filed no later than fourteen days prior to the date such out-of-state committee first makes a contribution or expenditure in this state[. Such initial report shall state the name and address of the committee receiving such contributions or expenditures.], **and thereafter reports shall be filed at the times and for the reporting periods prescribed in subsection 1 of section 130.046.** The contributions or expenditures shall be made no later than thirty days prior to the election. [The out-of-state committee thereafter shall file copies of the campaign disclosure report required to be filed in the domicile of the committee with the Missouri ethics commission as required by subsections 1 to 3 of section 130.046.] No candidate or committee may accept any contribution made by a committee domiciled outside this state unless the provisions of this section are met.

2. Each out-of-state committee report shall contain:

(1) The full name, address and domicile of the committee making the report and the name, residential and

business addresses, domicile and telephone numbers of the committee's treasurer;

(2) The name and address of any entity such as a labor union, trade or business or professional association, club or other organization or any business entity with which the committee is affiliated;

(3) A statement of the total dollar amount of all funds received by the committee in the current calendar year and a statement of the total contributions in the same period from persons domiciled in this state and a list by name, address, date and amount of each Missouri resident who contributed an aggregate of more than two hundred dollars in the current calendar year;

(4) A list by name, address, date and amount regarding any contributor to the out-of-state committee, regardless of state of residency, who made a contribution during the reporting period which was restricted or designated in whole or in part for use in supporting or opposing a candidate, ballot measure or committee in this state or was restricted for use in this state at the committee's discretion or a statement that no such contributions were received;

(5) A statement as to whether the committee is required to file reports with the Federal Election Commission and a listing of agencies in other states with which the committee files reports, if any;

(6) A separate listing showing contributions made in support of or opposition to each candidate or ballot measure in this state, together with the date and amount of each contribution;

(7) A separate listing showing contributions made to any committee domiciled in the state with the date and amount of each contribution.

[130.050. 1. An out-of-state committee which, according to the provisions of subsection 10 of section 130.021, is not required to file a statement of organization and is not required to file the full disclosure reports required by section 130.041 shall file reports with the Missouri ethics commission according to the provisions of this subsection if the committee makes contributions or expenditures in support of or in opposition to candidates or ballot measures in this state in any election covered by this chapter or makes contributions to any committee domiciled in this state. An initial report shall be filed on or within fourteen days prior to the date such out-of-state committee first makes a contribution or expenditure in this state, and thereafter reports shall be filed at the times and for the reporting periods prescribed in subsection 1 of section 130.046. Each report shall contain:

(1) The full name, address and domicile of the committee making the report and the name, residential and business addresses, domicile and telephone numbers of the committee's treasurer;

(2) The name and address of any entity such as a labor union, trade or business or professional association, club or other organization or any business entity with which the committee is affiliated;

(3) A statement of the total dollar amount of all funds received by the committee in the current calendar year and a statement of the total contributions in the same period from persons domiciled in this state and a list by name, address, date and amount of each Missouri resident who contributed an aggregate of more than two hundred dollars in the current calendar year;

(4) A list by name, address, date and amount regarding any contributor to the out-of-state committee, regardless of state of residency, who made a contribution during the reporting period which was restricted or designated in whole or in part for use in supporting or opposing a candidate, ballot measure or committee in this state or was restricted for use in this state at the committee's discretion, or a statement that no such contributions were received;

(5) A statement as to whether the committee is required to file reports with the Federal Election Commission, and a listing of agencies in other states with which the committee files reports, if any;

(6) A separate listing showing contributions made in support of or opposition to each candidate or ballot measure in this state, together with the date and amount of each contribution;

(7) A separate listing showing contributions made to any committee domiciled in this state with the date and amount of each contribution.

2. In the case of a political party committee's selection of an individual to be the party's nominee for public office in an election covered by this chapter, any individual who seeks such nomination and who is a candidate according to the definition of the term candidate in section 130.011 shall be required to comply with all requirements of this chapter; except that, for the purposes of this subsection, the reporting dates and reporting periods in section 130.046 shall not apply, and the first reporting date shall be no later than the fifteenth day after the date on which a nomination covered by this subsection was made and for the period beginning on the date the individual became a candidate, as the term candidate is defined in section 130.011, and closing on the tenth day after the date the nomination was made, with subsequent reports being made as closely as practicable to the times required in section 130.046.

3. The receipt of any late contribution or loan of more than two hundred fifty dollars by a candidate committee supporting a candidate for statewide office or by any other committee shall be reported to the appropriate officer no later

than forty-eight hours after receipt. For purposes of this subsection the term "late contribution or loan" means a contribution or loan received after the closing date of the last disclosure report required to be filed before an election but received prior to the date of the election itself. The disclosure report of a late contribution may be made by any written means of communication, setting forth the name and address of the contributor or lender and the amount of the contribution or loan and need not contain the signatures and certification required for a full disclosure report described in section 130.041. A late contribution or loan shall be included in subsequent disclosure reports without regard to any special reports filed pursuant to this subsection.]

130.056. 1. The executive director of the Missouri ethics commission shall:

(1) Take such steps as are necessary to disseminate among the general public such information as may serve to guide all persons who are or may become subject to the provisions of this chapter for the purpose of facilitating voluntary compliance with the purposes and provisions of this chapter;

(2) Be responsible for expediting the filing of all reports, statements and other information required to be filed pursuant to the provisions of this chapter and, in connection therewith, be responsible for developing procedures whereby all candidates shall be informed of the provisions of section 130.016 so as to assure the timely filing of statements which some candidates are eligible to file as provided in section 130.016;

(3) Develop and publish forms and printed instructional material and furnish such forms and instructions to persons required to file reports and statements pursuant to the provisions of this chapter, together with a summary of the provisions of chapter 115, RSMo, which apply to candidates and committees covered by this chapter, provided, however, such forms shall not seek information which is not specifically required by this chapter. All forms furnished pursuant to this chapter shall clearly state in readable type on the face of the form the date on which the form became effective. The forms published by the executive director shall provide for compliance with reporting and other provisions of this chapter. Any report form published by the executive director for purposes of compliance with section 130.041 shall provide for reporting contributions from individuals, corporations, labor organizations and fictitious entities and contributions from committees on the same form. Contributions from committees shall be listed first on each report form. All expenditures shall also be reported on a single report form;

(4) Develop a filing, coding and cross-indexing system for reports and statements required to be filed with the Missouri ethics commission, and preserve such reports and statements for a period of not less than five years from date of receipt;

(5) Make the reports and statements filed with the Missouri ethics commission available for public inspection and copying, commencing as soon as practicable but not later than the end of the second day after which a report was received, and permit copying of any such report or statement by hand or by duplicating machine, as requested by any person, at the expense of such person, but no information obtained from such reports and statements shall be sold or utilized by any person for any commercial purpose;

(6) Examine each report and statement filed with the Missouri ethics commission pursuant to the requirements of this chapter to determine if the statements are properly completed and filed within the time required by this chapter;

(7) Notify a person required to file a report or statement pursuant to this chapter with the Missouri ethics commission immediately if, upon examination of the official ballot or other circumstances surrounding any election, it appears that the person has failed to file a report or statement as required by law;

(8) From reports filed with the Missouri ethics commission, prepare and publish an annual report including compilations of amounts contributed and expended for the influencing of nominations and elections;

(9) Prepare and publish such other reports as the Missouri ethics commission deems appropriate;

(10) Disseminate statistics, summaries, and reports prepared under this chapter;

(11) Employ staff and retain such contract services, including legal services to represent the commission before any state agency or before the courts as the executive director deems necessary within the limits authorized by appropriation by the general assembly.

2. Each appropriate officer other than the executive director of the Missouri ethics commission shall:

(1) Assist the executive director in furnishing forms and printed instructional material to persons required to file reports and statements pursuant to the provisions of this chapter;

(2) Accept reports and statements required to be filed with the person's office;

(3) Develop for the officer's constituency a filing, coding, and cross-indexing system consonant with the purposes of this chapter;

(4) Make the reports and statements filed with the officer available for public inspection and copying, commencing as soon as practicable but not later than the end of the second day after which a report was received, and permit copying of any such report or statement by hand or by duplicating machine, as requested by any person, at the

expense of such person, but no information obtained from such reports and statements shall be sold or utilized by any person for any commercial purpose;

(5) Preserve such reports and statements for a period of not less than five years from the date of receipt;

(6) Examine each report and statement filed with the person's office pursuant to the requirements of this chapter to determine if the reports and statements appear to be complete and filed within the required time;

(7) Notify a person required to file a report or statement pursuant to this chapter immediately if, upon examination of the circumstances surrounding any election, it appears that the person has failed to file a report or statement as required by law;

(8) Notify the Missouri ethics commission if the person has reasonable cause to believe that a violation of this chapter has occurred;

(9) Assess every candidate for state or local office failing to file with a local election authority pursuant to section 130.026, a campaign disclosure report as required by this chapter other than the report required pursuant to subdivision (1) of subsection 1 of section 130.046, a late filing fee of ten dollars for each day such report is due to the election authority. The local election authority shall mail a notice, by registered mail, to any candidate and candidate committee treasurer and deputy treasurer who fails to file such report informing such person of such failure and the fees provided by this subdivision. If the candidate persists in such failure for a period in excess of thirty days beyond the receipt of such notice, the amount of the late filing fee shall increase to one hundred dollars for each day that the report is not filed, provided that the total amount of such fees assessed pursuant to this subsection per report shall not exceed three hundred dollars. **Any fee collected pursuant to this subdivision shall be deposited to the credit of such county's county school fund pursuant to section 166.131, RSMo.**

3. Any person receiving from an appropriate officer a copy of, or who is permitted to inspect or make a copy of, any report or statement filed pursuant to the requirements of this chapter shall sign a statement that the person will not utilize the reports or statements or any information thereon for any commercial use, except for public news reporting, whatsoever and will not transfer the information obtained to any other persons for such purposes. It shall be the responsibility of each appropriate officer to instruct any person making a request to inspect, copy or receive a copy of any report or statement or any portion of a report or statement filed pursuant to this chapter that the utilization of any information obtained from such reports for any commercial purpose is a violation of this chapter.

130.062. In the case of a political party committee's selection of an individual to be the party's nominee for public office in an election, any individual who seeks such nomination and who is a candidate as that term is defined in section 130.011 shall be required to comply with all requirements of this chapter; except that, for the purposes of this section, the reporting dates and reporting periods in section 130.046 shall not apply, and the first reporting date shall be no later than the fifteenth day after the date on which a nomination covered by this subsection was made and for the period beginning on the date the individual became a candidate, as that term is defined in section 130.011, and closing on the tenth day after the nomination was made, with subsequent reports being made as closely as practicable to the times required in section 130.046.

130.063. The receipt of any late contribution or loan of more than two hundred seventy-five dollars by a candidate committee supporting a candidate for statewide office or by any other committee shall be reported to the appropriate officer no later than forty-eight hours after receipt. For purposes of this subsection the term "late contribution or loan" means a contribution or loan received after the closing date of the last disclosure report required to be filed before an election but received prior to the date of the election itself. The disclosure report of a late contribution may be made by any written means of communication, setting forth the name and address of the contributor or lender and the amount of the contribution or loan and need not contain the signatures and certification required for a full disclosure report described in section 130.041. A late contribution or loan shall be included in subsequent disclosure reports without regard to any special reports filed pursuant to this section.

130.081. 1. Any person who [purposely] **knowingly** violates the provisions of this chapter is guilty of a class A misdemeanor.

2. Any person who fails to file any report or statement required by this chapter within the time periods specified in sections 130.011 to [130.051] **130.049** is guilty of an infraction.

3. Notwithstanding any other provision of law which bars prosecutions for any offenses other than a felony unless commenced within one year after the commission of the offense, any offense under the provisions of this chapter may be prosecuted if the indictment be found or prosecution be instituted within three years after the commission of the alleged offense.

4. Any prohibition to the contrary notwithstanding, no person shall be deprived of the rights, guarantees,

protections or privileges accorded by sections 130.011 to 130.026, 130.031 to 130.068, 130.072, and 130.081 by any person, corporation, entity or political subdivision.”; and

Further amend the title, enacting clause and intersectional references accordingly.

Representative Hanaway raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Reid offered **House Substitute Amendment No. 1 for House Amendment No. 2**.

*House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for Senate Bill No. 72, Section A, Page 1, Line 13, by inserting all the following immediately after said line:

“105.473. 1. Each lobbyist shall, not later than five days after beginning any activities as a lobbyist, file standardized registration forms, verified by a written declaration that it is made under the penalties of perjury, along with a filing fee of ten dollars, with the commission. The forms shall include the lobbyist's name and business address, the name and address of all persons such lobbyist employs for lobbying purposes, the name and address of each lobbyist principal by whom such lobbyist is employed or in whose interest such lobbyist appears or works. The commission shall maintain files on all lobbyists' filings, which shall be open to the public. Each lobbyist shall file an updating statement under oath within one week of any addition, deletion, or change in the lobbyist's employment or representation. The filing fee shall be deposited to the general revenue fund of the state. The lobbyist principal or a lobbyist employing another person for lobbying purposes may notify the commission that a judicial, executive or legislative lobbyist is no longer authorized to lobby for the principal or the lobbyist and should be removed from the commission's files.

2. Each person shall, before giving testimony before any committee of the general assembly, give to the secretary of such committee such person's name and address and the identity of any lobbyist or organization, if any, on whose behalf such person appears. A person who is not a lobbyist as defined in section 105.470 shall not be required to give such person's address if the committee determines that the giving of such address would endanger the person's physical health.

3. (1) During any period of time in which a lobbyist continues to act as an executive lobbyist, judicial lobbyist or a legislative lobbyist, the lobbyist shall file with the commission on standardized forms prescribed by the commission monthly reports which shall be due at the close of business on the tenth day of the following month;

(2) Each report filed pursuant to this subsection shall include a statement, verified by a written declaration that it is made under the penalties of perjury, setting forth the following:

(a) The total of all expenditures by the lobbyist or his or her lobbyist principals made on behalf of all public officials, their staffs and employees, and their spouses and dependent children, which expenditures shall be separated into at least the following categories by the executive branch, judicial branch and legislative branch of government: [printing and publication expenses; media and other advertising expenses;] travel; entertainment; [honoraria;] meals, food and beverages; and gifts;

(b) An itemized listing of the name of the recipient and the nature and amount of each expenditure by the lobbyist or his or her lobbyist principal, including a service or anything of value, for all expenditures made during any reporting period, paid or provided to or for a public official, such official's staff, employees, spouse or dependent children;

(c) The total of all expenditures made by a lobbyist or lobbyist principal for occasions and the identity of the group invited, the date and description of the occasion and the amount of the expenditure for each occasion when any of the following are invited in writing:

a. All members of the senate;

- b. All members of the house of representatives;
- c. All members of a joint committee of the general assembly or a standing committee of either the house of representatives or senate; or
- d. All members of a caucus of the general assembly if the caucus consists of at least ten members, a list of the members of the caucus has been previously filed with the ethics committee of the house or the senate, and such list has been approved by either of such ethics committees;
- (d) Any expenditure made on behalf of a public official, or the public official's staff, employees, spouse or dependent children, if such expenditure is solicited by such public official, the public official's staff, employees, or spouse or dependent children, from the lobbyist or his or her lobbyist principals and the name of such person or persons, except any expenditures made to any not for profit corporation, charitable, fraternal or civic organization or other association formed to provide for good in the order of benevolence;
- (e) A statement detailing any direct business relationship or association or partnership the lobbyist has with any public official.

The reports required by this subdivision shall cover the time periods since the filing of the last report or since the lobbyist's employment or representation began, whichever is most recent.

4. No expenditure reported pursuant to this section shall include any amount expended by a lobbyist or lobbyist principal on himself or herself. **No expenditure reported pursuant to this section shall include any payment, gift, compensation, fee expenditure or anything of value which is bestowed upon or given to any public official or a staff member, employee, spouse or dependent child of a public official when it is compensation for employment or given as an employment benefit and when such employment is in addition to their employment as a public official.** All expenditures disclosed pursuant to this section shall be valued on the report at the actual amount of the payment made, or the charge, expense, cost, or obligation, debt or bill incurred by the lobbyist or the person the lobbyist represents. Whenever a lobbyist principal employs more than one lobbyist, expenditures of the lobbyist principal shall not be reported by each lobbyist, but shall be reported by one of such lobbyists.

5. Any lobbyist principal shall provide in a timely fashion whatever information is reasonably requested by the lobbyist principal's lobbyist for use in filing the reports required by this section.

6. All information required to be filed pursuant to the provisions of this section with the commission shall be kept available by the executive director of the commission at all times open to the public for inspection and copying for a reasonable fee for a period of five years from the date when such information was filed.

7. No person shall knowingly employ any person who is required to register as a registered lobbyist but is not registered pursuant to this section. Any person who knowingly violates this subsection shall be subject to a civil penalty in an amount of not more than ten thousand dollars for each violation. Such civil penalties shall be collected by action filed by the commission.

8. No lobbyist shall knowingly omit, conceal, or falsify in any manner information required pursuant to this section.

9. The prosecuting attorney of Cole County shall be reimbursed only out of funds specifically appropriated by the general assembly for investigations and prosecutions for violations of this section.

10. Any public official or other person whose name appears in any lobbyist report filed pursuant to this section who contests the accuracy of the portion of the report applicable to such person may petition the commission for an audit of such report and shall state in writing in such petition the specific disagreement with the contents of such report. The commission shall investigate such allegations in the manner described in section 105.959. If the commission determines that the contents of such report are incorrect, incomplete or erroneous, it shall enter an order requiring filing of an amended or corrected report.

11. The commission shall provide a report listing the total spent by a lobbyist for the month and year to any member or member-elect of the general assembly, judge or judicial officer, or any other person holding an elective office of state government on or before the twentieth day of each month. For the purpose of providing accurate information to the public, the commission shall not publish information in either written or electronic form for ten working days after providing the report pursuant to this subsection. The commission shall not release any portion of the lobbyist report if the accuracy of the report has been questioned pursuant to subsection 10 of this section unless it is conspicuously marked "Under Review".

12. Each lobbyist or lobbyist principal by whom the lobbyist was employed, or in whose behalf the lobbyist acted, shall provide a general description of the proposed legislation or action by the executive branch or judicial branch which the lobbyist or lobbyist principal supported or opposed. This information shall be supplied to the commission on

March fifteenth and May thirtieth of each year.

105.475. [1. The provisions of sections 105.470 to 105.473 shall not apply to any public official or a staff member, employee, spouse or dependent child of a public official when employed by a lobbyist principal and who is acting on behalf of the lobbyist principal in their employment, except if such person's employment is as a lobbyist for the lobbyist principal.

2.] The provisions of sections 105.470 to 105.473 shall not apply to any member of a union who is acting in either an employment capacity or contractual capacity in association with the union, except if such person's employment or contractual capacity is as a lobbyist for the union.

105.477. 1. The commission shall supply a computer program which shall be used for filing by modem or by a common magnetic media chosen by the commission. The computer program shall be able to run on DOS, Windows or Macintosh based personal computers [or run on any other common personal computer operating environment which may become available in the future].

2. The commission shall have the appropriate software and hardware in place by January 1, 1998, for acceptance of reports electronically. The commission shall make this information available via an Internet Web site connection by no later than January 1, 1999.

3. All lobbyists shall file expenditure reports required by the commission electronically either through modem or common magnetic media. In addition, lobbyists shall file a signed form prescribed by the commission which verifies the information filed electronically within five working days; except that, [if] **when** a means becomes available which will allow a verifiable electronic signature, the commission may accept this in lieu of a [written statement] **signed form**.

4. All records that are in electronic format, not otherwise closed by law, shall be available in electronic format to the public. The commission shall maintain and provide for public inspection, a listing of all reports, with a complete description for each field contained on the report, that has been used to extract information from their database files. The commission shall develop a report or reports which contain every field in each database.

5. Annually, the commission shall provide[, without cost, a system-wide dump of] **to the general assembly at no cost a complete copy of** information contained in the commission's electronic **reporting** database files [to the general assembly]. The information [is to] **shall** be copied onto a medium specified by the general assembly. Such information shall not contain records otherwise closed by law. It is the intent of the general assembly to provide open access to the commission's records. The commission shall make every reasonable effort to comply with requests for information and shall take a liberal interpretation when considering such requests. Priority shall be given to public requests for reports identifying lobbyist or lobbyist principal expenditures per individual legislator.

105.961. 1. Upon receipt of a complaint as described by section 105.957, the commission shall assign the complaint to a special investigator, who may be a commission employee, who shall investigate and determine the merits of the complaint. Within ten days of such assignment, the special investigator shall review such complaint and disclose, in writing, to the commission any conflict of interest which the special investigator has or might have with respect to the investigation and subject thereof. Within one hundred twenty days of receipt of the complaint from the commission, the special investigator shall submit the special investigator's report to the commission. The commission, after review of such report, shall determine:

- (1) That there is reasonable grounds for belief that a violation has occurred; or
- (2) That there are no reasonable grounds for belief that a violation exists and the complaint should be dismissed;

or

(3) That additional time is necessary to complete the investigation, and the status and progress of the investigation to date. The commission, in its discretion, may allow the investigation to proceed for additional successive periods of one hundred twenty days each, pending reports regarding the status and progress of the investigation at the end of each such period.

2. When the commission concludes, based on the report from the special investigator, or based on an audit conducted pursuant to section 105.959, that there are reasonable grounds to believe that a violation of any criminal law has occurred, and if the commission believes that criminal prosecution would be appropriate upon a vote of **at least** four members of the commission, the commission shall refer the report to the Missouri office of prosecution services, prosecutors coordinators training council established in section 56.760, RSMo, which shall submit a panel of five attorneys for recommendation to the court having criminal jurisdiction, for appointment of an attorney to serve as a special prosecutor; except that, the attorney general of Missouri or any assistant attorney general shall not act as such special prosecutor. The court shall then appoint from such panel a special prosecutor pursuant to section 56.110, RSMo, who shall have all the powers provided by section 56.130, RSMo. The court shall allow a reasonable and necessary attorney's fee for the services of the special prosecutor. Such fee shall be assessed as costs if a case is filed, or ordered

by the court if no case is filed, and paid together with all other costs in the proceeding by the state, in accordance with rules and regulations promulgated by the state courts administrator, subject to funds appropriated to the office of administration for such purposes. If the commission does not have sufficient funds to pay a special prosecutor, the commission shall refer the case to the prosecutor or prosecutors having criminal jurisdiction. If the prosecutor having criminal jurisdiction is not able to prosecute the case due to a conflict of interest, the court may appoint a special prosecutor, paid from county funds, upon appropriation by the county or the attorney general to investigate and, if appropriate, prosecute the case. The special prosecutor or prosecutor shall commence an action based on the report by the filing of an information or seeking an indictment within sixty days of the date of such prosecutor's appointment, or shall file a written statement with the commission explaining why criminal charges should not be sought. If the special prosecutor or prosecutor fails to take either action required by this subsection, upon request of the commission, a new special prosecutor, who may be the attorney general, shall be appointed. The report may also be referred to the appropriate disciplinary authority over the person who is the subject of the report.

3. When the commission concludes, based on the report from the special investigator or based on an audit conducted pursuant to section 105.959, that there are reasonable grounds to believe that a violation of any law has occurred which is not a violation of criminal law or that criminal prosecution is not appropriate, the commission [shall] **may** conduct a hearing which shall be a closed meeting and not open to the public. The hearing shall be conducted pursuant to the procedures provided by sections 536.063 to 536.090, RSMo, and shall be considered to be a contested case for purposes of such sections. The commission shall determine, in its discretion, whether or not that there is probable cause that a violation has occurred. If the commission determines, by a vote of at least four members of the commission, that probable cause exists that a violation has occurred, the commission may refer its findings and conclusions to the appropriate disciplinary authority over the person who is the subject of the report, as described in subsection 7 of this section. **If the commission determines by a vote of at least four members that a hearing is not appropriate, the commission may, by a vote of at least four members, seek an agreement with the party or parties determined to have violated the provisions of subsection 1 of section 105.957, and the commission may collect a fee for such violation in an amount not greater than one thousand dollars.** After the commission determines by a vote of at least four members of the commission that probable cause exists that a violation has occurred, and the commission has referred the findings and conclusions to the appropriate disciplinary authority over the person subject of the report, the subject of the report may appeal the determination of the commission to the administrative hearing commission. Such appeal shall stay the action of the Missouri ethics commission. Such appeal shall be filed not later than the fourteenth day after the subject of the commission's action receives actual notice of the commission's action.

4. If the appropriate disciplinary authority receiving a report from the commission pursuant to subsection 3 of this section fails to follow, within sixty days of the receipt of the report, the recommendations contained in the report, or if the commission determines, by a vote of at least four members of the commission that some action other than referral for criminal prosecution or for action by the appropriate disciplinary authority would be appropriate, the commission shall take any one or more of the following actions:

- (1) Notify the person to cease and desist violation of any provision of law which the report concludes was violated and that the commission may seek judicial enforcement of its decision pursuant to subsection 5 of this section;
- (2) Notify the person of the requirement to file, amend or correct any report, statement, or other document or information required by sections 105.473, 105.483 to 105.492, or chapter 130, RSMo, and that the commission may seek judicial enforcement of its decision pursuant to subsection 5 of this section; and
- (3) File the report with the executive director to be maintained as a public document; or
- (4) Issue a letter of concern or letter of reprimand to the person, which would be maintained as a public document; or
- (5) Issue a letter that no further action shall be taken, which would be maintained as a public document; or
- (6) Through reconciliation agreements or civil action, the power to seek fees for violations in an amount not greater than one thousand dollars or double the amount involved in the violation.

5. Upon vote of at least four members, the commission may initiate formal judicial proceedings seeking to obtain any of the following orders:

- (1) Cease and desist violation of any provision of sections 105.450 to 105.496, or chapter 130, RSMo, or sections 105.955 to 105.963;
- (2) Pay any civil penalties required by sections 105.450 to 105.496 or chapter 130, RSMo;
- (3) File any reports, statements, or other documents or information required by sections 105.450 to 105.496, or chapter 130, RSMo; or

(4) Pay restitution for any unjust enrichment the violator obtained as a result of any violation of any criminal statute as described in subsection 6 of this section.

The Missouri ethics commission shall give actual notice to the subject of the complaint of the proposed action as set out in this section. The subject of the complaint may appeal the action of the Missouri ethics commission, other than a referral for criminal prosecution, to the administrative hearing commission. Such appeal shall stay the action of the Missouri ethics commission. Such appeal shall be filed no later than fourteen days after the subject of the commission's actions receives actual notice of the commission's actions.

6. In the proceeding in circuit court, the commission may seek restitution against any person who has obtained unjust enrichment as a result of violation of any provision of sections 105.450 to 105.496, or chapter 130, RSMo, and may recover on behalf of the state or political subdivision with which the alleged violator is associated, damages in the amount of any unjust enrichment obtained and costs and attorney's fees as ordered by the court.

7. The appropriate disciplinary authority to whom a report shall be sent pursuant to subsection 2 or 3 of this section shall include, but not be limited to, the following:

(1) In the case of a member of the general assembly, the ethics committee of the house of which the subject of the report is a member;

(2) In the case of a person holding an elective office or an appointive office of the state, if the alleged violation is an impeachable offense, the report shall be referred to the ethics committee of the house of representatives;

(3) In the case of a person holding an elective office of a political subdivision, the report shall be referred to the governing body of the political subdivision;

(4) In the case of any officer or employee of the state or of a political subdivision, the report shall be referred to the person who has immediate supervisory authority over the employment by the state or by the political subdivision of the subject of the report;

(5) In the case of a judge of a court of law, the report shall be referred to the commission on retirement, removal and discipline, or if the inquiry involves an employee of the judiciary to the applicable presiding judge;

(6) In the case of a person holding an appointive office of the state, if the alleged violation is not an impeachable offense, the report shall be referred to the governor;

(7) In the case of a statewide elected official, the report shall be referred to the attorney general;

(8) In a case involving the attorney general, the report shall be referred to the prosecuting attorney of Cole County.

8. The special investigator having a complaint referred to the special investigator by the commission shall have the following powers:

(1) To request and shall be given access to information in the possession of any person or agency which the special investigator deems necessary for the discharge of the special investigator's responsibilities;

(2) To examine the records and documents of any person or agency, unless such examination would violate state or federal law providing for confidentiality;

(3) To administer oaths and affirmations;

(4) Upon refusal by any person to comply with a request for information relevant to an investigation, an investigator may issue a subpoena for any person to appear and give testimony, or for a subpoena duces tecum to produce documentary or other evidence which the investigator deems relevant to a matter under the investigator's inquiry. The subpoenas and subpoenas duces tecum may be enforced by applying to a judge of the circuit court of Cole County or any county where the person or entity that has been subpoenaed resides or may be found, for an order to show cause why the subpoena or subpoena duces tecum should not be enforced. The order and a copy of the application therefor shall be served in the same manner as a summons in a civil action, and if, after hearing, the court determines that the subpoena or subpoena duces tecum should be sustained and enforced, the court shall enforce the subpoena or subpoena duces tecum in the same manner as if it had been issued by the court in a civil action; and

(5) To request from the commission such investigative, clerical or other staff assistance or advancement of other expenses which are necessary and convenient for the proper completion of an investigation. Within the limits of appropriations to the commission, the commission may provide such assistance, whether by contract to obtain such assistance or from staff employed by the commission, or may advance such expenses.

9. (1) Any retired judge may request in writing to have the judge's name removed from the list of special investigators subject to appointment by the commission or may request to disqualify himself or herself from any investigation. Such request shall include the reasons for seeking removal;

(2) By vote of **at least** four members of the commission, the commission may disqualify a judge from a particular

investigation or may permanently remove the name of any retired judge from the list of special investigators subject to appointment by the commission.

10. Any person who is the subject of any investigation pursuant to this section shall be entitled to be represented by counsel at any proceeding before the special investigator or the commission.

11. The provisions of sections 105.957, 105.959 and 105.961 are in addition to other provisions of law under which any remedy or right of appeal or objection is provided for any person, or any procedure provided for inquiry or investigation concerning any matter. The provisions of this section shall not be construed to limit or affect any other remedy or right of appeal or objection.

12. No person shall be required to make or file a complaint to the commission as a prerequisite for exhausting the person's administrative remedies before pursuing any civil cause of action allowed by law.

13. If, in the opinion of the commission, the complaining party was motivated by malice or reason contrary to the spirit of any law on which such complaint was based, in filing the complaint without just cause, this finding shall be reported to appropriate law enforcement authorities. Any person who knowingly files a complaint without just cause, or with malice, is guilty of a class A misdemeanor.

14. A respondent party who prevails in a formal judicial action brought by the commission shall be awarded those reasonable fees and expenses incurred by that party in the formal judicial action, unless the court finds that the position of the commission was substantially justified or that special circumstances make such an award unjust.

15. The special investigator and members and staff of the commission shall maintain confidentiality with respect to all matters concerning a complaint until and if a report is filed with the commission, with the exception of communications with any person which are necessary to the investigation. The report filed with the commission resulting from a complaint acted upon under the provisions of this section shall not contain the name of the complainant or other person providing information to the investigator, if so requested in writing by the complainant or such other person. Any person who violates the confidentiality requirements imposed by this section or subsection 17 of section 105.955 required to be confidential is guilty of a class A misdemeanor and shall be subject to removal from or termination of employment by the commission.

16. Any judge of the court of appeals or circuit court who ceases to hold such office by reason of the judge's retirement and who serves as a special investigator pursuant to this section shall receive annual compensation, salary or retirement for such services at the rates of compensation provided for senior judges by subsections 1, 2 and 4 of section 476.682, RSMo. Such retired judges shall by the tenth day of each month following any month in which the judge provided services pursuant to this section certify to the commission and to the state courts administrator the amount of time engaged in such services by hour or fraction thereof, the dates thereof, and the expenses incurred and allowable pursuant to this section. The commission shall then issue a warrant to the state treasurer for the payment of the salary and expenses to the extent, and within limitations, provided for in this section. The state treasurer upon receipt of such warrant shall pay the same out of any appropriations made for this purpose on the last day of the month during which the warrant was received by the state treasurer.”; and

Further amend said house substitute, Section 109.241, Page 6, Line 1, by inserting all the following immediately after said line:

“130.011. As used in this chapter, unless the context clearly indicates otherwise, the following terms mean:

(1) "Appropriate officer" or "appropriate officers", the person or persons designated in section 130.026 to receive certain required statements and reports;

(2) "Ballot measure" or "measure", any proposal submitted or intended to be submitted to qualified voters for their approval or rejection, including any proposal submitted by initiative petition, referendum petition, or by the general assembly or any local governmental body having authority to refer proposals to the voter;

(3) "Candidate", an individual who seeks nomination or election to public office. The term "candidate" includes an elected officeholder who is the subject of a recall election, an individual who seeks nomination by the individual's political party for election to public office, an individual standing for retention in an election to an office to which the individual was previously appointed, an individual who seeks nomination or election whether or not the specific elective public office to be sought has been finally determined by such individual at the time the individual meets the conditions described in paragraph (a) or (b) of this subdivision, and an individual who is a "write-in candidate" as defined in subdivision (28) of this section. A candidate shall be deemed to seek nomination or election when the person first:

(a) Receives contributions or makes expenditures or reserves space or facilities with intent to promote the person's candidacy for office; or

(b) Knows or has reason to know that contributions are being received or expenditures are being made or space or facilities are being reserved with the intent to promote the person's candidacy for office; except that, such individual shall not be deemed a candidate if the person files a statement with the appropriate officer within five days after learning of the receipt of contributions, the making of expenditures, or the reservation of space or facilities disavowing the candidacy and stating that the person will not accept nomination or take office if elected; provided that, if the election at which such individual is supported as a candidate is to take place within five days after the person's learning of the above-specified activities, the individual shall file the statement disavowing the candidacy within one day; or

(c) Announces or files a declaration of candidacy for office;

(4) "Cash", currency, coin, United States postage stamps, or any negotiable instrument which can be transferred from one person to another person without the signature or endorsement of the transferor;

(5) "Check", a check drawn on a state or federal bank, or a draft on a negotiable order of withdrawal account in a savings and loan association or a share draft account in a credit union;

(6) "Closing date", the date through which a statement or report is required to be complete;

(7) "Committee", a person or any combination of persons, who accepts contributions or makes expenditures for the primary or incidental purpose of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage or defeat of any ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee or for the purpose of contributing funds to another committee:

(a) "Committee", does not include:

a. A person or combination of persons, if neither the aggregate of expenditures made nor the aggregate of contributions received during a calendar year exceeds five hundred dollars and if no single contributor has contributed more than two hundred [fifty] **seventy-five** dollars of such aggregate contributions;

b. An individual, other than a candidate, who accepts no contributions and who deals only with the individual's own funds or property;

c. A corporation, cooperative association, partnership, proprietorship, or joint venture organized or operated for a primary or principal purpose other than that of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage or defeat of any ballot measure, and it accepts no contributions, and all expenditures it makes are from its own funds or property obtained in the usual course of business or in any commercial or other transaction and which are not contributions as defined by subdivision (12) of this section;

d. A labor organization organized or operated for a primary or principal purpose other than that of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates, or the qualification, passage, or defeat of any ballot measure, and it accepts no contributions, and expenditures made by the organization are from its own funds or property received from membership dues or membership fees which were given or solicited for the purpose of supporting the normal and usual activities and functions of the organization and which are not contributions as defined by subdivision (12) of this section;

e. A person who acts as an authorized agent for a committee in soliciting or receiving contributions or in making expenditures or incurring indebtedness on behalf of the committee if such person renders to the committee treasurer or deputy treasurer or candidate, if applicable, an accurate account of each receipt or other transaction in the detail required by the treasurer to comply with all record keeping and reporting requirements of this chapter;

f. Any department, agency, board, institution or other entity of the state or any of its subdivisions or any officer or employee thereof, acting in the person's official capacity;

(b) The term "committee" includes, but is not limited to, each of the following committees: campaign committee, candidate committee, continuing committee and political party committee;

(8) "Campaign committee", a committee, other than a candidate committee, which shall be formed by an individual or group of individuals to receive contributions or make expenditures and whose sole purpose is to support or oppose the qualification and passage of one or more particular ballot measures in an election or the retention of judges under the nonpartisan court plan, such committee shall be formed no later than thirty days prior to the election for which the committee receives contributions or makes expenditures, and which shall terminate the later of either thirty days after the general election or upon the satisfaction of all committee debt after the general election, except that no committee retiring debt shall engage in any other activities in support of a measure for which the committee was formed;

(9) "Candidate committee", a committee which shall be formed by a candidate to receive contributions or make expenditures in behalf of the person's candidacy and which shall continue in existence for use by an elected candidate or which shall terminate the later of either thirty days after the general election for a candidate who was not elected or

upon the satisfaction of all committee debt after the election, except that no committee retiring debt shall engage in any other activities in support of the candidate for which the committee was formed. Any candidate for elective office shall have only one candidate committee for the elective office sought, which is controlled directly by the candidate for the purpose of making expenditures. A candidate committee is presumed to be under the control and direction of the candidate unless the candidate files an affidavit with the appropriate officer stating that the committee is acting without control or direction on the candidate's part;

(10) "Continuing committee", a committee of continuing existence which is not formed, controlled or directed by a candidate, and is a committee other than a candidate committee or campaign committee, whose primary or incidental purpose is to receive contributions or make expenditures to influence or attempt to influence the action of voters whether or not a particular candidate or candidates or a particular ballot measure or measures to be supported or opposed has been determined at the time the committee is required to file any statement or report pursuant to the provisions of this chapter. "Continuing committee" includes, but is not limited to, any committee organized or sponsored by a business entity, a labor organization, a professional association, a trade or business association, a club or other organization and whose primary purpose is to solicit, accept and use contributions from the members, employees or stockholders of such entity and any individual or group of individuals who accept and use contributions to influence or attempt to influence the action of voters. Such committee shall be formed no later than thirty days prior to the election for which the committee receives contributions or makes expenditures;

(11) "Connected organization", any organization such as a corporation, a labor organization, a membership organization, a cooperative, or trade or professional association which expends funds or provides services or facilities to establish, administer or maintain a committee or to solicit contributions to a committee from its members, officers, directors, employees or security holders. An organization shall be deemed to be the connected organization if more than fifty percent of the persons making contributions to the committee during the current calendar year are members, officers, directors, employees or security holders of such organization or their spouses;

(12) "Contribution", a payment, gift, loan, advance, deposit, or donation of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification, passage or defeat of any ballot measure, or for the support of any committee supporting or opposing candidates or ballot measures or for paying debts or obligations of any candidate or committee previously incurred for the above purposes. A contribution of anything of value shall be deemed to have a money value equivalent to the fair market value. "Contribution" includes, but is not limited to:

(a) A candidate's own money or property used in support of the person's candidacy other than expense of the candidate's food, lodging, travel, [and] payment of any fee necessary to the filing for public office, **and payment of any costs associated with filing or record-keeping of disclosure reports;**

(b) Payment by any person, other than a candidate or committee, to compensate another person for services rendered to that candidate or committee;

(c) Receipts from the sale of goods and services, including the sale of advertising space in a brochure, booklet, program or pamphlet of a candidate or committee and the sale of tickets or political merchandise;

(d) Receipts from fund-raising events including testimonial affairs;

(e) Any loan, guarantee of a loan, cancellation or forgiveness of a loan or debt or other obligation by a third party, or payment of a loan or debt or other obligation by a third party if the loan or debt or other obligation was contracted, used, or intended, in whole or in part, for use in an election campaign or used or intended for the payment of such debts or obligations of a candidate or committee previously incurred, or which was made or received by a committee;

(f) Funds received by a committee which are transferred to such committee from another committee or other source, except funds received by a candidate committee as a transfer of funds from another candidate committee controlled by the same candidate but such transfer shall be included in the disclosure reports;

(g) Facilities, office space or equipment supplied by any person to a candidate or committee without charge or at reduced charges, except gratuitous space for meeting purposes which is made available regularly to the public, including other candidates or committees, on an equal basis for similar purposes on the same conditions;

(h) The direct or indirect payment by any person, other than a connected organization, of the costs of establishing, administering, or maintaining a committee, including legal, accounting and computer services, fund raising and solicitation of contributions for a committee;

(i) "Contribution" does not include:

a. Ordinary home hospitality or services provided without compensation by individuals volunteering their time in support of or in opposition to a candidate, committee or ballot measure, nor the necessary and ordinary personal expenses of such volunteers incidental to the performance of voluntary activities, so long as no compensation is directly

or indirectly asked or given;

b. An offer or tender of a contribution which is expressly and unconditionally rejected and returned to the donor within ten business days after receipt or transmitted to the state treasurer;

c. Interest earned on deposit of committee funds;

d. The costs incurred by any connected organization listed pursuant to subdivision (4) of subsection 5 of section 130.021 for establishing, administering or maintaining a committee, or for the solicitation of contributions to a committee which solicitation is solely directed or related to the members, officers, directors, employees or security holders of the connected organization;

(13) "County", any one of the several counties of this state or the city of St. Louis;

(14) "Disclosure report", an itemized report of receipts, expenditures and incurred indebtedness which is prepared on forms approved by the Missouri ethics commission and filed at the times and places prescribed;

(15) "Election", any primary, general or special election held to nominate or elect an individual to public office, to retain or recall an elected officeholder or to submit a ballot measure to the voters, and any caucus or other meeting of a political party or a political party committee at which that party's candidate or candidates for public office are officially selected. A primary election and the succeeding general election shall be considered separate elections;

(16) "Expenditure", a payment, advance, conveyance, deposit, donation or contribution of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification or passage of any ballot measure or for the support of any committee which in turn supports or opposes any candidate or ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee; a payment, or an agreement or promise to pay, money or anything of value, including a candidate's own money or property, for the purchase of goods, services, property, facilities or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification or passage of any ballot measure or for the support of any committee which in turn supports or opposes any candidate or ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee. An expenditure of anything of value shall be deemed to have a money value equivalent to the fair market value. "Expenditure" includes, but is not limited to:

(a) Payment by anyone other than a committee for services of another person rendered to such committee;

(b) The purchase of tickets, goods, services or political merchandise in connection with any testimonial affair or fund-raising event of or for candidates or committees, or the purchase of advertising in a brochure, booklet, program or pamphlet of a candidate or committee;

(c) The transfer of funds by one committee to another committee;

(d) The direct or indirect payment by any person, other than a connected organization for a committee, of the costs of establishing, administering or maintaining a committee, including legal, accounting and computer services, fund raising and solicitation of contributions for a committee; but

(e) "Expenditure" does not include:

a. Any news story, commentary or editorial which is broadcast or published by any broadcasting station, newspaper, magazine or other periodical without charge to the candidate or to any person supporting or opposing a candidate or ballot measure;

b. The internal dissemination by any membership organization, proprietorship, labor organization, corporation, association or other entity of information advocating the election or defeat of a candidate or candidates or the passage or defeat of a ballot measure or measures to its directors, officers, members, employees or security holders, provided that the cost incurred is reported pursuant to [subsection 2 of] section [130.051] **130.048**;

c. Repayment of a loan, but such repayment shall be indicated in required reports;

d. The rendering of voluntary personal services by an individual of the sort commonly performed by volunteer campaign workers and the payment by such individual of the individual's necessary and ordinary personal expenses incidental to such volunteer activity, provided no compensation is, directly or indirectly, asked or given;

e. The costs incurred by any connected organization listed pursuant to subdivision (4) of subsection 5 of section 130.021 for establishing, administering or maintaining a committee, or for the solicitation of contributions to a committee which solicitation is solely directed or related to the members, officers, directors, employees or security holders of the connected organization;

f. The use of a candidate's own money or property for expense of the candidate's personal food, lodging, travel, [and] payment of any fee necessary to the filing for public office, **and payment of any costs associated with filing or record-keeping of disclosure reports**, if such expense is not reimbursed to the candidate from any source;

(17) "Exploratory committees", a committee which shall be formed by an individual to receive contributions and

make expenditures on behalf of this individual in determining whether or not the individual seeks elective office.

Such committee shall terminate no later than December thirty-first of the year prior to the general election for the possible office;

(18) "Fund-raising event", an event such as a dinner, luncheon, reception, coffee, testimonial, rally, auction or similar affair through which contributions are solicited or received by such means as the purchase of tickets, payment of attendance fees, donations for prizes or through the purchase of goods, services or political merchandise;

(19) "In-kind contribution" or "in-kind expenditure", a contribution or expenditure in a form other than money;

(20) "Labor organization", any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work;

(21) "Loan", a transfer of money, property or anything of ascertainable monetary value in exchange for an obligation, conditional or not, to repay in whole or in part and which was contracted, used, or intended for use in an election campaign, or which was made or received by a committee or which was contracted, used, or intended to pay previously incurred campaign debts or obligations of a candidate or the debts or obligations of a committee;

(22) "Person", an individual, group of individuals, corporation, partnership, committee, proprietorship, joint venture, any department, agency, board, institution or other entity of the state or any of its political subdivisions, union, labor organization, trade or professional or business association, association, political party or any executive committee thereof, or any other club or organization however constituted or any officer or employee of such entity acting in the person's official capacity;

(23) "Political merchandise", goods such as bumper stickers, pins, hats, ties, jewelry, literature, or other items sold or distributed at a fund-raising event or to the general public for publicity or for the purpose of raising funds to be used in supporting or opposing a candidate for nomination or election or in supporting or opposing the qualification, passage or defeat of a ballot measure;

(24) "Political party", a political party which has the right under law to have the names of its candidates listed on the ballot in a general election;

(25) "Political party committee", a state, district, county, city, or area committee of a political party, as defined in section 115.603, RSMo, which may be organized as a not-for-profit corporation under Missouri law, and which committee is of continuing existence, and has the primary or incidental purpose of receiving contributions and making expenditures to influence or attempt to influence the action of voters on behalf of the political party;

(26) "Public office" or "office", any state, judicial, county, municipal, school or other district, ward, township, or other political subdivision office or any political party office which is filled by a vote of registered voters;

(27) "Regular session", includes that period beginning on the first Wednesday after the first Monday in January and ending following the first Friday after the second Monday in May;

(28) "Write-in candidate", an individual whose name is not printed on the ballot but who otherwise meets the definition of "candidate" in subdivision (3) of this section.

130.016. 1. No candidate for statewide elected office, general assembly, judicial office other than municipal judge, or municipal office in a city with a population of more than one hundred thousand shall be required to comply with the requirements to file a statement of organization or disclosure reports of contributions and expenditures for any election in which neither the aggregate of contributions received nor the aggregate of expenditures made on behalf of such candidate exceeds five hundred dollars and no single contributor, other than the candidate, has contributed more than two hundred [fifty] **seventy-five** dollars of the aggregate contributions received, provided that:

(1) The candidate files a sworn exemption statement with the appropriate officer that the candidate does not intend to either receive contributions or make expenditures in the aggregate of more than five hundred dollars or receive contributions from any single contributor, other than himself or herself, that aggregate more than two hundred [fifty] **seventy-five** dollars and that the total of all contributions received or expenditures made by the candidate and all committees or any other person with his knowledge and consent in support of his candidacy will not exceed five hundred dollars and that the aggregate of contributions received from any single contributor will not exceed two hundred [fifty] **seventy-five** dollars. Such exemption statement shall be filed no later than the date set forth in section 130.046 on which a disclosure report would otherwise be required if the candidate does not file the exemption statement. The exemption statement shall be filed on a form furnished to each appropriate officer by the executive director of the Missouri ethics commission. Each appropriate officer shall make the exemption statement available to candidates and shall direct each candidate's attention to the exemption statement and explain its purpose to the candidate; and

(2) The sworn exemption statement includes a statement that the candidate understands that records of

contributions and expenditures must be maintained from the time the candidate first receives contributions or makes expenditures and that an exemption from filing a statement of organization or disclosure reports does not exempt the candidate from other provisions of this chapter. Each candidate described in subsection 1 of this section, who files a statement of exemption, shall file a statement of limited activity for each reporting period, described in section 130.046.

2. Any candidate who has filed an exemption statement as provided in subsection 1 of this section shall not accept any contribution or make any expenditure in support of the person's candidacy, either directly or indirectly or by or through any committee or any other person acting with the candidate's knowledge and consent, which would cause such contributions or expenditures to exceed the limits specified in subdivision (1) of subsection 1 of this section unless the candidate later rejects the exemption pursuant to the provisions of subsection 3 of this section. Any contribution received in excess of such limits shall be returned to the donor or transmitted to the state treasurer to escheat to the state.

3. If, after filing the exemption statement provided for in this section, the candidate subsequently determines the candidate wishes to exceed any of the limits in subdivision (1) of subsection 1 of this section, the candidate shall file a notice of rejection of the exemption with the appropriate officer; however, such rejection shall not be filed later than thirty days before election. A notice of rejection of exemption shall be accompanied by a statement of organization as required by section 130.021 and any other statements and reports which would have been required if the candidate had not filed an exemption statement.

4. A primary election and the immediately succeeding general election are separate elections, and restrictions on contributions and expenditures set forth in subsection 2 of this section shall apply to each election; however, if a successful primary candidate has correctly filed an exemption statement prior to the primary election and has not filed a notice of rejection prior to the date on which the first disclosure report applicable to the succeeding general election is required to be filed, the candidate shall not be required to file an exemption statement for that general election if the limitations set forth in subsection 1 of this section apply to the succeeding general election.

5. A candidate who has an existing candidate committee formed for a prior election for which all statements and reports required by this chapter have been properly filed shall be eligible to file the exemption statement as provided in subsection 1 of this section and shall not be required to file the disclosure reports pertaining to the election for which the candidate is eligible to file the exemption statement if the candidate and the treasurer or deputy treasurer of such existing candidate committee continue to comply with the requirements, limitations and restrictions set forth in subsections 1, 2, 3 and 4 of this section. The exemption permitted by this subsection does not exempt a candidate or the treasurer of the candidate's existing candidate committee from complying with the requirements of subsections 6 and 7 of section 130.046 applicable to a prior election.

6. No nonpartisan candidate for supreme court, circuit court, or associate circuit court, or candidate for political party office, or for county office or municipal office in a city of one hundred thousand or less, or for any special purpose district office shall be required to file an exemption statement pursuant to this section in order to be exempted from forming a committee and filing disclosure reports required of committees pursuant to this chapter if the aggregate of contributions received or expenditures made by the candidate and any other person with the candidate's knowledge and consent in support of the person's candidacy does not exceed one thousand dollars and the aggregate of contributions from any single contributor does not exceed two hundred [fifty] **seventy-five** dollars. No candidate for any office listed in this subsection shall be excused from complying with the provisions of any section of this chapter, other than the filing of an exemption statement under the conditions specified in this subsection.

7. If any candidate for an office listed in subsection 6 of this section exceeds the limits specified in subsection 6 of this section, the candidate shall form a committee no later than thirty days prior to the election for which the contributions were received or expended which shall comply with all provisions of this chapter for committees.

130.021. 1. Every committee shall have a treasurer who, except as provided in subsection 10 of this section, shall be a resident of this state. A committee may also have a deputy treasurer who, except as provided in subsection 10 of this section, shall be a resident of this state, to serve in the capacity of committee treasurer in the event the committee treasurer is unable for any reason to perform the treasurer's duties.

2. Every candidate for offices listed in subsection 1 of section 130.016 who has not filed a statement of exemption pursuant to that subsection and every candidate for offices listed in subsection 6 of section 130.016 who is not excluded from filing a statement of organization and disclosure reports pursuant to subsection 6 shall form a candidate committee and appoint a treasurer. Thereafter, all contributions on hand and all further contributions received by such candidate and any of the candidate's own funds to be used in support of the person's candidacy shall be deposited in a candidate committee depository account established pursuant to the provisions of subsection 4 of this section, and all expenditures shall be made through the candidate, treasurer or deputy treasurer of the person's candidate committee. Nothing in this chapter shall prevent a candidate from appointing himself or herself as a committee of one

and serving as the person's own treasurer, maintaining the candidate's own records and filing all the reports and statements required to be filed by the treasurer of a candidate committee.

3. A candidate who has more than one candidate committee supporting the person's candidacy shall designate one of those candidate committees as the committee responsible for consolidating the aggregate contributions to all such committees under the candidate's control and direction as required by section 130.041.

4. (1) Every committee shall have a single official fund depository within this state which shall be a federally or state-chartered bank, a federally or state-chartered savings and loan association, or a federally or state-chartered credit union in which the committee shall open and thereafter maintain at least one official depository account in its own name. An "official depository account" shall be a checking account or some type of negotiable draft or negotiable order of withdrawal account, and the official fund depository shall, regarding an official depository account, be a type of financial institution which provides a record of deposits, canceled checks or other canceled instruments of withdrawal evidencing each transaction by maintaining copies within this state of such instruments and other transactions. All contributions which the committee receives in money, checks and other negotiable instruments shall be deposited in a committee's official depository account. Contributions shall not be accepted and expenditures shall not be made by a committee except by or through an official depository account and the committee treasurer, deputy treasurer or candidate. Contributions received by a committee shall not be commingled with any funds of an agent of the committee, a candidate or any other person, except that contributions from a candidate of the candidate's own funds to the person's candidate committee shall be deposited to an official depository account of the person's candidate committee. No expenditure shall be made by a committee when the office of committee treasurer is vacant except that when the office of a candidate committee treasurer is vacant, the candidate shall be the treasurer until the candidate appoints a new treasurer.

(2) A committee treasurer, deputy treasurer or candidate may withdraw funds from a committee's official depository account and deposit such funds in one or more savings accounts in the committee's name in any bank, savings and loan association or credit union within this state, and may also withdraw funds from an official depository account for investment in the committee's name in any certificate of deposit, bond or security. Proceeds from interest or dividends from a savings account or other investment or proceeds from withdrawals from a savings account or from the sale of an investment shall not be expended or reinvested, except in the case of renewals of certificates of deposit, without first redepositing such proceeds in an official depository account. Investments, other than savings accounts, held outside the committee's official depository account at any time during a reporting period shall be disclosed by description, amount, any identifying numbers and the name and address of any institution or person in which or through which it is held in an attachment to disclosure reports the committee is required to file. Proceeds from an investment such as interest or dividends or proceeds from its sale, shall be reported by date and amount. In the case of the sale of an investment, the names and addresses of the persons involved in the transaction shall also be stated. Funds held in savings accounts and investments, including interest earned, shall be included in the report of money on hand as required by section 130.041.

5. The treasurer or deputy treasurer acting on behalf of any person or organization or group of persons which is a committee by virtue of the definitions of "committee" in section 130.011 and any candidate who is not excluded from forming a committee in accordance with the provisions of section 130.016 shall file a statement of organization with the appropriate officer within twenty days after the person or organization becomes a committee but no later than [the date for filing the first report required pursuant to the provisions of section 130.046] **thirty days prior to the election for which the committee accepts contributions or makes expenditures**. The statement of organization shall contain the following information:

(1) The name, mailing address and telephone number, if any, of the committee filing the statement of organization. If the committee is deemed to be affiliated with a connected organization as provided in subdivision (11) of section 130.011, the name of the connected organization, or a legally registered fictitious name which reasonably identifies the connected organization, shall appear in the name of the committee. If the committee is a candidate committee, the name of the candidate shall be a part of the committee's name;

(2) The name, mailing address and telephone number of the candidate;

(3) The name, mailing address and telephone number of the committee treasurer, and the name, mailing address and telephone number of its deputy treasurer if the committee has named a deputy treasurer;

(4) The names, mailing addresses and titles of its officers, if any;

(5) The name and mailing address of any connected organizations with which the committee is affiliated;

(6) The name and mailing address of its depository, and the name and account number of each account the committee has in the depository;

(7) Identification of the major nature of the committee such as a candidate committee, campaign committee, continuing committee, political party committee, incumbent committee, or any other committee according to the definition of "committee" in section 130.011;

(8) In the case of the candidate committee designated in subsection 3 of this section, the full name and address of each other candidate committee which is under the control and direction of the same candidate, together with the name, address and telephone number of the treasurer of each such other committee;

(9) The name and office sought of each candidate supported or opposed by the committee;

(10) The ballot measure concerned, if any, and whether the committee is in favor of or opposed to such measure.

6. A committee may omit the information required in subdivisions (9) and (10) of subsection 5 of this section if, on the date on which it is required to file a statement of organization, the committee has not yet determined the particular candidates or particular ballot measures it will support or oppose. Any contribution received over the allowable contribution limits described in section 130.032 shall be returned to the contributor by the committee within five business days of the declaration of candidacy or position on a candidate or a particular ballot measure of the committee.

7. A committee which has filed a statement of organization and has not terminated shall not be required to file another statement of organization, except that when there is a change in any of the information previously reported as required by subdivisions (1) to (8) of subsection 5 of this section an amended statement of organization shall be filed within twenty days after the change occurs, but no later than the date of the filing of the next report required to be filed by that committee by section 130.046.

8. Upon termination of a committee, a termination statement indicating dissolution shall be filed not later than ten days after the date of dissolution with the appropriate officer or officers with whom the committee's statement of organization was filed. The termination statement shall include: the distribution made of any remaining surplus funds and the disposition of any deficits; and the name, mailing address and telephone number of the individual responsible for preserving the committee's records and accounts as required in section 130.036.

9. Any statement required by this section shall be signed and attested by the committee treasurer or deputy treasurer, and by the candidate in the case of a candidate committee.

10. A committee domiciled outside this state shall be required to file a statement of organization and appoint a treasurer residing in this state and open an account in a depository within this state; provided that either of the following conditions prevails:

(1) The aggregate of all contributions received from persons domiciled in this state exceeds twenty percent in total dollar amount of all funds received by the committee in the preceding twelve months; or

(2) The aggregate of all contributions and expenditures made to support or oppose candidates and ballot measures in this state exceeds one thousand five hundred dollars in the current calendar year.

11. If a committee domiciled in this state receives a contribution of one thousand five hundred dollars or more from any committee domiciled outside of this state, the committee domiciled in this state shall file a disclosure report with the commission. The report shall disclose the full name, mailing address, telephone numbers and domicile of the contributing committee and the date and amount of the contribution. The report shall be filed within forty-eight hours of the receipt of such contribution if the contribution is received after the last reporting date before the election.

130.031. 1. No contribution of cash in an amount of more than one hundred dollars shall be made by or accepted from any single contributor for any election by a continuing committee, a campaign committee, a political party committee, an exploratory committee or a candidate committee.

2. Except for expenditures from a petty cash fund which is established and maintained by withdrawals of funds from the committee's depository account and with records maintained pursuant to the record-keeping requirements of section 130.036 to account for expenditures made from petty cash, each expenditure of more than fifty dollars, except an in-kind expenditure, shall be made by check drawn on the committee's depository and signed by the committee treasurer, deputy treasurer or candidate. A single expenditure from a petty cash fund shall not exceed fifty dollars, and the aggregate of all expenditures from a petty cash fund during a calendar year shall not exceed the lesser of five thousand dollars or ten percent of all expenditures made by the committee during that calendar year. A check made payable to "cash" shall not be made except to replenish a petty cash fund.

3. No contribution shall be made or accepted and no expenditure shall be made or incurred, directly or indirectly, in a fictitious name, in the name of another person, or by or through another person in such a manner as to conceal the identity of the actual source of the contribution or the actual recipient and purpose of the expenditure. Any person who receives contributions for a committee shall disclose to that committee's treasurer, deputy treasurer or candidate the recipient's own name and address and the name and address of the actual source of each contribution such person has

received for that committee. Any person who makes expenditures for a committee shall disclose to that committee's treasurer, deputy treasurer or candidate such person's own name and address, the name and address of each person to whom an expenditure has been made and the amount and purpose of the expenditures the person has made for that committee.

4. No anonymous contribution of more than twenty-five dollars shall be made by any person, and no anonymous contribution of more than twenty-five dollars shall be accepted by any candidate or committee. If any anonymous contribution of more than twenty-five dollars is received, it shall be returned immediately to the contributor, if the contributor's identity can be ascertained, and if the contributor's identity cannot be ascertained, the candidate, committee treasurer or deputy treasurer shall immediately transmit that portion of the contribution which exceeds twenty-five dollars to the state treasurer and it shall escheat to the state.

5. The maximum aggregate amount of anonymous contributions which shall be accepted in any calendar year by any committee shall be the greater of five hundred dollars or one percent of the aggregate amount of all contributions received by that committee in the same calendar year. If any anonymous contribution is received which causes the aggregate total of anonymous contributions to exceed the foregoing limitation, it shall be returned immediately to the contributor, if the contributor's identity can be ascertained, and, if the contributor's identity cannot be ascertained, the committee treasurer, deputy treasurer or candidate shall immediately transmit the anonymous contribution to the state treasurer to escheat to the state.

6. Notwithstanding the provisions of subsection 5 of this section, contributions from individuals whose names and addresses cannot be ascertained which are received from a fund-raising activity or event, such as defined in section 130.011, shall not be deemed anonymous contributions, provided the following conditions are met:

- (1) There are twenty-five or more contributing participants in the activity or event;
- (2) The candidate, committee treasurer, deputy treasurer or the person responsible for conducting the activity or event makes an announcement that it is illegal for anyone to make or receive a contribution in excess of one hundred dollars unless the contribution is accompanied by the name and address of the contributor;
- (3) The person responsible for conducting the activity or event does not knowingly accept payment from any single person of more than one hundred dollars unless the name and address of the person making such payment is obtained and recorded pursuant to the record-keeping requirements of section 130.036;

(4) A statement describing the event shall be prepared by the candidate or the treasurer of the committee for whom the funds were raised or by the person responsible for conducting the activity or event and attached to the disclosure report of contributions and expenditures required by section 130.041. The following information to be listed in the statement is in addition to, not in lieu of, the requirements elsewhere in this chapter relating to the recording and reporting of contributions and expenditures:

- (a) The name and mailing address of the person or persons responsible for conducting the event or activity and the name and address of the candidate or committee for whom the funds were raised;
- (b) The date on which the event occurred;
- (c) The name and address of the location where the event occurred and the approximate number of participants in the event;
- (d) A brief description of the type of event and the fund-raising methods used;
- (e) The gross receipts from the event and a listing of the expenditures incident to the event;
- (f) The total dollar amount of contributions received from the event from participants whose names and addresses were not obtained with such contributions and an explanation of why it was not possible to obtain the names and addresses of such participants;
- (g) The total dollar amount of contributions received from contributing participants in the event who are identified by name and address in the records required to be maintained pursuant to section 130.036.

7. No candidate or committee in this state shall accept contributions from any out-of-state committee unless the out-of-state committee from whom the contributions are received has filed a statement of organization pursuant to section 130.021 or has filed the reports required by [sections 130.049 and 130.050, whichever is applicable to that committee] **section 130.049.**

8. Any person publishing, circulating, or distributing any printed matter relative to any candidate for public office or any ballot measure shall on the face of the printed matter identify in a clear and conspicuous manner the person who paid for the printed matter with the words "Paid for by" followed by the proper identification of the sponsor pursuant to this section. For the purposes of this section, "printed matter" shall be defined to include any pamphlet, circular, handbill, sample ballot, advertisement, including advertisements in any newspaper or other periodical, sign, including signs for display on motor vehicles, or other imprinted or lettered material; but "printed matter" is defined to exclude

materials printed and purchased prior to May 20, 1982, if the candidate or committee can document that delivery took place prior to May 20, 1982; any sign personally printed and constructed by an individual without compensation from any other person and displayed at that individual's place of residence or on that individual's personal motor vehicle; any items of personal use given away or sold, such as campaign buttons, pins, pens, pencils, book matches, campaign jewelry, or clothing, which is paid for by a candidate or committee which supports a candidate or supports or opposes a ballot measure and which is obvious in its identification with a specific candidate or committee and is reported as required by this chapter; and any news story, commentary, or editorial printed by a regularly published newspaper or other periodical without charge to a candidate, committee or any other person.

(1) In regard to any printed matter paid for by a candidate from the candidate's personal funds, it shall be sufficient identification to print the first and last name by which the candidate is known.

(2) In regard to any printed matter paid for by a committee, it shall be sufficient identification to print the name of the committee as required to be registered by subsection 5 of section 130.021 and the name and title of the committee treasurer who was serving when the printed matter was paid for.

(3) In regard to any printed matter paid for by a corporation or other business entity, labor organization, or any other organization not defined to be a committee by subdivision (7) of section 130.011 and not organized especially for influencing one or more elections, it shall be sufficient identification to print the name of the entity, the name of the principal officer of the entity, by whatever title known, and the mailing address of the entity, or if the entity has no mailing address, the mailing address of the principal officer.

(4) In regard to any printed matter paid for by an individual or individuals, it shall be sufficient identification to print the name of the individual or individuals and the respective mailing address or addresses, except that if more than five individuals join in paying for printed matter it shall be sufficient identification to print the words "For a list of other sponsors contact:" followed by the name and address of one such individual responsible for causing the matter to be printed, and the individual identified shall maintain a record of the names and amounts paid by other individuals and shall make such record available for review upon the request of any person. No person shall accept for publication or printing nor shall such work be completed until the printed matter is properly identified as required by this subsection.

9. Any broadcast station transmitting any matter relative to any candidate for public office or ballot measure as defined by this chapter shall identify the sponsor of such matter as required by federal law.

10. The provisions of subsection 8 or 9 of this section shall not apply to candidates for elective federal office, provided that persons causing matter to be printed or broadcast concerning such candidacies shall comply with the requirements of federal law for identification of the sponsor or sponsors.

11. It shall be a violation of this chapter for any person required to be identified as paying for printed matter pursuant to subsection 8 of this section or paying for broadcast matter pursuant to subsection 9 of this section to refuse to provide the information required or to purposely provide false, misleading, or incomplete information.

12. It shall be a violation of this chapter for any committee to offer chances to win prizes or money to persons to encourage such persons to endorse, send election material by mail, deliver election material in person or contact persons at their homes; except that, the provisions of this subsection shall not be construed to prohibit hiring and paying a campaign staff.

130.041. 1. Except as provided in subsection 5 of section 130.016, the candidate, if applicable, treasurer or deputy treasurer of every committee which is required to file a statement of organization, shall file a legibly printed or typed disclosure report of receipts and expenditures. The reports shall be filed with the appropriate officer designated in section 130.026 at the times and for the periods prescribed in section 130.046. Except as provided in [sections 130.049 and 130.050] **section 130.049**, each report shall set forth:

(1) The full name, as required in the statement of organization pursuant to subsection 5 of section 130.021, and mailing address of the committee filing the report and the full name, mailing address and telephone number of the committee's treasurer and deputy treasurer if the committee has named a deputy treasurer;

(2) The amount of money, including cash on hand at the beginning of the reporting period;

(3) Receipts for the period, including:

(a) Total amount of all monetary contributions received which can be identified in the committee's records by name and address of each contributor. In addition, the candidate committee shall make a reasonable effort to obtain and report the employer, or occupation if self-employed or notation of retirement, of each person from whom the committee received one or more contributions which in the aggregate total in excess of one hundred dollars and shall make a reasonable effort to obtain and report a description of any contractual relationship over five hundred dollars between the contributor and the state if the candidate is seeking election to a state office or between the contributor and any political subdivision of the state if the candidate is seeking election to another political subdivision of the state;

- (b) Total amount of all anonymous contributions accepted;
- (c) Total amount of all monetary contributions received through fund-raising events or activities from participants whose names and addresses were not obtained with such contributions, with an attached statement or copy of the statement describing each fund-raising event as required in subsection 6 of section 130.031;
- (d) Total dollar value of all in-kind contributions received;
- (e) A separate listing by name and address and employer, or occupation if self-employed or notation of retirement, of each person from whom the committee received contributions, in money or any other thing of value, aggregating more than one hundred dollars, together with the date and amount of each such contribution;
- (f) A listing of each loan received by name and address of the lender and date and amount of the loan. For each loan of more than one hundred dollars, a separate statement shall be attached setting forth the name and address of the lender and each person liable directly, indirectly or contingently, and the date, amount and terms of the loan;
- (4) Expenditures for the period, including:
 - (a) The total dollar amount of expenditures made by check drawn on the committee's depository;
 - (b) The total dollar amount of expenditures made in cash;
 - (c) The total dollar value of all in-kind expenditures made;
 - (d) The full name and mailing address of each person to whom an expenditure of money or any other thing of value in the amount of more than one hundred dollars has been made, contracted for or incurred, together with the date, amount and purpose of each expenditure. Expenditures of one hundred dollars or less may be grouped and listed by categories of expenditure showing the total dollar amount of expenditures in each category, except that the report shall contain an itemized listing of each payment made to campaign workers by name, address, date, amount and purpose of each payment and the aggregate amount paid to each such worker;
 - (e) A list of each loan made, by name and mailing address of the person receiving the loan, together with the amount, terms and date;
- (5) The total amount of cash on hand as of the closing date of the reporting period covered, including amounts in depository accounts and in petty cash fund;
- (6) The total amount of outstanding indebtedness as of the closing date of the reporting period covered;
- (7) The amount of expenditures for or against a candidate or ballot measure during the period covered and the cumulative amount of expenditures for or against that candidate or ballot measure, with each candidate being listed by name, mailing address and office sought. For the purpose of disclosure reports, expenditures made in support of more than one candidate or ballot measure or both shall be apportioned reasonably among the candidates or ballot measure or both. In apportioning expenditures to each candidate or ballot measure, political party committees and continuing committees need not include expenditures for maintaining a permanent office, such as expenditures for salaries of regular staff, office facilities and equipment or other expenditures not designed to support or oppose any particular candidates or ballot measures; however, all such expenditures shall be listed pursuant to subdivision (4) of this subsection;
- (8) A separate listing by full name and address of any committee including a candidate committee controlled by the same candidate for which a transfer of funds or a contribution in any amount has been made during the reporting period, together with the date and amount of each such transfer or contribution;
- (9) A separate listing by full name and address of any committee, including a candidate committee controlled by the same candidate from which a transfer of funds or a contribution in any amount has been received during the reporting period, together with the date and amount of each such transfer or contribution;
- (10) Each committee that receives a contribution which is restricted or designated in whole or in part by the contributor for transfer to a particular candidate, committee or other person shall include a statement of the name and address of that contributor in the next disclosure report required to be filed after receipt of such contribution, together with the date and amount of any such contribution which was so restricted or designated by that contributor, together with the name of the particular candidate or committee to whom such contribution was so designated or restricted by that contributor and the date and amount of such contribution.

2. For the purpose of this section and any other section in this chapter except [sections 130.049 and 130.050] **section 130.049** which requires a listing of each contributor who has contributed a specified amount, the aggregate amount shall be computed by adding all contributions received from any one person during the following periods:

- (1) In the case of a candidate committee, the period shall begin on the date on which the candidate became a candidate according to the definition of the term "candidate" in section 130.011 and end at 11:59 p.m. on the day of the primary election, if the candidate has such an election or at 11:59 p.m. on the day of the general election. If the candidate has a general election held after a primary election, the next aggregating period shall begin at 12:00 midnight on the day

after the primary election day and shall close at 11:59 p.m. on the day of the general election. Except that for contributions received during the thirty-day period immediately following a primary election, the candidate shall designate whether such contribution is received as a primary election contribution or a general election contribution;

(2) In the case of a campaign committee, the period shall begin on the date the committee received its first contribution and end on the closing date for the period for which the report or statement is required;

(3) In the case of a political party committee or a continuing committee, the period shall begin on the first day of January of the year in which the report or statement is being filed and end on the closing date for the period for which the report or statement is required; except, if the report or statement is required to be filed prior to the first day of July in any given year, the period shall begin on the first day of July of the preceding year.

3. The disclosure report shall be signed and attested by the committee treasurer or deputy treasurer and by the candidate in case of a candidate committee.

4. The words "consulting or consulting services, fees, or expenses", or similar words, shall not be used to describe the purpose of a payment as required in this section. The reporting of any payment to such an independent contractor shall be on a form supplied by the appropriate officer, established by the ethics commission and shall include identification of the specific service or services provided including, but not limited to, public opinion polling, research on issues or opposition background, print or broadcast media production, print or broadcast media purchase, computer programming or data entry, direct mail production, postage, rent, utilities, phone solicitation, or fund raising, and the dollar amount prorated for each service.

130.046. 1. The disclosure reports required by section 130.041 for all committees shall be filed at the following times and for the following periods:

(1) Not later than the eighth day before an election for the period closing on the twelfth day before the election if the committee has made any contribution or expenditure either in support or opposition to any candidate or ballot measure;

(2) Not later than the thirtieth day after an election for a period closing on the twenty-fifth day after the election, if the committee has made any contribution or expenditure either in support of or opposition to any candidate or ballot measure; except that, a successful candidate who takes office prior to the twenty-fifth day after the election shall have complied with the report requirement of this subdivision if a disclosure report is filed by such candidate and any candidate committee under the candidate's control before such candidate takes office, and such report shall be for the period closing on the day before taking office; and

(3) Not later than the fifteenth day following the close of each calendar quarter.

Notwithstanding the provisions of this subsection, if any committee accepts contributions or makes expenditures in support of or in opposition to a ballot measure or a candidate, and the report required by this subsection for the most recent calendar quarter is filed prior to the fortieth day before the election on the measure or candidate, the committee shall file an additional disclosure report not later than the fortieth day before the election for the period closing on the forty-fifth day before the election.

2. In the case of a ballot measure to be qualified to be on the ballot by initiative petition or referendum petition, or a recall petition seeking to remove an incumbent from office, disclosure reports relating to the time for filing such petitions shall be made as follows:

(1) In addition to the disclosure reports required to be filed pursuant to subsection 1 of this section the treasurer of a committee, other than a continuing committee, supporting or opposing a petition effort to qualify a measure to appear on the ballot or to remove an incumbent from office shall file an initial disclosure report fifteen days after the committee begins the process of raising or spending money. After such initial report, the committee shall file quarterly disclosure reports as required by subdivision (3) of subsection 1 of this section until such time as the reports required by subdivisions (1) and (2) of subsection 1 of this section are to be filed. In addition the committee shall file a second disclosure report no later than the fifteenth day after the deadline date for submitting such petition. The period covered in the initial report shall begin on the day the committee first accepted contributions or made expenditures to support or oppose the petition effort for qualification of the measure and shall close on the fifth day prior to the date of the report;

(2) If the measure has qualified to be on the ballot in an election and if a committee subject to the requirements of subdivision (1) of this subsection is also required to file a preelection disclosure report for such election any time within thirty days after the date on which disclosure reports are required to be filed in accordance with subdivision (1) of this subsection, the treasurer of such committee shall not be required to file the report required by subdivision (1) of this subsection, but shall include in the committee's preelection report all information which would otherwise have

been required by subdivision (1) of this subsection.

3. The candidate, if applicable, treasurer or deputy treasurer of a committee shall file disclosure reports pursuant to this section, except for any calendar quarter in which the contributions received by the committee or the expenditures or contributions made by the committee do not exceed five hundred dollars. The reporting dates and periods covered for such quarterly reports shall not be later than the fifteenth day of January, April, July and October for periods closing on the thirty-first day of December, the thirty-first day of March, the thirtieth day of June and the thirtieth day of September. No candidate, treasurer or deputy treasurer shall be required to file the quarterly disclosure report required not later than the fifteenth day of any January immediately following a November election, provided that such candidate, treasurer or deputy treasurer shall file the information required on such quarterly report on the quarterly report to be filed not later than the fifteenth day of April immediately following such November election. Each report by such committee shall be cumulative from the date of the last report. In the case of the continuing committee's first report, the report shall be cumulative from the date of the continuing committee's organization. Every candidate, treasurer or deputy treasurer shall file, at a minimum, the campaign disclosure reports covering the quarter immediately preceding the date of the election and those required by subdivisions (1) and (2) of subsection 1 of this section. A continuing committee shall submit additional reports if it makes aggregate expenditures, other than contributions to a committee, of five hundred dollars or more, within the reporting period at the following times for the following periods:

(1) Not later than the [seventh] **eighth** day before an election for the period closing on the twelfth day before the election;

(2) Not later than forty-eight hours after aggregate expenditures of five hundred dollars or more are made after the twelfth day before the election; and

(3) Not later than the thirtieth day after an election for a period closing on the twenty-fifth day after the election.

4. The reports required to be filed no later than the thirtieth day after an election and any subsequently required report shall be cumulative so as to reflect the total receipts and disbursements of the reporting committee for the entire election campaign in question. The period covered by each disclosure report shall begin on the day after the closing date of the most recent disclosure report filed and end on the closing date for the period covered. If the committee has not previously filed a disclosure report, the period covered begins on the date the committee was formed; except that in the case of a candidate committee, the period covered begins on the date the candidate became a candidate according to the definition of the term candidate in section 130.011.

5. Notwithstanding any other provisions of this chapter to the contrary:

(1) Certain disclosure reports pertaining to any candidate who receives nomination in a primary election and thereby seeks election in the immediately succeeding general election shall not be required in the following cases:

(a) If there are less than fifty days between a primary election and the immediately succeeding general election, the disclosure report required to be filed quarterly; provided that, any other report required to be filed prior to the primary election and all other reports required to be filed not later than the [seventh] eighth day before the general election are filed no later than the final dates for filing such reports;

(b) If there are less than eighty-five days between a primary election and the immediately succeeding general election, the disclosure report required to be filed not later than the thirtieth day after the primary election need not be filed; provided that any report required to be filed prior to the primary election and any other report required to be filed prior to the general election are filed no later than the final dates for filing such reports; and

(2) No disclosure report needs to be filed for any reporting period if during that reporting period the committee has neither received contributions aggregating more than five hundred dollars nor made expenditure aggregating more than five hundred dollars and has not received contributions aggregating more than two hundred [fifty] **seventy-five** dollars from any single contributor **and if the committee's treasurer files a statement with the appropriate officer that the committee has not exceeded the identified thresholds in the reporting period.** Any contributions received or expenditures made which are not reported because [of] this statement is filed in lieu of a disclosure report shall be included in the next disclosure report filed by the committee. [A] **This** report shall **not** be filed [for] **in lieu** of two or more consecutive disclosure [quarters] **periods** if either the contributions received or expenditures made in the aggregate during those reporting periods exceed five hundred dollars [and a report]. **This statement shall not be filed in lieu of the report** not later than the thirtieth day after an election if that report would show a deficit of more than one thousand dollars.

6. (1) If the disclosure report required to be filed by a committee not later than the thirtieth day after an election shows a deficit of unpaid loans and other outstanding obligations in excess of five thousand dollars, semiannual supplemental disclosure reports shall be filed with the appropriate officer for each succeeding semiannual period until the deficit is reported in a disclosure report as being reduced to five thousand dollars or less; except that, a supplemental

semiannual report shall not be required for any semiannual period which includes the closing date for the reporting period covered in any regular disclosure report which the committee is required to file in connection with an election. The reporting dates and periods covered for semiannual reports shall be not later than the fifteenth day of January and July for periods closing on the thirty-first day of December and the thirtieth day of June;

(2) Committees required to file reports pursuant to subsection 2 or 3 of this section which are not otherwise required to file disclosure reports for an election shall file semiannual reports as required by this subsection if their last required disclosure report shows a total of unpaid loans and other outstanding obligations in excess of five thousand dollars.

7. In the case of a committee which disbands and is required to file a termination statement pursuant to the provisions of section 130.021 with the appropriate officer not later than the tenth day after the committee was dissolved, the candidate, committee treasurer or deputy treasurer shall attach to the termination statement a complete disclosure report for the period closing on the date of dissolution. A committee shall not utilize the provisions of subsection 8 of section 130.021 or the provisions of this subsection to circumvent or otherwise avoid the reporting requirements of subsection 6 or 7 of this section.

8. Disclosure reports shall be filed with the appropriate officer not later than 5:00 p.m. prevailing local time of the day designated for the filing of the report and a report postmarked not later than midnight of the day previous to the day designated for filing the report shall be deemed to have been filed in a timely manner. The appropriate officer may establish a policy whereby disclosure reports may be filed by facsimile transmission.

130.049. **1.** An out-of-state committee which according to the provisions of subsection 10 of section 130.021 is not required to file a statement of organization and is not required to file the full disclosure reports required by section 130.041 shall file reports with the Missouri ethics commission according to the provisions of [such sections] **this subsection** if the committee makes contributions or expenditures in support of or in opposition to candidates or ballot measures in this state in any election covered by this chapter or makes contributions to any committee domiciled in this state. An initial report shall be filed no later than fourteen days prior to the date such out-of-state committee first makes a contribution or expenditure in this state[. Such initial report shall state the name and address of the committee receiving such contributions or expenditures.], **and thereafter reports shall be filed at the times and for the reporting periods prescribed in subsection 1 of section 130.046.** The contributions or expenditures shall be made no later than thirty days prior to the election. [The out-of-state committee thereafter shall file copies of the campaign disclosure report required to be filed in the domicile of the committee with the Missouri ethics commission as required by subsections 1 to 3 of section 130.046.] No candidate or committee may accept any contribution made by a committee domiciled outside this state unless the provisions of this section are met.

2. Each out-of-state committee report shall contain:

(1) The full name, address and domicile of the committee making the report and the name, residential and business addresses, domicile and telephone numbers of the committee's treasurer;

(2) The name and address of any entity such as a labor union, trade or business or professional association, club or other organization or any business entity with which the committee is affiliated;

(3) A statement of the total dollar amount of all funds received by the committee in the current calendar year and a statement of the total contributions in the same period from persons domiciled in this state and a list by name, address, date and amount of each Missouri resident who contributed an aggregate of more than two hundred dollars in the current calendar year;

(4) A list by name, address, date and amount regarding any contributor to the out-of-state committee, regardless of state of residency, who made a contribution during the reporting period which was restricted or designated in whole or in part for use in supporting or opposing a candidate, ballot measure or committee in this state or was restricted for use in this state at the committee's discretion or a statement that no such contributions were received;

(5) A statement as to whether the committee is required to file reports with the Federal Election Commission and a listing of agencies in other states with which the committee files reports, if any;

(6) A separate listing showing contributions made in support of or opposition to each candidate or ballot measure in this state, together with the date and amount of each contribution;

(7) A separate listing showing contributions made to any committee domiciled in the state with the date and amount of each contribution.

[130.050. 1. An out-of-state committee which, according to the provisions of subsection 10 of section 130.021, is not required to file a statement of organization and is not required to file the full disclosure reports required by section 130.041 shall file reports with the Missouri ethics commission according to the provisions of this subsection if the

committee makes contributions or expenditures in support of or in opposition to candidates or ballot measures in this state in any election covered by this chapter or makes contributions to any committee domiciled in this state. An initial report shall be filed on or within fourteen days prior to the date such out-of-state committee first makes a contribution or expenditure in this state, and thereafter reports shall be filed at the times and for the reporting periods prescribed in subsection 1 of section 130.046. Each report shall contain:

(1) The full name, address and domicile of the committee making the report and the name, residential and business addresses, domicile and telephone numbers of the committee's treasurer;

(2) The name and address of any entity such as a labor union, trade or business or professional association, club or other organization or any business entity with which the committee is affiliated;

(3) A statement of the total dollar amount of all funds received by the committee in the current calendar year and a statement of the total contributions in the same period from persons domiciled in this state and a list by name, address, date and amount of each Missouri resident who contributed an aggregate of more than two hundred dollars in the current calendar year;

(4) A list by name, address, date and amount regarding any contributor to the out-of-state committee, regardless of state of residency, who made a contribution during the reporting period which was restricted or designated in whole or in part for use in supporting or opposing a candidate, ballot measure or committee in this state or was restricted for use in this state at the committee's discretion, or a statement that no such contributions were received;

(5) A statement as to whether the committee is required to file reports with the Federal Election Commission, and a listing of agencies in other states with which the committee files reports, if any;

(6) A separate listing showing contributions made in support of or opposition to each candidate or ballot measure in this state, together with the date and amount of each contribution;

(7) A separate listing showing contributions made to any committee domiciled in this state with the date and amount of each contribution.

2. In the case of a political party committee's selection of an individual to be the party's nominee for public office in an election covered by this chapter, any individual who seeks such nomination and who is a candidate according to the definition of the term candidate in section 130.011 shall be required to comply with all requirements of this chapter; except that, for the purposes of this subsection, the reporting dates and reporting periods in section 130.046 shall not apply, and the first reporting date shall be no later than the fifteenth day after the date on which a nomination covered by this subsection was made and for the period beginning on the date the individual became a candidate, as the term candidate is defined in section 130.011, and closing on the tenth day after the date the nomination was made, with subsequent reports being made as closely as practicable to the times required in section 130.046.

3. The receipt of any late contribution or loan of more than two hundred fifty dollars by a candidate committee supporting a candidate for statewide office or by any other committee shall be reported to the appropriate officer no later than forty-eight hours after receipt. For purposes of this subsection the term "late contribution or loan" means a contribution or loan received after the closing date of the last disclosure report required to be filed before an election but received prior to the date of the election itself. The disclosure report of a late contribution may be made by any written means of communication, setting forth the name and address of the contributor or lender and the amount of the contribution or loan and need not contain the signatures and certification required for a full disclosure report described in section 130.041. A late contribution or loan shall be included in subsequent disclosure reports without regard to any special reports filed pursuant to this subsection.]

130.056. 1. The executive director of the Missouri ethics commission shall:

(1) Take such steps as are necessary to disseminate among the general public such information as may serve to guide all persons who are or may become subject to the provisions of this chapter for the purpose of facilitating voluntary compliance with the purposes and provisions of this chapter;

(2) Be responsible for expediting the filing of all reports, statements and other information required to be filed pursuant to the provisions of this chapter and, in connection therewith, be responsible for developing procedures whereby all candidates shall be informed of the provisions of section 130.016 so as to assure the timely filing of statements which some candidates are eligible to file as provided in section 130.016;

(3) Develop and publish forms and printed instructional material and furnish such forms and instructions to persons required to file reports and statements pursuant to the provisions of this chapter, together with a summary of the provisions of chapter 115, RSMo, which apply to candidates and committees covered by this chapter, provided, however, such forms shall not seek information which is not specifically required by this chapter. All forms furnished pursuant to this chapter shall clearly state in readable type on the face of the form the date on which the form became effective. The forms published by the executive director shall provide for compliance with reporting and other

provisions of this chapter. Any report form published by the executive director for purposes of compliance with section 130.041 shall provide for reporting contributions from individuals, corporations, labor organizations and fictitious entities and contributions from committees on the same form. Contributions from committees shall be listed first on each report form. All expenditures shall also be reported on a single report form;

(4) Develop a filing, coding and cross-indexing system for reports and statements required to be filed with the Missouri ethics commission, and preserve such reports and statements for a period of not less than five years from date of receipt;

(5) Make the reports and statements filed with the Missouri ethics commission available for public inspection and copying, commencing as soon as practicable but not later than the end of the second day after which a report was received, and permit copying of any such report or statement by hand or by duplicating machine, as requested by any person, at the expense of such person, but no information obtained from such reports and statements shall be sold or utilized by any person for any commercial purpose;

(6) Examine each report and statement filed with the Missouri ethics commission pursuant to the requirements of this chapter to determine if the statements are properly completed and filed within the time required by this chapter;

(7) Notify a person required to file a report or statement pursuant to this chapter with the Missouri ethics commission immediately if, upon examination of the official ballot or other circumstances surrounding any election, it appears that the person has failed to file a report or statement as required by law;

(8) From reports filed with the Missouri ethics commission, prepare and publish an annual report including compilations of amounts contributed and expended for the influencing of nominations and elections;

(9) Prepare and publish such other reports as the Missouri ethics commission deems appropriate;

(10) Disseminate statistics, summaries, and reports prepared under this chapter;

(11) Employ staff and retain such contract services, including legal services to represent the commission before any state agency or before the courts as the executive director deems necessary within the limits authorized by appropriation by the general assembly.

2. Each appropriate officer other than the executive director of the Missouri ethics commission shall:

(1) Assist the executive director in furnishing forms and printed instructional material to persons required to file reports and statements pursuant to the provisions of this chapter;

(2) Accept reports and statements required to be filed with the person's office;

(3) Develop for the officer's constituency a filing, coding, and cross-indexing system consonant with the purposes of this chapter;

(4) Make the reports and statements filed with the officer available for public inspection and copying, commencing as soon as practicable but not later than the end of the second day after which a report was received, and permit copying of any such report or statement by hand or by duplicating machine, as requested by any person, at the expense of such person, but no information obtained from such reports and statements shall be sold or utilized by any person for any commercial purpose;

(5) Preserve such reports and statements for a period of not less than five years from the date of receipt;

(6) Examine each report and statement filed with the person's office pursuant to the requirements of this chapter to determine if the reports and statements appear to be complete and filed within the required time;

(7) Notify a person required to file a report or statement pursuant to this chapter immediately if, upon examination of the circumstances surrounding any election, it appears that the person has failed to file a report or statement as required by law;

(8) Notify the Missouri ethics commission if the person has reasonable cause to believe that a violation of this chapter has occurred;

(9) Assess every candidate for state or local office failing to file with a local election authority pursuant to section 130.026, a campaign disclosure report as required by this chapter other than the report required pursuant to subdivision (1) of subsection 1 of section 130.046, a late filing fee of ten dollars for each day such report is due to the election authority. The local election authority shall mail a notice, by registered mail, to any candidate and candidate committee treasurer and deputy treasurer who fails to file such report informing such person of such failure and the fees provided by this subdivision. If the candidate persists in such failure for a period in excess of thirty days beyond the receipt of such notice, the amount of the late filing fee shall increase to one hundred dollars for each day that the report is not filed, provided that the total amount of such fees assessed pursuant to this subsection per report shall not exceed three hundred dollars. **Any fee collected pursuant to this subdivision shall be deposited to the credit of such county's county school fund pursuant to section 166.131, RSMo.**

3. Any person receiving from an appropriate officer a copy of, or who is permitted to inspect or make a copy of,

any report or statement filed pursuant to the requirements of this chapter shall sign a statement that the person will not utilize the reports or statements or any information thereon for any commercial use, except for public news reporting, whatsoever and will not transfer the information obtained to any other persons for such purposes. It shall be the responsibility of each appropriate officer to instruct any person making a request to inspect, copy or receive a copy of any report or statement or any portion of a report or statement filed pursuant to this chapter that the utilization of any information obtained from such reports for any commercial purpose is a violation of this chapter.

130.062. In the case of a political party committee's selection of an individual to be the party's nominee for public office in an election, any individual who seeks such nomination and who is a candidate as that term is defined in section 130.011 shall be required to comply with all requirements of this chapter; except that, for the purposes of this section, the reporting dates and reporting periods in section 130.046 shall not apply, and the first reporting date shall be no later than the fifteenth day after the date on which a nomination covered by this subsection was made and for the period beginning on the date the individual became a candidate, as that term is defined in section 130.011, and closing on the tenth day after the nomination was made, with subsequent reports being made as closely as practicable to the times required in section 130.046.

130.063. The receipt of any late contribution or loan of more than two hundred seventy-five dollars by a candidate committee supporting a candidate for statewide office or by any other committee shall be reported to the appropriate officer no later than forty-eight hours after receipt. For purposes of this subsection the term "late contribution or loan" means a contribution or loan received after the closing date of the last disclosure report required to be filed before an election but received prior to the date of the election itself. The disclosure report of a late contribution may be made by any written means of communication, setting forth the name and address of the contributor or lender and the amount of the contribution or loan and need not contain the signatures and certification required for a full disclosure report described in section 130.041. A late contribution or loan shall be included in subsequent disclosure reports without regard to any special reports filed pursuant to this section.

130.081. 1. Any person who [purposely] **knowingly** violates the provisions of this chapter is guilty of a class A misdemeanor.

2. Any person who fails to file any report or statement required by this chapter within the time periods specified in sections 130.011 to [130.051] **130.049** is guilty of an infraction.

3. Notwithstanding any other provision of law which bars prosecutions for any offenses other than a felony unless commenced within one year after the commission of the offense, any offense under the provisions of this chapter may be prosecuted if the indictment be found or prosecution be instituted within three years after the commission of the alleged offense.

4. Any prohibition to the contrary notwithstanding, no person shall be deprived of the rights, guarantees, protections or privileges accorded by sections 130.011 to 130.026, 130.031 to 130.068, 130.072, and 130.081 by any person, corporation, entity or political subdivision.”; and

Further amend the title, enacting clause and intersectional references accordingly.

Representative Richardson requested a division of the question on **House Substitute Amendment No. 1 for House Amendment No. 2.**

The division of the question was denied by the Chair.

Representative Reid moved that **House Substitute Amendment No. 1 for House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 005

Hendrickson

Jetton

Moore

Reid

Selby

NOES: 136

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Ford	Fraser	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kennedy	King
Koller	Legan	Levin	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reinhart
Reynolds	Richardson	Rizzo	Roark	Robirds
Ross	Schwab	Scott	Secrest	Seigfreid
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 019

Baker	Brooks	Clayton	Foley	Franklin
Froelker	Green 73	Henderson	Kelly 36	Lawson
Liese	Lograsso	Monaco	Relford	Ridgeway
Scheve	Surface	Van Zandt	Wiggins	

VACANCIES: 003

Representative Richardson requested a division of the question on **House Amendment No. 2.**

House Amendment No. 2

PART I

AMEND House Substitute for House Committee Substitute for Senate Bill No. 72, Section A, Page 1, Line 13, by inserting all the following immediately after said line:

“105.473. 1. Each lobbyist shall, not later than five days after beginning any activities as a lobbyist, file standardized registration forms, verified by a written declaration that it is made under the penalties of perjury, along with a filing fee of ten dollars, with the commission. The forms shall include the lobbyist's name and business address, the name and address of all persons such lobbyist employs for lobbying purposes, the name and address of each lobbyist principal by whom such lobbyist is employed or in whose interest such lobbyist appears or works. The commission shall

maintain files on all lobbyists' filings, which shall be open to the public. Each lobbyist shall file an updating statement under oath within one week of any addition, deletion, or change in the lobbyist's employment or representation. The filing fee shall be deposited to the general revenue fund of the state. The lobbyist principal or a lobbyist employing another person for lobbying purposes may notify the commission that a judicial, executive or legislative lobbyist is no longer authorized to lobby for the principal or the lobbyist and should be removed from the commission's files.

2. Each person shall, before giving testimony before any committee of the general assembly, give to the secretary of such committee such person's name and address and the identity of any lobbyist or organization, if any, on whose behalf such person appears. A person who is not a lobbyist as defined in section 105.470 shall not be required to give such person's address if the committee determines that the giving of such address would endanger the person's physical health.

3. (1) During any period of time in which a lobbyist continues to act as an executive lobbyist, judicial lobbyist or a legislative lobbyist, the lobbyist shall file with the commission on standardized forms prescribed by the commission monthly reports which shall be due at the close of business on the tenth day of the following month;

(2) Each report filed pursuant to this subsection shall include a statement, verified by a written declaration that it is made under the penalties of perjury, setting forth the following:

(a) The total of all expenditures by the lobbyist or his or her lobbyist principals made on behalf of all public officials, their staffs and employees, and their spouses and dependent children, which expenditures shall be separated into at least the following categories by the executive branch, judicial branch and legislative branch of government: [printing and publication expenses; media and other advertising expenses;] travel; entertainment; [honoraria;] meals, food and beverages; and gifts;

(b) An itemized listing of the name of the recipient and the nature and amount of each expenditure by the lobbyist or his or her lobbyist principal, including a service or anything of value, for all expenditures made during any reporting period, paid or provided to or for a public official, such official's staff, employees, spouse or dependent children;

(c) The total of all expenditures made by a lobbyist or lobbyist principal for occasions and the identity of the group invited, the date and description of the occasion and the amount of the expenditure for each occasion when any of the following are invited in writing:

a. All members of the senate;
b. All members of the house of representatives;
c. All members of a joint committee of the general assembly or a standing committee of either the house of representatives or senate; or

d. All members of a caucus of the general assembly if the caucus consists of at least ten members, a list of the members of the caucus has been previously filed with the ethics committee of the house or the senate, and such list has been approved by either of such ethics committees;

(d) Any expenditure made on behalf of a public official, or the public official's staff, employees, spouse or dependent children, if such expenditure is solicited by such public official, the public official's staff, employees, or spouse or dependent children, from the lobbyist or his or her lobbyist principals and the name of such person or persons, except any expenditures made to any not for profit corporation, charitable, fraternal or civic organization or other association formed to provide for good in the order of benevolence;

(e) A statement detailing any direct business relationship or association or partnership the lobbyist has with any public official.

The reports required by this subdivision shall cover the time periods since the filing of the last report or since the lobbyist's employment or representation began, whichever is most recent.

4. No expenditure reported pursuant to this section shall include any amount expended by a lobbyist or lobbyist principal on himself or herself. **No expenditure reported pursuant to this section shall include any payment, gift, compensation, fee expenditure or anything of value which is bestowed upon or given to any public official or a staff member, employee, spouse or dependent child of a public official when it is compensation for employment or given as an employment benefit and when such employment is in addition to their employment as a public official.** All expenditures disclosed pursuant to this section shall be valued on the report at the actual amount of the payment made, or the charge, expense, cost, or obligation, debt or bill incurred by the lobbyist or the person the lobbyist represents. Whenever a lobbyist principal employs more than one lobbyist, expenditures of the lobbyist principal shall not be reported by each lobbyist, but shall be reported by one of such lobbyists.

5. Any lobbyist principal shall provide in a timely fashion whatever information is reasonably requested by the lobbyist principal's lobbyist for use in filing the reports required by this section.

6. All information required to be filed pursuant to the provisions of this section with the commission shall be kept available by the executive director of the commission at all times open to the public for inspection and copying for a reasonable fee for a period of five years from the date when such information was filed.

7. No person shall knowingly employ any person who is required to register as a registered lobbyist but is not registered pursuant to this section. Any person who knowingly violates this subsection shall be subject to a civil penalty in an amount of not more than ten thousand dollars for each violation. Such civil penalties shall be collected by action filed by the commission.

8. No lobbyist shall knowingly omit, conceal, or falsify in any manner information required pursuant to this section.

9. The prosecuting attorney of Cole County shall be reimbursed only out of funds specifically appropriated by the general assembly for investigations and prosecutions for violations of this section.

10. Any public official or other person whose name appears in any lobbyist report filed pursuant to this section who contests the accuracy of the portion of the report applicable to such person may petition the commission for an audit of such report and shall state in writing in such petition the specific disagreement with the contents of such report. The commission shall investigate such allegations in the manner described in section 105.959. If the commission determines that the contents of such report are incorrect, incomplete or erroneous, it shall enter an order requiring filing of an amended or corrected report.

11. The commission shall provide a report listing the total spent by a lobbyist for the month and year to any member or member-elect of the general assembly, judge or judicial officer, or any other person holding an elective office of state government on or before the twentieth day of each month. For the purpose of providing accurate information to the public, the commission shall not publish information in either written or electronic form for ten working days after providing the report pursuant to this subsection. The commission shall not release any portion of the lobbyist report if the accuracy of the report has been questioned pursuant to subsection 10 of this section unless it is conspicuously marked "Under Review".

12. Each lobbyist or lobbyist principal by whom the lobbyist was employed, or in whose behalf the lobbyist acted, shall provide a general description of the proposed legislation or action by the executive branch or judicial branch which the lobbyist or lobbyist principal supported or opposed. This information shall be supplied to the commission on March fifteenth and May thirtieth of each year.

105.475. [1. The provisions of sections 105.470 to 105.473 shall not apply to any public official or a staff member, employee, spouse or dependent child of a public official when employed by a lobbyist principal and who is acting on behalf of the lobbyist principal in their employment, except if such person's employment is as a lobbyist for the lobbyist principal.

2.] The provisions of sections 105.470 to 105.473 shall not apply to any member of a union who is acting in either an employment capacity or contractual capacity in association with the union, except if such person's employment or contractual capacity is as a lobbyist for the union.

105.477. 1. The commission shall supply a computer program which shall be used for filing by modem or by a common magnetic media chosen by the commission. The computer program shall be able to run on DOS, Windows or Macintosh based personal computers [or run on any other common personal computer operating environment which may become available in the future].

2. The commission shall have the appropriate software and hardware in place by January 1, 1998, for acceptance of reports electronically. The commission shall make this information available via an Internet Web site connection by no later than January 1, 1999.

3. All lobbyists shall file expenditure reports required by the commission electronically either through modem or common magnetic media. In addition, lobbyists shall file a signed form prescribed by the commission which verifies the information filed electronically within five working days; except that, [if] **when** a means becomes available which will allow a verifiable electronic signature, the commission may accept this in lieu of a [written statement] **signed form**.

4. All records that are in electronic format, not otherwise closed by law, shall be available in electronic format to the public. The commission shall maintain and provide for public inspection, a listing of all reports, with a complete description for each field contained on the report, that has been used to extract information from their database files. The commission shall develop a report or reports which contain every field in each database.

5. Annually, the commission shall provide[, without cost, a system-wide dump of] **to the general assembly at no cost a complete copy of** information contained in the commission's electronic **reporting** database files [to the general assembly]. The information [is to] **shall** be copied onto a medium specified by the general assembly. Such information shall not contain records otherwise closed by law. It is the intent of the general assembly to provide open

access to the commission's records. The commission shall make every reasonable effort to comply with requests for information and shall take a liberal interpretation when considering such requests. Priority shall be given to public requests for reports identifying lobbyist or lobbyist principal expenditures per individual legislator.

105.961. 1. Upon receipt of a complaint as described by section 105.957, the commission shall assign the complaint to a special investigator, who may be a commission employee, who shall investigate and determine the merits of the complaint. Within ten days of such assignment, the special investigator shall review such complaint and disclose, in writing, to the commission any conflict of interest which the special investigator has or might have with respect to the investigation and subject thereof. Within one hundred twenty days of receipt of the complaint from the commission, the special investigator shall submit the special investigator's report to the commission. The commission, after review of such report, shall determine:

- (1) That there is reasonable grounds for belief that a violation has occurred; or
- (2) That there are no reasonable grounds for belief that a violation exists and the complaint should be dismissed;

or

(3) That additional time is necessary to complete the investigation, and the status and progress of the investigation to date. The commission, in its discretion, may allow the investigation to proceed for additional successive periods of one hundred twenty days each, pending reports regarding the status and progress of the investigation at the end of each such period.

2. When the commission concludes, based on the report from the special investigator, or based on an audit conducted pursuant to section 105.959, that there are reasonable grounds to believe that a violation of any criminal law has occurred, and if the commission believes that criminal prosecution would be appropriate upon a vote of **at least** four members of the commission, the commission shall refer the report to the Missouri office of prosecution services, prosecutors coordinators training council established in section 56.760, RSMo, which shall submit a panel of five attorneys for recommendation to the court having criminal jurisdiction, for appointment of an attorney to serve as a special prosecutor; except that, the attorney general of Missouri or any assistant attorney general shall not act as such special prosecutor. The court shall then appoint from such panel a special prosecutor pursuant to section 56.110, RSMo, who shall have all the powers provided by section 56.130, RSMo. The court shall allow a reasonable and necessary attorney's fee for the services of the special prosecutor. Such fee shall be assessed as costs if a case is filed, or ordered by the court if no case is filed, and paid together with all other costs in the proceeding by the state, in accordance with rules and regulations promulgated by the state courts administrator, subject to funds appropriated to the office of administration for such purposes. If the commission does not have sufficient funds to pay a special prosecutor, the commission shall refer the case to the prosecutor or prosecutors having criminal jurisdiction. If the prosecutor having criminal jurisdiction is not able to prosecute the case due to a conflict of interest, the court may appoint a special prosecutor, paid from county funds, upon appropriation by the county or the attorney general to investigate and, if appropriate, prosecute the case. The special prosecutor or prosecutor shall commence an action based on the report by the filing of an information or seeking an indictment within sixty days of the date of such prosecutor's appointment, or shall file a written statement with the commission explaining why criminal charges should not be sought. If the special prosecutor or prosecutor fails to take either action required by this subsection, upon request of the commission, a new special prosecutor, who may be the attorney general, shall be appointed. The report may also be referred to the appropriate disciplinary authority over the person who is the subject of the report.

3. When the commission concludes, based on the report from the special investigator or based on an audit conducted pursuant to section 105.959, that there are reasonable grounds to believe that a violation of any law has occurred which is not a violation of criminal law or that criminal prosecution is not appropriate, the commission [shall] **may** conduct a hearing which shall be a closed meeting and not open to the public. The hearing shall be conducted pursuant to the procedures provided by sections 536.063 to 536.090, RSMo, and shall be considered to be a contested case for purposes of such sections. The commission shall determine, in its discretion, whether or not that there is probable cause that a violation has occurred. If the commission determines, by a vote of at least four members of the commission, that probable cause exists that a violation has occurred, the commission may refer its findings and conclusions to the appropriate disciplinary authority over the person who is the subject of the report, as described in subsection 7 of this section. **If the commission determines by a vote of at least four members that a hearing is not appropriate, the commission may, by a vote of at least four members, seek an agreement with the party or parties determined to have violated the provisions of subsection 1 of section 105.957, and the commission may collect a fee for such violation in an amount not greater than one thousand dollars.** After the commission determines by a vote of at least four members of the commission that probable cause exists that a violation has occurred, and the commission has referred the findings and conclusions to the appropriate disciplinary authority over the person

subject of the report, the subject of the report may appeal the determination of the commission to the administrative hearing commission. Such appeal shall stay the action of the Missouri ethics commission. Such appeal shall be filed not later than the fourteenth day after the subject of the commission's action receives actual notice of the commission's action.

4. If the appropriate disciplinary authority receiving a report from the commission pursuant to subsection 3 of this section fails to follow, within sixty days of the receipt of the report, the recommendations contained in the report, or if the commission determines, by a vote of at least four members of the commission that some action other than referral for criminal prosecution or for action by the appropriate disciplinary authority would be appropriate, the commission shall take any one or more of the following actions:

(1) Notify the person to cease and desist violation of any provision of law which the report concludes was violated and that the commission may seek judicial enforcement of its decision pursuant to subsection 5 of this section;

(2) Notify the person of the requirement to file, amend or correct any report, statement, or other document or information required by sections 105.473, 105.483 to 105.492, or chapter 130, RSMo, and that the commission may seek judicial enforcement of its decision pursuant to subsection 5 of this section; and

(3) File the report with the executive director to be maintained as a public document; or

(4) Issue a letter of concern or letter of reprimand to the person, which would be maintained as a public document; or

(5) Issue a letter that no further action shall be taken, which would be maintained as a public document; or

(6) Through reconciliation agreements or civil action, the power to seek fees for violations in an amount not greater than one thousand dollars or double the amount involved in the violation.

5. Upon vote of at least four members, the commission may initiate formal judicial proceedings seeking to obtain any of the following orders:

(1) Cease and desist violation of any provision of sections 105.450 to 105.496, or chapter 130, RSMo, or sections 105.955 to 105.963;

(2) Pay any civil penalties required by sections 105.450 to 105.496 or chapter 130, RSMo;

(3) File any reports, statements, or other documents or information required by sections 105.450 to 105.496, or chapter 130, RSMo; or

(4) Pay restitution for any unjust enrichment the violator obtained as a result of any violation of any criminal statute as described in subsection 6 of this section.

The Missouri ethics commission shall give actual notice to the subject of the complaint of the proposed action as set out in this section. The subject of the complaint may appeal the action of the Missouri ethics commission, other than a referral for criminal prosecution, to the administrative hearing commission. Such appeal shall stay the action of the Missouri ethics commission. Such appeal shall be filed no later than fourteen days after the subject of the commission's actions receives actual notice of the commission's actions.

6. In the proceeding in circuit court, the commission may seek restitution against any person who has obtained unjust enrichment as a result of violation of any provision of sections 105.450 to 105.496, or chapter 130, RSMo, and may recover on behalf of the state or political subdivision with which the alleged violator is associated, damages in the amount of any unjust enrichment obtained and costs and attorney's fees as ordered by the court.

7. The appropriate disciplinary authority to whom a report shall be sent pursuant to subsection 2 or 3 of this section shall include, but not be limited to, the following:

(1) In the case of a member of the general assembly, the ethics committee of the house of which the subject of the report is a member;

(2) In the case of a person holding an elective office or an appointive office of the state, if the alleged violation is an impeachable offense, the report shall be referred to the ethics committee of the house of representatives;

(3) In the case of a person holding an elective office of a political subdivision, the report shall be referred to the governing body of the political subdivision;

(4) In the case of any officer or employee of the state or of a political subdivision, the report shall be referred to the person who has immediate supervisory authority over the employment by the state or by the political subdivision of the subject of the report;

(5) In the case of a judge of a court of law, the report shall be referred to the commission on retirement, removal and discipline, or if the inquiry involves an employee of the judiciary to the applicable presiding judge;

(6) In the case of a person holding an appointive office of the state, if the alleged violation is not an impeachable offense, the report shall be referred to the governor;

(7) In the case of a statewide elected official, the report shall be referred to the attorney general;

(8) In a case involving the attorney general, the report shall be referred to the prosecuting attorney of Cole County.

8. The special investigator having a complaint referred to the special investigator by the commission shall have the following powers:

(1) To request and shall be given access to information in the possession of any person or agency which the special investigator deems necessary for the discharge of the special investigator's responsibilities;

(2) To examine the records and documents of any person or agency, unless such examination would violate state or federal law providing for confidentiality;

(3) To administer oaths and affirmations;

(4) Upon refusal by any person to comply with a request for information relevant to an investigation, an investigator may issue a subpoena for any person to appear and give testimony, or for a subpoena duces tecum to produce documentary or other evidence which the investigator deems relevant to a matter under the investigator's inquiry. The subpoenas and subpoenas duces tecum may be enforced by applying to a judge of the circuit court of Cole County or any county where the person or entity that has been subpoenaed resides or may be found, for an order to show cause why the subpoena or subpoena duces tecum should not be enforced. The order and a copy of the application therefor shall be served in the same manner as a summons in a civil action, and if, after hearing, the court determines that the subpoena or subpoena duces tecum should be sustained and enforced, the court shall enforce the subpoena or subpoena duces tecum in the same manner as if it had been issued by the court in a civil action; and

(5) To request from the commission such investigative, clerical or other staff assistance or advancement of other expenses which are necessary and convenient for the proper completion of an investigation. Within the limits of appropriations to the commission, the commission may provide such assistance, whether by contract to obtain such assistance or from staff employed by the commission, or may advance such expenses.

9. (1) Any retired judge may request in writing to have the judge's name removed from the list of special investigators subject to appointment by the commission or may request to disqualify himself or herself from any investigation. Such request shall include the reasons for seeking removal;

(2) By vote of **at least** four members of the commission, the commission may disqualify a judge from a particular investigation or may permanently remove the name of any retired judge from the list of special investigators subject to appointment by the commission.

10. Any person who is the subject of any investigation pursuant to this section shall be entitled to be represented by counsel at any proceeding before the special investigator or the commission.

11. The provisions of sections 105.957, 105.959 and 105.961 are in addition to other provisions of law under which any remedy or right of appeal or objection is provided for any person, or any procedure provided for inquiry or investigation concerning any matter. The provisions of this section shall not be construed to limit or affect any other remedy or right of appeal or objection.

12. No person shall be required to make or file a complaint to the commission as a prerequisite for exhausting the person's administrative remedies before pursuing any civil cause of action allowed by law.

13. If, in the opinion of the commission, the complaining party was motivated by malice or reason contrary to the spirit of any law on which such complaint was based, in filing the complaint without just cause, this finding shall be reported to appropriate law enforcement authorities. Any person who knowingly files a complaint without just cause, or with malice, is guilty of a class A misdemeanor.

14. A respondent party who prevails in a formal judicial action brought by the commission shall be awarded those reasonable fees and expenses incurred by that party in the formal judicial action, unless the court finds that the position of the commission was substantially justified or that special circumstances make such an award unjust.

15. The special investigator and members and staff of the commission shall maintain confidentiality with respect to all matters concerning a complaint until and if a report is filed with the commission, with the exception of communications with any person which are necessary to the investigation. The report filed with the commission resulting from a complaint acted upon under the provisions of this section shall not contain the name of the complainant or other person providing information to the investigator, if so requested in writing by the complainant or such other person. Any person who violates the confidentiality requirements imposed by this section or subsection 17 of section 105.955 required to be confidential is guilty of a class A misdemeanor and shall be subject to removal from or termination of employment by the commission.

16. Any judge of the court of appeals or circuit court who ceases to hold such office by reason of the judge's retirement and who serves as a special investigator pursuant to this section shall receive annual compensation, salary

or retirement for such services at the rates of compensation provided for senior judges by subsections 1, 2 and 4 of section 476.682, RSMo. Such retired judges shall by the tenth day of each month following any month in which the judge provided services pursuant to this section certify to the commission and to the state courts administrator the amount of time engaged in such services by hour or fraction thereof, the dates thereof, and the expenses incurred and allowable pursuant to this section. The commission shall then issue a warrant to the state treasurer for the payment of the salary and expenses to the extent, and within limitations, provided for in this section. The state treasurer upon receipt of such warrant shall pay the same out of any appropriations made for this purpose on the last day of the month during which the warrant was received by the state treasurer.”; and,

Further amend said house substitute, Section 109.241, Page 6, Line 1, by inserting all the following immediately after said line:

“130.011. As used in this chapter, unless the context clearly indicates otherwise, the following terms mean:

(1) "Appropriate officer" or "appropriate officers", the person or persons designated in section 130.026 to receive certain required statements and reports;

(2) "Ballot measure" or "measure", any proposal submitted or intended to be submitted to qualified voters for their approval or rejection, including any proposal submitted by initiative petition, referendum petition, or by the general assembly or any local governmental body having authority to refer proposals to the voter;

(3) "Candidate", an individual who seeks nomination or election to public office. The term "candidate" includes an elected officeholder who is the subject of a recall election, an individual who seeks nomination by the individual's political party for election to public office, an individual standing for retention in an election to an office to which the individual was previously appointed, an individual who seeks nomination or election whether or not the specific elective public office to be sought has been finally determined by such individual at the time the individual meets the conditions described in paragraph (a) or (b) of this subdivision, and an individual who is a "write-in candidate" as defined in subdivision (28) of this section. A candidate shall be deemed to seek nomination or election when the person first:

(a) Receives contributions or makes expenditures or reserves space or facilities with intent to promote the person's candidacy for office; or

(b) Knows or has reason to know that contributions are being received or expenditures are being made or space or facilities are being reserved with the intent to promote the person's candidacy for office; except that, such individual shall not be deemed a candidate if the person files a statement with the appropriate officer within five days after learning of the receipt of contributions, the making of expenditures, or the reservation of space or facilities disavowing the candidacy and stating that the person will not accept nomination or take office if elected; provided that, if the election at which such individual is supported as a candidate is to take place within five days after the person's learning of the above-specified activities, the individual shall file the statement disavowing the candidacy within one day; or

(c) Announces or files a declaration of candidacy for office;

(4) "Cash", currency, coin, United States postage stamps, or any negotiable instrument which can be transferred from one person to another person without the signature or endorsement of the transferor;

(5) "Check", a check drawn on a state or federal bank, or a draft on a negotiable order of withdrawal account in a savings and loan association or a share draft account in a credit union;

(6) "Closing date", the date through which a statement or report is required to be complete;

(7) "Committee", a person or any combination of persons, who accepts contributions or makes expenditures for the primary or incidental purpose of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage or defeat of any ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee or for the purpose of contributing funds to another committee:

(a) "Committee", does not include:

a. A person or combination of persons, if neither the aggregate of expenditures made nor the aggregate of contributions received during a calendar year exceeds five hundred dollars and if no single contributor has contributed more than two hundred [fifty] **seventy-five** dollars of such aggregate contributions;

b. An individual, other than a candidate, who accepts no contributions and who deals only with the individual's own funds or property;

c. A corporation, cooperative association, partnership, proprietorship, or joint venture organized or operated for a primary or principal purpose other than that of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage or defeat of any ballot

measure, and it accepts no contributions, and all expenditures it makes are from its own funds or property obtained in the usual course of business or in any commercial or other transaction and which are not contributions as defined by subdivision (12) of this section;

d. A labor organization organized or operated for a primary or principal purpose other than that of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates, or the qualification, passage, or defeat of any ballot measure, and it accepts no contributions, and expenditures made by the organization are from its own funds or property received from membership dues or membership fees which were given or solicited for the purpose of supporting the normal and usual activities and functions of the organization and which are not contributions as defined by subdivision (12) of this section;

e. A person who acts as an authorized agent for a committee in soliciting or receiving contributions or in making expenditures or incurring indebtedness on behalf of the committee if such person renders to the committee treasurer or deputy treasurer or candidate, if applicable, an accurate account of each receipt or other transaction in the detail required by the treasurer to comply with all record keeping and reporting requirements of this chapter;

f. Any department, agency, board, institution or other entity of the state or any of its subdivisions or any officer or employee thereof, acting in the person's official capacity;

(b) The term "committee" includes, but is not limited to, each of the following committees: campaign committee, candidate committee, continuing committee and political party committee;

(8) "Campaign committee", a committee, other than a candidate committee, which shall be formed by an individual or group of individuals to receive contributions or make expenditures and whose sole purpose is to support or oppose the qualification and passage of one or more particular ballot measures in an election or the retention of judges under the nonpartisan court plan, such committee shall be formed no later than thirty days prior to the election for which the committee receives contributions or makes expenditures, and which shall terminate the later of either thirty days after the general election or upon the satisfaction of all committee debt after the general election, except that no committee retiring debt shall engage in any other activities in support of a measure for which the committee was formed;

(9) "Candidate committee", a committee which shall be formed by a candidate to receive contributions or make expenditures in behalf of the person's candidacy and which shall continue in existence for use by an elected candidate or which shall terminate the later of either thirty days after the general election for a candidate who was not elected or upon the satisfaction of all committee debt after the election, except that no committee retiring debt shall engage in any other activities in support of the candidate for which the committee was formed. Any candidate for elective office shall have only one candidate committee for the elective office sought, which is controlled directly by the candidate for the purpose of making expenditures. A candidate committee is presumed to be under the control and direction of the candidate unless the candidate files an affidavit with the appropriate officer stating that the committee is acting without control or direction on the candidate's part;

(10) "Continuing committee", a committee of continuing existence which is not formed, controlled or directed by a candidate, and is a committee other than a candidate committee or campaign committee, whose primary or incidental purpose is to receive contributions or make expenditures to influence or attempt to influence the action of voters whether or not a particular candidate or candidates or a particular ballot measure or measures to be supported or opposed has been determined at the time the committee is required to file any statement or report pursuant to the provisions of this chapter. "Continuing committee" includes, but is not limited to, any committee organized or sponsored by a business entity, a labor organization, a professional association, a trade or business association, a club or other organization and whose primary purpose is to solicit, accept and use contributions from the members, employees or stockholders of such entity and any individual or group of individuals who accept and use contributions to influence or attempt to influence the action of voters. Such committee shall be formed no later than thirty days prior to the election for which the committee receives contributions or makes expenditures;

(11) "Connected organization", any organization such as a corporation, a labor organization, a membership organization, a cooperative, or trade or professional association which expends funds or provides services or facilities to establish, administer or maintain a committee or to solicit contributions to a committee from its members, officers, directors, employees or security holders. An organization shall be deemed to be the connected organization if more than fifty percent of the persons making contributions to the committee during the current calendar year are members, officers, directors, employees or security holders of such organization or their spouses;

(12) "Contribution", a payment, gift, loan, advance, deposit, or donation of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification, passage or defeat of any ballot measure, or for the support of any committee supporting or opposing candidates or ballot

measures or for paying debts or obligations of any candidate or committee previously incurred for the above purposes. A contribution of anything of value shall be deemed to have a money value equivalent to the fair market value. "Contribution" includes, but is not limited to:

- (a) A candidate's own money or property used in support of the person's candidacy other than expense of the candidate's food, lodging, travel, and payment of any fee necessary to the filing for public office;
- (b) Payment by any person, other than a candidate or committee, to compensate another person for services rendered to that candidate or committee;
- (c) Receipts from the sale of goods and services, including the sale of advertising space in a brochure, booklet, program or pamphlet of a candidate or committee and the sale of tickets or political merchandise;
- (d) Receipts from fund-raising events including testimonial affairs;
- (e) Any loan, guarantee of a loan, cancellation or forgiveness of a loan or debt or other obligation by a third party, or payment of a loan or debt or other obligation by a third party if the loan or debt or other obligation was contracted, used, or intended, in whole or in part, for use in an election campaign or used or intended for the payment of such debts or obligations of a candidate or committee previously incurred, or which was made or received by a committee;
- (f) Funds received by a committee which are transferred to such committee from another committee or other source, except funds received by a candidate committee as a transfer of funds from another candidate committee controlled by the same candidate but such transfer shall be included in the disclosure reports;
- (g) Facilities, office space or equipment supplied by any person to a candidate or committee without charge or at reduced charges, except gratuitous space for meeting purposes which is made available regularly to the public, including other candidates or committees, on an equal basis for similar purposes on the same conditions;
- (h) The direct or indirect payment by any person, other than a connected organization, of the costs of establishing, administering, or maintaining a committee, including legal, accounting and computer services, fund raising and solicitation of contributions for a committee;
- (i) "Contribution" does not include:
 - a. Ordinary home hospitality or services provided without compensation by individuals volunteering their time in support of or in opposition to a candidate, committee or ballot measure, nor the necessary and ordinary personal expenses of such volunteers incidental to the performance of voluntary activities, so long as no compensation is directly or indirectly asked or given;
 - b. An offer or tender of a contribution which is expressly and unconditionally rejected and returned to the donor within ten business days after receipt or transmitted to the state treasurer;
 - c. Interest earned on deposit of committee funds;
 - d. The costs incurred by any connected organization listed pursuant to subdivision (4) of subsection 5 of section 130.021 for establishing, administering or maintaining a committee, or for the solicitation of contributions to a committee which solicitation is solely directed or related to the members, officers, directors, employees or security holders of the connected organization;
- (13) "County", any one of the several counties of this state or the city of St. Louis;
- (14) "Disclosure report", an itemized report of receipts, expenditures and incurred indebtedness which is prepared on forms approved by the Missouri ethics commission and filed at the times and places prescribed;
- (15) "Election", any primary, general or special election held to nominate or elect an individual to public office, to retain or recall an elected officeholder or to submit a ballot measure to the voters, and any caucus or other meeting of a political party or a political party committee at which that party's candidate or candidates for public office are officially selected. A primary election and the succeeding general election shall be considered separate elections;
- (16) "Expenditure", a payment, advance, conveyance, deposit, donation or contribution of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification or passage of any ballot measure or for the support of any committee which in turn supports or opposes any candidate or ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee; a payment, or an agreement or promise to pay, money or anything of value, including a candidate's own money or property, for the purchase of goods, services, property, facilities or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification or passage of any ballot measure or for the support of any committee which in turn supports or opposes any candidate or ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee. An expenditure of anything of value shall be deemed to have a money value equivalent to the fair market value. "Expenditure" includes, but is not limited to:
 - (a) Payment by anyone other than a committee for services of another person rendered to such committee;

(b) The purchase of tickets, goods, services or political merchandise in connection with any testimonial affair or fund-raising event of or for candidates or committees, or the purchase of advertising in a brochure, booklet, program or pamphlet of a candidate or committee;

(c) The transfer of funds by one committee to another committee;

(d) The direct or indirect payment by any person, other than a connected organization for a committee, of the costs of establishing, administering or maintaining a committee, including legal, accounting and computer services, fund raising and solicitation of contributions for a committee; but

(e) "Expenditure" does not include:

a. Any news story, commentary or editorial which is broadcast or published by any broadcasting station, newspaper, magazine or other periodical without charge to the candidate or to any person supporting or opposing a candidate or ballot measure;

b. The internal dissemination by any membership organization, proprietorship, labor organization, corporation, association or other entity of information advocating the election or defeat of a candidate or candidates or the passage or defeat of a ballot measure or measures to its directors, officers, members, employees or security holders, provided that the cost incurred is reported pursuant to [subsection 2 of] section [130.051] **130.048**;

c. Repayment of a loan, but such repayment shall be indicated in required reports;

d. The rendering of voluntary personal services by an individual of the sort commonly performed by volunteer campaign workers and the payment by such individual of the individual's necessary and ordinary personal expenses incidental to such volunteer activity, provided no compensation is, directly or indirectly, asked or given;

e. The costs incurred by any connected organization listed pursuant to subdivision (4) of subsection 5 of section 130.021 for establishing, administering or maintaining a committee, or for the solicitation of contributions to a committee which solicitation is solely directed or related to the members, officers, directors, employees or security holders of the connected organization;

f. The use of a candidate's own money or property for expense of the candidate's personal food, lodging, travel, and payment of any fee necessary to the filing for public office, if such expense is not reimbursed to the candidate from any source;

(17) "Exploratory committees", a committee which shall be formed by an individual to receive contributions and make expenditures on behalf of this individual in determining whether or not the individual seeks elective office.

Such committee shall terminate no later than December thirty-first of the year prior to the general election for the possible office;

(18) "Fund-raising event", an event such as a dinner, luncheon, reception, coffee, testimonial, rally, auction or similar affair through which contributions are solicited or received by such means as the purchase of tickets, payment of attendance fees, donations for prizes or through the purchase of goods, services or political merchandise;

(19) "In-kind contribution" or "in-kind expenditure", a contribution or expenditure in a form other than money;

(20) "Labor organization", any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work;

(21) "Loan", a transfer of money, property or anything of ascertainable monetary value in exchange for an obligation, conditional or not, to repay in whole or in part and which was contracted, used, or intended for use in an election campaign, or which was made or received by a committee or which was contracted, used, or intended to pay previously incurred campaign debts or obligations of a candidate or the debts or obligations of a committee;

(22) "Person", an individual, group of individuals, corporation, partnership, committee, proprietorship, joint venture, any department, agency, board, institution or other entity of the state or any of its political subdivisions, union, labor organization, trade or professional or business association, association, political party or any executive committee thereof, or any other club or organization however constituted or any officer or employee of such entity acting in the person's official capacity;

(23) "Political merchandise", goods such as bumper stickers, pins, hats, ties, jewelry, literature, or other items sold or distributed at a fund-raising event or to the general public for publicity or for the purpose of raising funds to be used in supporting or opposing a candidate for nomination or election or in supporting or opposing the qualification, passage or defeat of a ballot measure;

(24) "Political party", a political party which has the right under law to have the names of its candidates listed on the ballot in a general election;

(25) "Political party committee", a state, district, county, city, or area committee of a political party, as defined

in section 115.603, RSMo, which may be organized as a not-for-profit corporation under Missouri law, and which committee is of continuing existence, and has the primary or incidental purpose of receiving contributions and making expenditures to influence or attempt to influence the action of voters on behalf of the political party;

(26) "Public office" or "office", any state, judicial, county, municipal, school or other district, ward, township, or other political subdivision office or any political party office which is filled by a vote of registered voters;

(27) "Regular session", includes that period beginning on the first Wednesday after the first Monday in January and ending following the first Friday after the second Monday in May;

(28) "Write-in candidate", an individual whose name is not printed on the ballot but who otherwise meets the definition of "candidate" in subdivision (3) of this section.

130.016. 1. No candidate for statewide elected office, general assembly, judicial office other than municipal judge, or municipal office in a city with a population of more than one hundred thousand shall be required to comply with the requirements to file a statement of organization or disclosure reports of contributions and expenditures for any election in which neither the aggregate of contributions received nor the aggregate of expenditures made on behalf of such candidate exceeds five hundred dollars and no single contributor, other than the candidate, has contributed more than two hundred [fifty] **seventy-five** dollars of the aggregate contributions received, provided that:

(1) The candidate files a sworn exemption statement with the appropriate officer that the candidate does not intend to either receive contributions or make expenditures in the aggregate of more than five hundred dollars or receive contributions from any single contributor, other than himself or herself, that aggregate more than two hundred [fifty] **seventy-five** dollars and that the total of all contributions received or expenditures made by the candidate and all committees or any other person with his knowledge and consent in support of his candidacy will not exceed five hundred dollars and that the aggregate of contributions received from any single contributor will not exceed two hundred [fifty] **seventy-five** dollars. Such exemption statement shall be filed no later than the date set forth in section 130.046 on which a disclosure report would otherwise be required if the candidate does not file the exemption statement. The exemption statement shall be filed on a form furnished to each appropriate officer by the executive director of the Missouri ethics commission. Each appropriate officer shall make the exemption statement available to candidates and shall direct each candidate's attention to the exemption statement and explain its purpose to the candidate; and

(2) The sworn exemption statement includes a statement that the candidate understands that records of contributions and expenditures must be maintained from the time the candidate first receives contributions or makes expenditures and that an exemption from filing a statement of organization or disclosure reports does not exempt the candidate from other provisions of this chapter. Each candidate described in subsection 1 of this section, who files a statement of exemption, shall file a statement of limited activity for each reporting period, described in section 130.046.

2. Any candidate who has filed an exemption statement as provided in subsection 1 of this section shall not accept any contribution or make any expenditure in support of the person's candidacy, either directly or indirectly or by or through any committee or any other person acting with the candidate's knowledge and consent, which would cause such contributions or expenditures to exceed the limits specified in subdivision (1) of subsection 1 of this section unless the candidate later rejects the exemption pursuant to the provisions of subsection 3 of this section. Any contribution received in excess of such limits shall be returned to the donor or transmitted to the state treasurer to escheat to the state.

3. If, after filing the exemption statement provided for in this section, the candidate subsequently determines the candidate wishes to exceed any of the limits in subdivision (1) of subsection 1 of this section, the candidate shall file a notice of rejection of the exemption with the appropriate officer; however, such rejection shall not be filed later than thirty days before election. A notice of rejection of exemption shall be accompanied by a statement of organization as required by section 130.021 and any other statements and reports which would have been required if the candidate had not filed an exemption statement.

4. A primary election and the immediately succeeding general election are separate elections, and restrictions on contributions and expenditures set forth in subsection 2 of this section shall apply to each election; however, if a successful primary candidate has correctly filed an exemption statement prior to the primary election and has not filed a notice of rejection prior to the date on which the first disclosure report applicable to the succeeding general election is required to be filed, the candidate shall not be required to file an exemption statement for that general election if the limitations set forth in subsection 1 of this section apply to the succeeding general election.

5. A candidate who has an existing candidate committee formed for a prior election for which all statements and reports required by this chapter have been properly filed shall be eligible to file the exemption statement as provided in subsection 1 of this section and shall not be required to file the disclosure reports pertaining to the election for which the candidate is eligible to file the exemption statement if the candidate and the treasurer or deputy treasurer of such existing candidate committee continue to comply with the requirements, limitations and restrictions set forth in

subsections 1, 2, 3 and 4 of this section. The exemption permitted by this subsection does not exempt a candidate or the treasurer of the candidate's existing candidate committee from complying with the requirements of subsections 6 and 7 of section 130.046 applicable to a prior election.

6. No nonpartisan candidate for supreme court, circuit court, or associate circuit court, or candidate for political party office, or for county office or municipal office in a city of one hundred thousand or less, or for any special purpose district office shall be required to file an exemption statement pursuant to this section in order to be exempted from forming a committee and filing disclosure reports required of committees pursuant to this chapter if the aggregate of contributions received or expenditures made by the candidate and any other person with the candidate's knowledge and consent in support of the person's candidacy does not exceed one thousand dollars and the aggregate of contributions from any single contributor does not exceed two hundred [fifty] **seventy-five** dollars. No candidate for any office listed in this subsection shall be excused from complying with the provisions of any section of this chapter, other than the filing of an exemption statement under the conditions specified in this subsection.

7. If any candidate for an office listed in subsection 6 of this section exceeds the limits specified in subsection 6 of this section, the candidate shall form a committee no later than thirty days prior to the election for which the contributions were received or expended which shall comply with all provisions of this chapter for committees.

130.021. 1. Every committee shall have a treasurer who, except as provided in subsection 10 of this section, shall be a resident of this state. A committee may also have a deputy treasurer who, except as provided in subsection 10 of this section, shall be a resident of this state, to serve in the capacity of committee treasurer in the event the committee treasurer is unable for any reason to perform the treasurer's duties.

2. Every candidate for offices listed in subsection 1 of section 130.016 who has not filed a statement of exemption pursuant to that subsection and every candidate for offices listed in subsection 6 of section 130.016 who is not excluded from filing a statement of organization and disclosure reports pursuant to subsection 6 shall form a candidate committee and appoint a treasurer. Thereafter, all contributions on hand and all further contributions received by such candidate and any of the candidate's own funds to be used in support of the person's candidacy shall be deposited in a candidate committee depository account established pursuant to the provisions of subsection 4 of this section, and all expenditures shall be made through the candidate, treasurer or deputy treasurer of the person's candidate committee. Nothing in this chapter shall prevent a candidate from appointing himself or herself as a committee of one and serving as the person's own treasurer, maintaining the candidate's own records and filing all the reports and statements required to be filed by the treasurer of a candidate committee.

3. A candidate who has more than one candidate committee supporting the person's candidacy shall designate one of those candidate committees as the committee responsible for consolidating the aggregate contributions to all such committees under the candidate's control and direction as required by section 130.041.

4. (1) Every committee shall have a single official fund depository within this state which shall be a federally or state-chartered bank, a federally or state-chartered savings and loan association, or a federally or state-chartered credit union in which the committee shall open and thereafter maintain at least one official depository account in its own name. An "official depository account" shall be a checking account or some type of negotiable draft or negotiable order of withdrawal account, and the official fund depository shall, regarding an official depository account, be a type of financial institution which provides a record of deposits, canceled checks or other canceled instruments of withdrawal evidencing each transaction by maintaining copies within this state of such instruments and other transactions. All contributions which the committee receives in money, checks and other negotiable instruments shall be deposited in a committee's official depository account. Contributions shall not be accepted and expenditures shall not be made by a committee except by or through an official depository account and the committee treasurer, deputy treasurer or candidate. Contributions received by a committee shall not be commingled with any funds of an agent of the committee, a candidate or any other person, except that contributions from a candidate of the candidate's own funds to the person's candidate committee shall be deposited to an official depository account of the person's candidate committee. No expenditure shall be made by a committee when the office of committee treasurer is vacant except that when the office of a candidate committee treasurer is vacant, the candidate shall be the treasurer until the candidate appoints a new treasurer.

(2) A committee treasurer, deputy treasurer or candidate may withdraw funds from a committee's official depository account and deposit such funds in one or more savings accounts in the committee's name in any bank, savings and loan association or credit union within this state, and may also withdraw funds from an official depository account for investment in the committee's name in any certificate of deposit, bond or security. Proceeds from interest or dividends from a savings account or other investment or proceeds from withdrawals from a savings account or from the sale of an investment shall not be expended or reinvested, except in the case of renewals of certificates of deposit,

without first redepositing such proceeds in an official depository account. Investments, other than savings accounts, held outside the committee's official depository account at any time during a reporting period shall be disclosed by description, amount, any identifying numbers and the name and address of any institution or person in which or through which it is held in an attachment to disclosure reports the committee is required to file. Proceeds from an investment such as interest or dividends or proceeds from its sale, shall be reported by date and amount. In the case of the sale of an investment, the names and addresses of the persons involved in the transaction shall also be stated. Funds held in savings accounts and investments, including interest earned, shall be included in the report of money on hand as required by section 130.041.

5. The treasurer or deputy treasurer acting on behalf of any person or organization or group of persons which is a committee by virtue of the definitions of "committee" in section 130.011 and any candidate who is not excluded from forming a committee in accordance with the provisions of section 130.016 shall file a statement of organization with the appropriate officer within twenty days after the person or organization becomes a committee but no later than [the date for filing the first report required pursuant to the provisions of section 130.046] **thirty days prior to the election for which the committee accepts contributions or makes expenditures.** The statement of organization shall contain the following information:

(1) The name, mailing address and telephone number, if any, of the committee filing the statement of organization. If the committee is deemed to be affiliated with a connected organization as provided in subdivision (11) of section 130.011, the name of the connected organization, or a legally registered fictitious name which reasonably identifies the connected organization, shall appear in the name of the committee. If the committee is a candidate committee, the name of the candidate shall be a part of the committee's name;

(2) The name, mailing address and telephone number of the candidate;

(3) The name, mailing address and telephone number of the committee treasurer, and the name, mailing address and telephone number of its deputy treasurer if the committee has named a deputy treasurer;

(4) The names, mailing addresses and titles of its officers, if any;

(5) The name and mailing address of any connected organizations with which the committee is affiliated;

(6) The name and mailing address of its depository, and the name and account number of each account the committee has in the depository;

(7) Identification of the major nature of the committee such as a candidate committee, campaign committee, continuing committee, political party committee, incumbent committee, or any other committee according to the definition of "committee" in section 130.011;

(8) In the case of the candidate committee designated in subsection 3 of this section, the full name and address of each other candidate committee which is under the control and direction of the same candidate, together with the name, address and telephone number of the treasurer of each such other committee;

(9) The name and office sought of each candidate supported or opposed by the committee;

(10) The ballot measure concerned, if any, and whether the committee is in favor of or opposed to such measure.

6. A committee may omit the information required in subdivisions (9) and (10) of subsection 5 of this section if, on the date on which it is required to file a statement of organization, the committee has not yet determined the particular candidates or particular ballot measures it will support or oppose. Any contribution received over the allowable contribution limits described in section 130.032 shall be returned to the contributor by the committee within five business days of the declaration of candidacy or position on a candidate or a particular ballot measure of the committee.

7. A committee which has filed a statement of organization and has not terminated shall not be required to file another statement of organization, except that when there is a change in any of the information previously reported as required by subdivisions (1) to (8) of subsection 5 of this section an amended statement of organization shall be filed within twenty days after the change occurs, but no later than the date of the filing of the next report required to be filed by that committee by section 130.046.

8. Upon termination of a committee, a termination statement indicating dissolution shall be filed not later than ten days after the date of dissolution with the appropriate officer or officers with whom the committee's statement of organization was filed. The termination statement shall include: the distribution made of any remaining surplus funds and the disposition of any deficits; and the name, mailing address and telephone number of the individual responsible for preserving the committee's records and accounts as required in section 130.036.

9. Any statement required by this section shall be signed and attested by the committee treasurer or deputy treasurer, and by the candidate in the case of a candidate committee.

10. A committee domiciled outside this state shall be required to file a statement of organization and appoint a

treasurer residing in this state and open an account in a depository within this state; provided that either of the following conditions prevails:

(1) The aggregate of all contributions received from persons domiciled in this state exceeds twenty percent in total dollar amount of all funds received by the committee in the preceding twelve months; or

(2) The aggregate of all contributions and expenditures made to support or oppose candidates and ballot measures in this state exceeds one thousand five hundred dollars in the current calendar year.

11. If a committee domiciled in this state receives a contribution of one thousand five hundred dollars or more from any committee domiciled outside of this state, the committee domiciled in this state shall file a disclosure report with the commission. The report shall disclose the full name, mailing address, telephone numbers and domicile of the contributing committee and the date and amount of the contribution. The report shall be filed within forty-eight hours of the receipt of such contribution if the contribution is received after the last reporting date before the election.

130.031. 1. No contribution of cash in an amount of more than one hundred dollars shall be made by or accepted from any single contributor for any election by a continuing committee, a campaign committee, a political party committee, an exploratory committee or a candidate committee.

2. Except for expenditures from a petty cash fund which is established and maintained by withdrawals of funds from the committee's depository account and with records maintained pursuant to the record-keeping requirements of section 130.036 to account for expenditures made from petty cash, each expenditure of more than fifty dollars, except an in-kind expenditure, shall be made by check drawn on the committee's depository and signed by the committee treasurer, deputy treasurer or candidate. A single expenditure from a petty cash fund shall not exceed fifty dollars, and the aggregate of all expenditures from a petty cash fund during a calendar year shall not exceed the lesser of five thousand dollars or ten percent of all expenditures made by the committee during that calendar year. A check made payable to "cash" shall not be made except to replenish a petty cash fund.

3. No contribution shall be made or accepted and no expenditure shall be made or incurred, directly or indirectly, in a fictitious name, in the name of another person, or by or through another person in such a manner as to conceal the identity of the actual source of the contribution or the actual recipient and purpose of the expenditure. Any person who receives contributions for a committee shall disclose to that committee's treasurer, deputy treasurer or candidate the recipient's own name and address and the name and address of the actual source of each contribution such person has received for that committee. Any person who makes expenditures for a committee shall disclose to that committee's treasurer, deputy treasurer or candidate such person's own name and address, the name and address of each person to whom an expenditure has been made and the amount and purpose of the expenditures the person has made for that committee.

4. No anonymous contribution of more than twenty-five dollars shall be made by any person, and no anonymous contribution of more than twenty-five dollars shall be accepted by any candidate or committee. If any anonymous contribution of more than twenty-five dollars is received, it shall be returned immediately to the contributor, if the contributor's identity can be ascertained, and if the contributor's identity cannot be ascertained, the candidate, committee treasurer or deputy treasurer shall immediately transmit that portion of the contribution which exceeds twenty-five dollars to the state treasurer and it shall escheat to the state.

5. The maximum aggregate amount of anonymous contributions which shall be accepted in any calendar year by any committee shall be the greater of five hundred dollars or one percent of the aggregate amount of all contributions received by that committee in the same calendar year. If any anonymous contribution is received which causes the aggregate total of anonymous contributions to exceed the foregoing limitation, it shall be returned immediately to the contributor, if the contributor's identity can be ascertained, and, if the contributor's identity cannot be ascertained, the committee treasurer, deputy treasurer or candidate shall immediately transmit the anonymous contribution to the state treasurer to escheat to the state.

6. Notwithstanding the provisions of subsection 5 of this section, contributions from individuals whose names and addresses cannot be ascertained which are received from a fund-raising activity or event, such as defined in section 130.011, shall not be deemed anonymous contributions, provided the following conditions are met:

(1) There are twenty-five or more contributing participants in the activity or event;

(2) The candidate, committee treasurer, deputy treasurer or the person responsible for conducting the activity or event makes an announcement that it is illegal for anyone to make or receive a contribution in excess of one hundred dollars unless the contribution is accompanied by the name and address of the contributor;

(3) The person responsible for conducting the activity or event does not knowingly accept payment from any single person of more than one hundred dollars unless the name and address of the person making such payment is obtained and recorded pursuant to the record-keeping requirements of section 130.036;

(4) A statement describing the event shall be prepared by the candidate or the treasurer of the committee for whom the funds were raised or by the person responsible for conducting the activity or event and attached to the disclosure report of contributions and expenditures required by section 130.041. The following information to be listed in the statement is in addition to, not in lieu of, the requirements elsewhere in this chapter relating to the recording and reporting of contributions and expenditures:

(a) The name and mailing address of the person or persons responsible for conducting the event or activity and the name and address of the candidate or committee for whom the funds were raised;

(b) The date on which the event occurred;

(c) The name and address of the location where the event occurred and the approximate number of participants in the event;

(d) A brief description of the type of event and the fund-raising methods used;

(e) The gross receipts from the event and a listing of the expenditures incident to the event;

(f) The total dollar amount of contributions received from the event from participants whose names and addresses were not obtained with such contributions and an explanation of why it was not possible to obtain the names and addresses of such participants;

(g) The total dollar amount of contributions received from contributing participants in the event who are identified by name and address in the records required to be maintained pursuant to section 130.036.

7. No candidate or committee in this state shall accept contributions from any out-of-state committee unless the out-of-state committee from whom the contributions are received has filed a statement of organization pursuant to section 130.021 or has filed the reports required by [sections 130.049 and 130.050, whichever is applicable to that committee] **section 130.049.**

8. Any person publishing, circulating, or distributing any printed matter relative to any candidate for public office or any ballot measure shall on the face of the printed matter identify in a clear and conspicuous manner the person who paid for the printed matter with the words "Paid for by" followed by the proper identification of the sponsor pursuant to this section. For the purposes of this section, "printed matter" shall be defined to include any pamphlet, circular, handbill, sample ballot, advertisement, including advertisements in any newspaper or other periodical, sign, including signs for display on motor vehicles, or other imprinted or lettered material; but "printed matter" is defined to exclude materials printed and purchased prior to May 20, 1982, if the candidate or committee can document that delivery took place prior to May 20, 1982; any sign personally printed and constructed by an individual without compensation from any other person and displayed at that individual's place of residence or on that individual's personal motor vehicle; any items of personal use given away or sold, such as campaign buttons, pins, pens, pencils, book matches, campaign jewelry, or clothing, which is paid for by a candidate or committee which supports a candidate or supports or opposes a ballot measure and which is obvious in its identification with a specific candidate or committee and is reported as required by this chapter; and any news story, commentary, or editorial printed by a regularly published newspaper or other periodical without charge to a candidate, committee or any other person.

(1) In regard to any printed matter paid for by a candidate from the candidate's personal funds, it shall be sufficient identification to print the first and last name by which the candidate is known.

(2) In regard to any printed matter paid for by a committee, it shall be sufficient identification to print the name of the committee as required to be registered by subsection 5 of section 130.021 and the name and title of the committee treasurer who was serving when the printed matter was paid for.

(3) In regard to any printed matter paid for by a corporation or other business entity, labor organization, or any other organization not defined to be a committee by subdivision (7) of section 130.011 and not organized especially for influencing one or more elections, it shall be sufficient identification to print the name of the entity, the name of the principal officer of the entity, by whatever title known, and the mailing address of the entity, or if the entity has no mailing address, the mailing address of the principal officer.

(4) In regard to any printed matter paid for by an individual or individuals, it shall be sufficient identification to print the name of the individual or individuals and the respective mailing address or addresses, except that if more than five individuals join in paying for printed matter it shall be sufficient identification to print the words "For a list of other sponsors contact:" followed by the name and address of one such individual responsible for causing the matter to be printed, and the individual identified shall maintain a record of the names and amounts paid by other individuals and shall make such record available for review upon the request of any person. No person shall accept for publication or printing nor shall such work be completed until the printed matter is properly identified as required by this subsection.

9. Any broadcast station transmitting any matter relative to any candidate for public office or ballot measure as defined by this chapter shall identify the sponsor of such matter as required by federal law.

10. The provisions of subsection 8 or 9 of this section shall not apply to candidates for elective federal office, provided that persons causing matter to be printed or broadcast concerning such candidacies shall comply with the requirements of federal law for identification of the sponsor or sponsors.

11. It shall be a violation of this chapter for any person required to be identified as paying for printed matter pursuant to subsection 8 of this section or paying for broadcast matter pursuant to subsection 9 of this section to refuse to provide the information required or to purposely provide false, misleading, or incomplete information.

12. It shall be a violation of this chapter for any committee to offer chances to win prizes or money to persons to encourage such persons to endorse, send election material by mail, deliver election material in person or contact persons at their homes; except that, the provisions of this subsection shall not be construed to prohibit hiring and paying a campaign staff.

130.041. 1. Except as provided in subsection 5 of section 130.016, the candidate, if applicable, treasurer or deputy treasurer of every committee which is required to file a statement of organization, shall file a legibly printed or typed disclosure report of receipts and expenditures. The reports shall be filed with the appropriate officer designated in section 130.026 at the times and for the periods prescribed in section 130.046. Except as provided in [sections 130.049 and 130.050] **section 130.049**, each report shall set forth:

(1) The full name, as required in the statement of organization pursuant to subsection 5 of section 130.021, and mailing address of the committee filing the report and the full name, mailing address and telephone number of the committee's treasurer and deputy treasurer if the committee has named a deputy treasurer;

(2) The amount of money, including cash on hand at the beginning of the reporting period;

(3) Receipts for the period, including:

(a) Total amount of all monetary contributions received which can be identified in the committee's records by name and address of each contributor. In addition, the candidate committee shall make a reasonable effort to obtain and report the employer, or occupation if self-employed or notation of retirement, of each person from whom the committee received one or more contributions which in the aggregate total in excess of one hundred dollars and shall make a reasonable effort to obtain and report a description of any contractual relationship over five hundred dollars between the contributor and the state if the candidate is seeking election to a state office or between the contributor and any political subdivision of the state if the candidate is seeking election to another political subdivision of the state;

(b) Total amount of all anonymous contributions accepted;

(c) Total amount of all monetary contributions received through fund-raising events or activities from participants whose names and addresses were not obtained with such contributions, with an attached statement or copy of the statement describing each fund-raising event as required in subsection 6 of section 130.031;

(d) Total dollar value of all in-kind contributions received;

(e) A separate listing by name and address and employer, or occupation if self-employed or notation of retirement, of each person from whom the committee received contributions, in money or any other thing of value, aggregating more than one hundred dollars, together with the date and amount of each such contribution;

(f) A listing of each loan received by name and address of the lender and date and amount of the loan. For each loan of more than one hundred dollars, a separate statement shall be attached setting forth the name and address of the lender and each person liable directly, indirectly or contingently, and the date, amount and terms of the loan;

(4) Expenditures for the period, including:

(a) The total dollar amount of expenditures made by check drawn on the committee's depository;

(b) The total dollar amount of expenditures made in cash;

(c) The total dollar value of all in-kind expenditures made;

(d) The full name and mailing address of each person to whom an expenditure of money or any other thing of value in the amount of more than one hundred dollars has been made, contracted for or incurred, together with the date, amount and purpose of each expenditure. Expenditures of one hundred dollars or less may be grouped and listed by categories of expenditure showing the total dollar amount of expenditures in each category, except that the report shall contain an itemized listing of each payment made to campaign workers by name, address, date, amount and purpose of each payment and the aggregate amount paid to each such worker;

(e) A list of each loan made, by name and mailing address of the person receiving the loan, together with the amount, terms and date;

(5) The total amount of cash on hand as of the closing date of the reporting period covered, including amounts in depository accounts and in petty cash fund;

(6) The total amount of outstanding indebtedness as of the closing date of the reporting period covered;

(7) The amount of expenditures for or against a candidate or ballot measure during the period covered and the

cumulative amount of expenditures for or against that candidate or ballot measure, with each candidate being listed by name, mailing address and office sought. For the purpose of disclosure reports, expenditures made in support of more than one candidate or ballot measure or both shall be apportioned reasonably among the candidates or ballot measure or both. In apportioning expenditures to each candidate or ballot measure, political party committees and continuing committees need not include expenditures for maintaining a permanent office, such as expenditures for salaries of regular staff, office facilities and equipment or other expenditures not designed to support or oppose any particular candidates or ballot measures; however, all such expenditures shall be listed pursuant to subdivision (4) of this subsection;

(8) A separate listing by full name and address of any committee including a candidate committee controlled by the same candidate for which a transfer of funds or a contribution in any amount has been made during the reporting period, together with the date and amount of each such transfer or contribution;

(9) A separate listing by full name and address of any committee, including a candidate committee controlled by the same candidate from which a transfer of funds or a contribution in any amount has been received during the reporting period, together with the date and amount of each such transfer or contribution;

(10) Each committee that receives a contribution which is restricted or designated in whole or in part by the contributor for transfer to a particular candidate, committee or other person shall include a statement of the name and address of that contributor in the next disclosure report required to be filed after receipt of such contribution, together with the date and amount of any such contribution which was so restricted or designated by that contributor, together with the name of the particular candidate or committee to whom such contribution was so designated or restricted by that contributor and the date and amount of such contribution.

2. For the purpose of this section and any other section in this chapter except [sections 130.049 and 130.050] **section 130.049** which requires a listing of each contributor who has contributed a specified amount, the aggregate amount shall be computed by adding all contributions received from any one person during the following periods:

(1) In the case of a candidate committee, the period shall begin on the date on which the candidate became a candidate according to the definition of the term "candidate" in section 130.011 and end at 11:59 p.m. on the day of the primary election, if the candidate has such an election or at 11:59 p.m. on the day of the general election. If the candidate has a general election held after a primary election, the next aggregating period shall begin at 12:00 midnight on the day after the primary election day and shall close at 11:59 p.m. on the day of the general election. Except that for contributions received during the thirty-day period immediately following a primary election, the candidate shall designate whether such contribution is received as a primary election contribution or a general election contribution;

(2) In the case of a campaign committee, the period shall begin on the date the committee received its first contribution and end on the closing date for the period for which the report or statement is required;

(3) In the case of a political party committee or a continuing committee, the period shall begin on the first day of January of the year in which the report or statement is being filed and end on the closing date for the period for which the report or statement is required; except, if the report or statement is required to be filed prior to the first day of July in any given year, the period shall begin on the first day of July of the preceding year.

3. The disclosure report shall be signed and attested by the committee treasurer or deputy treasurer and by the candidate in case of a candidate committee.

4. The words "consulting or consulting services, fees, or expenses", or similar words, shall not be used to describe the purpose of a payment as required in this section. The reporting of any payment to such an independent contractor shall be on a form supplied by the appropriate officer, established by the ethics commission and shall include identification of the specific service or services provided including, but not limited to, public opinion polling, research on issues or opposition background, print or broadcast media production, print or broadcast media purchase, computer programming or data entry, direct mail production, postage, rent, utilities, phone solicitation, or fund raising, and the dollar amount prorated for each service.

130.046. 1. The disclosure reports required by section 130.041 for all committees shall be filed at the following times and for the following periods:

(1) Not later than the eighth day before an election for the period closing on the twelfth day before the election if the committee has made any contribution or expenditure either in support or opposition to any candidate or ballot measure;

(2) Not later than the thirtieth day after an election for a period closing on the twenty-fifth day after the election, if the committee has made any contribution or expenditure either in support of or opposition to any candidate or ballot measure; except that, a successful candidate who takes office prior to the twenty-fifth day after the election shall have complied with the report requirement of this subdivision if a disclosure report is filed by such candidate and any

candidate committee under the candidate's control before such candidate takes office, and such report shall be for the period closing on the day before taking office; and

(3) Not later than the fifteenth day following the close of each calendar quarter.

Notwithstanding the provisions of this subsection, if any committee accepts contributions or makes expenditures in support of or in opposition to a ballot measure or a candidate, and the report required by this subsection for the most recent calendar quarter is filed prior to the fortieth day before the election on the measure or candidate, the committee shall file an additional disclosure report not later than the fortieth day before the election for the period closing on the forty-fifth day before the election.

2. In the case of a ballot measure to be qualified to be on the ballot by initiative petition or referendum petition, or a recall petition seeking to remove an incumbent from office, disclosure reports relating to the time for filing such petitions shall be made as follows:

(1) In addition to the disclosure reports required to be filed pursuant to subsection 1 of this section the treasurer of a committee, other than a continuing committee, supporting or opposing a petition effort to qualify a measure to appear on the ballot or to remove an incumbent from office shall file an initial disclosure report fifteen days after the committee begins the process of raising or spending money. After such initial report, the committee shall file quarterly disclosure reports as required by subdivision (3) of subsection 1 of this section until such time as the reports required by subdivisions (1) and (2) of subsection 1 of this section are to be filed. In addition the committee shall file a second disclosure report no later than the fifteenth day after the deadline date for submitting such petition. The period covered in the initial report shall begin on the day the committee first accepted contributions or made expenditures to support or oppose the petition effort for qualification of the measure and shall close on the fifth day prior to the date of the report;

(2) If the measure has qualified to be on the ballot in an election and if a committee subject to the requirements of subdivision (1) of this subsection is also required to file a preelection disclosure report for such election any time within thirty days after the date on which disclosure reports are required to be filed in accordance with subdivision (1) of this subsection, the treasurer of such committee shall not be required to file the report required by subdivision (1) of this subsection, but shall include in the committee's preelection report all information which would otherwise have been required by subdivision (1) of this subsection.

3. The candidate, if applicable, treasurer or deputy treasurer of a committee shall file disclosure reports pursuant to this section, except for any calendar quarter in which the contributions received by the committee or the expenditures or contributions made by the committee do not exceed five hundred dollars. The reporting dates and periods covered for such quarterly reports shall not be later than the fifteenth day of January, April, July and October for periods closing on the thirty-first day of December, the thirty-first day of March, the thirtieth day of June and the thirtieth day of September. No candidate, treasurer or deputy treasurer shall be required to file the quarterly disclosure report required not later than the fifteenth day of any January immediately following a November election, provided that such candidate, treasurer or deputy treasurer shall file the information required on such quarterly report on the quarterly report to be filed not later than the fifteenth day of April immediately following such November election. Each report by such committee shall be cumulative from the date of the last report. In the case of the continuing committee's first report, the report shall be cumulative from the date of the continuing committee's organization. Every candidate, treasurer or deputy treasurer shall file, at a minimum, the campaign disclosure reports covering the quarter immediately preceding the date of the election and those required by subdivisions (1) and (2) of subsection 1 of this section. A continuing committee shall submit additional reports if it makes aggregate expenditures, other than contributions to a committee, of five hundred dollars or more, within the reporting period at the following times for the following periods:

(1) Not later than the [seventh] **eighth** day before an election for the period closing on the twelfth day before the election;

(2) Not later than forty-eight hours after aggregate expenditures of five hundred dollars or more are made after the twelfth day before the election; and

(3) Not later than the thirtieth day after an election for a period closing on the twenty-fifth day after the election.

4. The reports required to be filed no later than the thirtieth day after an election and any subsequently required report shall be cumulative so as to reflect the total receipts and disbursements of the reporting committee for the entire election campaign in question. The period covered by each disclosure report shall begin on the day after the closing date of the most recent disclosure report filed and end on the closing date for the period covered. If the committee has not previously filed a disclosure report, the period covered begins on the date the committee was formed; except that in the case of a candidate committee, the period covered begins on the date the candidate became a candidate according to the

definition of the term candidate in section 130.011.

5. Notwithstanding any other provisions of this chapter to the contrary:

(1) Certain disclosure reports pertaining to any candidate who receives nomination in a primary election and thereby seeks election in the immediately succeeding general election shall not be required in the following cases:

(a) If there are less than fifty days between a primary election and the immediately succeeding general election, the disclosure report required to be filed quarterly; provided that, any other report required to be filed prior to the primary election and all other reports required to be filed not later than the [seventh] eighth day before the general election are filed no later than the final dates for filing such reports;

(b) If there are less than eighty-five days between a primary election and the immediately succeeding general election, the disclosure report required to be filed not later than the thirtieth day after the primary election need not be filed; provided that any report required to be filed prior to the primary election and any other report required to be filed prior to the general election are filed no later than the final dates for filing such reports; and

(2) No disclosure report needs to be filed for any reporting period if during that reporting period the committee has neither received contributions aggregating more than five hundred dollars nor made expenditure aggregating more than five hundred dollars and has not received contributions aggregating more than two hundred [fifty] **seventy-five** dollars from any single contributor **and if the committee's treasurer files a statement with the appropriate officer that the committee has not exceeded the identified thresholds in the reporting period.** Any contributions received or expenditures made which are not reported because [of] this statement is filed in lieu of a disclosure report shall be included in the next disclosure report filed by the committee. [A] **This report shall not be filed [for] in lieu of two or more consecutive disclosure [quarters] periods if either the contributions received or expenditures made in the aggregate during those reporting periods exceed five hundred dollars [and a report]. This statement shall not be filed in lieu of the report** not later than the thirtieth day after an election if that report would show a deficit of more than one thousand dollars.

6. (1) If the disclosure report required to be filed by a committee not later than the thirtieth day after an election shows a deficit of unpaid loans and other outstanding obligations in excess of five thousand dollars, semiannual supplemental disclosure reports shall be filed with the appropriate officer for each succeeding semiannual period until the deficit is reported in a disclosure report as being reduced to five thousand dollars or less; except that, a supplemental semiannual report shall not be required for any semiannual period which includes the closing date for the reporting period covered in any regular disclosure report which the committee is required to file in connection with an election. The reporting dates and periods covered for semiannual reports shall be not later than the fifteenth day of January and July for periods closing on the thirty-first day of December and the thirtieth day of June;

(2) Committees required to file reports pursuant to subsection 2 or 3 of this section which are not otherwise required to file disclosure reports for an election shall file semiannual reports as required by this subsection if their last required disclosure report shows a total of unpaid loans and other outstanding obligations in excess of five thousand dollars.

7. In the case of a committee which disbands and is required to file a termination statement pursuant to the provisions of section 130.021 with the appropriate officer not later than the tenth day after the committee was dissolved, the candidate, committee treasurer or deputy treasurer shall attach to the termination statement a complete disclosure report for the period closing on the date of dissolution. A committee shall not utilize the provisions of subsection 8 of section 130.021 or the provisions of this subsection to circumvent or otherwise avoid the reporting requirements of subsection 6 or 7 of this section.

8. Disclosure reports shall be filed with the appropriate officer not later than 5:00 p.m. prevailing local time of the day designated for the filing of the report and a report postmarked not later than midnight of the day previous to the day designated for filing the report shall be deemed to have been filed in a timely manner. The appropriate officer may establish a policy whereby disclosure reports may be filed by facsimile transmission.

130.049. **1.** An out-of-state committee which according to the provisions of subsection 10 of section 130.021 is not required to file a statement of organization and is not required to file the full disclosure reports required by section 130.041 shall file reports with the Missouri ethics commission according to the provisions of [such sections] **this subsection** if the committee makes contributions or expenditures in support of or in opposition to candidates or ballot measures in this state in any election covered by this chapter or makes contributions to any committee domiciled in this state. An initial report shall be filed no later than fourteen days prior to the date such out-of-state committee first makes a contribution or expenditure in this state[. Such initial report shall state the name and address of the committee receiving such contributions or expenditures.], **and thereafter reports shall be filed at the times and for the reporting periods prescribed in subsection 1 of section 130.046.** The contributions or expenditures shall be made

no later than thirty days prior to the election. [The out-of-state committee thereafter shall file copies of the campaign disclosure report required to be filed in the domicile of the committee with the Missouri ethics commission as required by subsections 1 to 3 of section 130.046.] No candidate or committee may accept any contribution made by a committee domiciled outside this state unless the provisions of this section are met.

2. Each out-of-state committee report shall contain:

(1) The full name, address and domicile of the committee making the report and the name, residential and business addresses, domicile and telephone numbers of the committee's treasurer;

(2) The name and address of any entity such as a labor union, trade or business or professional association, club or other organization or any business entity with which the committee is affiliated;

(3) A statement of the total dollar amount of all funds received by the committee in the current calendar year and a statement of the total contributions in the same period from persons domiciled in this state and a list by name, address, date and amount of each Missouri resident who contributed an aggregate of more than two hundred dollars in the current calendar year;

(4) A list by name, address, date and amount regarding any contributor to the out-of-state committee, regardless of state of residency, who made a contribution during the reporting period which was restricted or designated in whole or in part for use in supporting or opposing a candidate, ballot measure or committee in this state or was restricted for use in this state at the committee's discretion or a statement that no such contributions were received;

(5) A statement as to whether the committee is required to file reports with the Federal Election Commission and a listing of agencies in other states with which the committee files reports, if any;

(6) A separate listing showing contributions made in support of or opposition to each candidate or ballot measure in this state, together with the date and amount of each contribution;

(7) A separate listing showing contributions made to any committee domiciled in the state with the date and amount of each contribution.

[130.050. 1. An out-of-state committee which, according to the provisions of subsection 10 of section 130.021, is not required to file a statement of organization and is not required to file the full disclosure reports required by section 130.041 shall file reports with the Missouri ethics commission according to the provisions of this subsection if the committee makes contributions or expenditures in support of or in opposition to candidates or ballot measures in this state in any election covered by this chapter or makes contributions to any committee domiciled in this state. An initial report shall be filed on or within fourteen days prior to the date such out-of-state committee first makes a contribution or expenditure in this state, and thereafter reports shall be filed at the times and for the reporting periods prescribed in subsection 1 of section 130.046. Each report shall contain:

(1) The full name, address and domicile of the committee making the report and the name, residential and business addresses, domicile and telephone numbers of the committee's treasurer;

(2) The name and address of any entity such as a labor union, trade or business or professional association, club or other organization or any business entity with which the committee is affiliated;

(3) A statement of the total dollar amount of all funds received by the committee in the current calendar year and a statement of the total contributions in the same period from persons domiciled in this state and a list by name, address, date and amount of each Missouri resident who contributed an aggregate of more than two hundred dollars in the current calendar year;

(4) A list by name, address, date and amount regarding any contributor to the out-of-state committee, regardless of state of residency, who made a contribution during the reporting period which was restricted or designated in whole or in part for use in supporting or opposing a candidate, ballot measure or committee in this state or was restricted for use in this state at the committee's discretion, or a statement that no such contributions were received;

(5) A statement as to whether the committee is required to file reports with the Federal Election Commission, and a listing of agencies in other states with which the committee files reports, if any;

(6) A separate listing showing contributions made in support of or opposition to each candidate or ballot measure in this state, together with the date and amount of each contribution;

(7) A separate listing showing contributions made to any committee domiciled in this state with the date and amount of each contribution.

2. In the case of a political party committee's selection of an individual to be the party's nominee for public office in an election covered by this chapter, any individual who seeks such nomination and who is a candidate according to the definition of the term candidate in section 130.011 shall be required to comply with all requirements of this chapter; except that, for the purposes of this subsection, the reporting dates and reporting periods in section 130.046 shall not

apply, and the first reporting date shall be no later than the fifteenth day after the date on which a nomination covered by this subsection was made and for the period beginning on the date the individual became a candidate, as the term candidate is defined in section 130.011, and closing on the tenth day after the date the nomination was made, with subsequent reports being made as closely as practicable to the times required in section 130.046.

3. The receipt of any late contribution or loan of more than two hundred fifty dollars by a candidate committee supporting a candidate for statewide office or by any other committee shall be reported to the appropriate officer no later than forty-eight hours after receipt. For purposes of this subsection the term "late contribution or loan" means a contribution or loan received after the closing date of the last disclosure report required to be filed before an election but received prior to the date of the election itself. The disclosure report of a late contribution may be made by any written means of communication, setting forth the name and address of the contributor or lender and the amount of the contribution or loan and need not contain the signatures and certification required for a full disclosure report described in section 130.041. A late contribution or loan shall be included in subsequent disclosure reports without regard to any special reports filed pursuant to this subsection.]

130.056. 1. The executive director of the Missouri ethics commission shall:

(1) Take such steps as are necessary to disseminate among the general public such information as may serve to guide all persons who are or may become subject to the provisions of this chapter for the purpose of facilitating voluntary compliance with the purposes and provisions of this chapter;

(2) Be responsible for expediting the filing of all reports, statements and other information required to be filed pursuant to the provisions of this chapter and, in connection therewith, be responsible for developing procedures whereby all candidates shall be informed of the provisions of section 130.016 so as to assure the timely filing of statements which some candidates are eligible to file as provided in section 130.016;

(3) Develop and publish forms and printed instructional material and furnish such forms and instructions to persons required to file reports and statements pursuant to the provisions of this chapter, together with a summary of the provisions of chapter 115, RSMo, which apply to candidates and committees covered by this chapter, provided, however, such forms shall not seek information which is not specifically required by this chapter. All forms furnished pursuant to this chapter shall clearly state in readable type on the face of the form the date on which the form became effective. The forms published by the executive director shall provide for compliance with reporting and other provisions of this chapter. Any report form published by the executive director for purposes of compliance with section 130.041 shall provide for reporting contributions from individuals, corporations, labor organizations and fictitious entities and contributions from committees on the same form. Contributions from committees shall be listed first on each report form. All expenditures shall also be reported on a single report form;

(4) Develop a filing, coding and cross-indexing system for reports and statements required to be filed with the Missouri ethics commission, and preserve such reports and statements for a period of not less than five years from date of receipt;

(5) Make the reports and statements filed with the Missouri ethics commission available for public inspection and copying, commencing as soon as practicable but not later than the end of the second day after which a report was received, and permit copying of any such report or statement by hand or by duplicating machine, as requested by any person, at the expense of such person, but no information obtained from such reports and statements shall be sold or utilized by any person for any commercial purpose;

(6) Examine each report and statement filed with the Missouri ethics commission pursuant to the requirements of this chapter to determine if the statements are properly completed and filed within the time required by this chapter;

(7) Notify a person required to file a report or statement pursuant to this chapter with the Missouri ethics commission immediately if, upon examination of the official ballot or other circumstances surrounding any election, it appears that the person has failed to file a report or statement as required by law;

(8) From reports filed with the Missouri ethics commission, prepare and publish an annual report including compilations of amounts contributed and expended for the influencing of nominations and elections;

(9) Prepare and publish such other reports as the Missouri ethics commission deems appropriate;

(10) Disseminate statistics, summaries, and reports prepared under this chapter;

(11) Employ staff and retain such contract services, including legal services to represent the commission before any state agency or before the courts as the executive director deems necessary within the limits authorized by appropriation by the general assembly.

2. Each appropriate officer other than the executive director of the Missouri ethics commission shall:

(1) Assist the executive director in furnishing forms and printed instructional material to persons required to file reports and statements pursuant to the provisions of this chapter;

- (2) Accept reports and statements required to be filed with the person's office;
- (3) Develop for the officer's constituency a filing, coding, and cross-indexing system consonant with the purposes of this chapter;
- (4) Make the reports and statements filed with the officer available for public inspection and copying, commencing as soon as practicable but not later than the end of the second day after which a report was received, and permit copying of any such report or statement by hand or by duplicating machine, as requested by any person, at the expense of such person, but no information obtained from such reports and statements shall be sold or utilized by any person for any commercial purpose;
- (5) Preserve such reports and statements for a period of not less than five years from the date of receipt;
- (6) Examine each report and statement filed with the person's office pursuant to the requirements of this chapter to determine if the reports and statements appear to be complete and filed within the required time;
- (7) Notify a person required to file a report or statement pursuant to this chapter immediately if, upon examination of the circumstances surrounding any election, it appears that the person has failed to file a report or statement as required by law;
- (8) Notify the Missouri ethics commission if the person has reasonable cause to believe that a violation of this chapter has occurred;
- (9) Assess every candidate for state or local office failing to file with a local election authority pursuant to section 130.026, a campaign disclosure report as required by this chapter other than the report required pursuant to subdivision (1) of subsection 1 of section 130.046, a late filing fee of ten dollars for each day such report is due to the election authority. The local election authority shall mail a notice, by registered mail, to any candidate and candidate committee treasurer and deputy treasurer who fails to file such report informing such person of such failure and the fees provided by this subdivision. If the candidate persists in such failure for a period in excess of thirty days beyond the receipt of such notice, the amount of the late filing fee shall increase to one hundred dollars for each day that the report is not filed, provided that the total amount of such fees assessed pursuant to this subsection per report shall not exceed three hundred dollars. **Any fee collected pursuant to this subdivision shall be deposited to the credit of such county's county school fund pursuant to section 166.131, RSMo.**

3. Any person receiving from an appropriate officer a copy of, or who is permitted to inspect or make a copy of, any report or statement filed pursuant to the requirements of this chapter shall sign a statement that the person will not utilize the reports or statements or any information thereon for any commercial use, except for public news reporting, whatsoever and will not transfer the information obtained to any other persons for such purposes. It shall be the responsibility of each appropriate officer to instruct any person making a request to inspect, copy or receive a copy of any report or statement or any portion of a report or statement filed pursuant to this chapter that the utilization of any information obtained from such reports for any commercial purpose is a violation of this chapter.

130.062. In the case of a political party committee's selection of an individual to be the party's nominee for public office in an election, any individual who seeks such nomination and who is a candidate as that term is defined in section 130.011 shall be required to comply with all requirements of this chapter; except that, for the purposes of this section, the reporting dates and reporting periods in section 130.046 shall not apply, and the first reporting date shall be no later than the fifteenth day after the date on which a nomination covered by this subsection was made and for the period beginning on the date the individual became a candidate, as that term is defined in section 130.011, and closing on the tenth day after the nomination was made, with subsequent reports being made as closely as practicable to the times required in section 130.046.

130.063. The receipt of any late contribution or loan of more than two hundred seventy-five dollars by a candidate committee supporting a candidate for statewide office or by any other committee shall be reported to the appropriate officer no later than forty-eight hours after receipt. For purposes of this subsection the term "late contribution or loan" means a contribution or loan received after the closing date of the last disclosure report required to be filed before an election but received prior to the date of the election itself. The disclosure report of a late contribution may be made by any written means of communication, setting forth the name and address of the contributor or lender and the amount of the contribution or loan and need not contain the signatures and certification required for a full disclosure report described in section 130.041. A late contribution or loan shall be included in subsequent disclosure reports without regard to any special reports filed pursuant to this section."; and

Further amend the title, enacting clause and intersectional references accordingly.

Representative Reid requested a division of the question on **Part I of House Amendment No. 2**.

The division of the question was denied by the Chair.

Representative Reid offered **House Substitute Amendment No. 1 for Part I of House Amendment No. 2**.

Representative Seigfreid raised a point of order that **House Substitute Amendment No. 1 for Part I of House Amendment No. 2** is dilatory.

The Chair ruled the point of order well taken.

On motion of Representative Seigfreid, **Part I of House Amendment No. 2** was adopted.

House Amendment No. 2

PART II

AMEND House Substitute for House Committee Substitute for Senate Bill No. 72, by inserting all of the following in the appropriate place:

“130.081. 1. Any person who [purposely] **knowingly** violates the provisions of this chapter is guilty of a class A misdemeanor.

2. Any person who fails to file any report or statement required by this chapter within the time periods specified in sections 130.011 to [130.051] **130.049** is guilty of an infraction.

3. Notwithstanding any other provision of law which bars prosecutions for any offenses other than a felony unless commenced within one year after the commission of the offense, any offense under the provisions of this chapter may be prosecuted if the indictment be found or prosecution be instituted within three years after the commission of the alleged offense.

4. Any prohibition to the contrary notwithstanding, no person shall be deprived of the rights, guarantees, protections or privileges accorded by sections 130.011 to 130.026, 130.031 to 130.068, 130.072, and 130.081 by any person, corporation, entity or political subdivision.”; and

Further amend the title, enacting clause and intersectional references accordingly.

Representative Seigfreid moved that **Part II of House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 030

Barnitz	Bray 84	Carnahan	Coleman	Copenhaver
Curls	Davis	Dolan	Fraser	Harding
Harlan	Hegeman	Hilgemann	Johnson 90	Jolly
Kennedy	Merideth	Monaco	Ransdall	Relford
Rizzo	Scheve	Seigfreid	Selby	Shoemyer
Skaggs	Thompson	Willoughby	Wilson 25	Wilson 42

NOES: 117

Abel	Baker	Ballard	Barnett	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Britt	Burcham
Burton	Byrd	Campbell	Champion	Cierpiot
Clayton	Cooper	Crawford	Crowell	Crump
Cunningham	Dempsey	Fares	Farnen	Foley
Ford	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Hartzler	Haywood	Henderson
Hendrickson	Hickey	Hohulin	Holand	Hollingsworth
Holt	Hunter	Jetton	Johnson 61	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Legan	Levin	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Miller	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Overschmidt	Phillips	Portwood	Purgason
Rector	Reid	Reinhart	Reynolds	Richardson
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Secrest	Shelton	Shields	Smith
St. Onge	Surface	Townley	Troupe	Villa
Vogel	Wagner	Walton	Ward	Williams
Wright	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 013

Brooks	Enz	Franklin	Froelker	Hoppe
Hosmer	Lawson	Liese	Linton	Ostmann
Treadway	Van Zandt	Wiggins		

VACANCIES: 003

Representative Graham offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Bill No. 72, Page 24, Section 610.027, Line 24, by striking the opening bracket “[“ on said line; and

Further amend said bill, page and section, Line 24, by striking the following: “] **knowingly**”; and

Further amend said bill, Page 25, Section 610.027, Line 6, by striking the word “**knowing**”.

Representative Graham moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Campbell offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Bill No. 72, Page 15, Section 610.010, Line 2 of said page, by inserting after the word “**Missouri**” the following:

“**system established in section 172.020, RSMo, as “The Curators of the University of Missouri”.**

On motion of Representative Campbell, **House Amendment No. 4** was adopted.

Representative Rizzo offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Bill No. 72, Page 4, Section 109.120, Line 14, by inserting immediately following said line the following:

“**4. When video tapes are recorded by a law enforcement agency of this state, said video tapes shall be retained by the law enforcement agency for a period of one hundred eighty (180) days. After one hundred eighty (180) days, said video tapes may be destroyed or reused by the law enforcement agency at their discretion.”.**

Representative Ridgeway offered **House Substitute Amendment No. 1 for House Amendment No. 5**.

House Substitute Amendment No. 1 for House Amendment No. 5 was withdrawn.

Representative Ridgeway offered **House Substitute Amendment No. 1 for House Amendment No. 5**.

*House Substitute Amendment No. 1
for
House Amendment No. 5*

AMEND House Substitute for House Committee Substitute for Senate Bill No. 72, Page 4, Section 109.120, Line 14, by inserting immediately following said line the following:

“**4. When video tapes are recorded by a law enforcement agency of this state, said video tapes shall be retained by the law enforcement agency for a period of three hundred sixty-five (365) days. After three hundred sixty-five (365) days, said video tapes may be destroyed or reused by the law enforcement agency at their discretion.”.**

On motion of Representative Ridgeway, **House Substitute Amendment No. 1 for House Amendment No. 5** was adopted.

Representative Riback Wilson (25) offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Bill No. 72, Page 26, Section 610.027, Line 15, by inserting immediately after said line the following:

“610.333 In addition to the requirements established pursuant to the federal Family Educational Rights and Privacy Act, an institution of higher education shall not disclose any information contained in the student’s education records to a parent or guardian of a student who is eighteen years of age or older. The provisions of this section shall not apply if such student is financially dependent, as defined in Section 152 of the federal Internal Revenue Code of 1954, or if the records are requested through subpoena or judicial order. Any student may waive the right granted in this section by signing a consent form for such disclosures with the institution at which he or she is enrolled at the beginning of each academic year.”; and

Further amend said bill, by amending the title and enacting clause accordingly.

On motion of Representative Riback Wilson (25), **House Amendment No. 6** was adopted.

Representative Luetkenhaus offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for Senate Bill No. 72, Page 26, Section 610.027, Line 15 of said page, by inserting after said line the following:

“Section 1. The provisions of section 191.940, RSMo, shall not prohibit the disclosure of information regarding an individual to a person if such person has an obligation to arrange for or provide medical care or treatment to that individual, including release of information to a parent or legal guardian regarding an unemancipated minor child.”; and

Further amend the title and enacting clause of said bill accordingly.

On motion of Representative Luetkenhaus, **House Amendment No. 7** was adopted.

Speaker Kreider assumed the Chair.

Representative Long offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for Senate Bill No. 72, Page 1, Section A, Line 13 of said page, by inserting immediately after said line the following:

“28.681. 1. Any statement, document or notice required or permitted to be filed with or transmitted by the secretary of state, or any judicial decree requiring the filing of such document, except any document or judicial decree relating to his or her statutory or constitutional duties relating to elections, may be filed, transmitted, stored and maintained in an electronic format prescribed by the secretary of state. No statement, document or notice submitted or filed in an electronic format need be submitted or filed in duplicate. Nothing in this section shall require the secretary of state to accept or transmit any statement, document or notice in an electronic format.

2. Any statutory requirement that a statement, document or notice filed with the secretary of state be signed by any person shall be satisfied by an electronically transmitted identification in a format prescribed by the secretary of state. [signature that is:

- (1) Unique to the person using it;**
 - (2) Capable of verification;**
 - (3) Under the sole control of the person using it;**
 - (4) Linked to the document in such a manner that if the data is changed, the signature is invalidated; and**
 - (5) Intended by the party using it to have the same force and effect as the use of a manual signature.]**
- 3. Any requirement that a statement, document or notice filed with the secretary of state be notarized may be**

satisfied by a properly authenticated [digital signature] **identification in a format prescribed by the secretary of state.** The execution of any statement, document or notice [with a digital signature] pursuant to this subsection constitutes an affirmation under penalty of perjury that the facts stated therein are true and that such person or persons are duly authorized to execute such statement, document or notice, or are otherwise required to file such statement, document or notice.

4. The secretary of state may promulgate rules to effectuate the provisions of this section.

[28.681. 1. Any statement, document or notice, except any document or judicial decree relating to the secretary of state's statutory or constitutional duties regarding elections, required or permitted to be filed with or transmitted by the secretary of state, or any judicial decree requiring the filing of such document, may be filed, transmitted, stored and maintain in an electronic format prescribed by the secretary of state. No statement, document or notice submitted or filed in an electronic format need e submitted or filed in duplicate. Nothing in this section shall require the secretary of state to accept or transmit any statement, document or notice in an electronic format.

2. Any statutory requirement that a statement, document or notice be signed by any person shall be satisfied by an electronically transmitted signature that is:

- (1) Unique to the person using it;
- (2) Capable of verification;
- (3) Under the sole control of the person using it;
- (4) Linked to the document in such a manner that if the data are changed, the signature is invalidated; and
- (5) Intended by the party using it to have the same force and effect as the use of a manual signature.

3. Any requirement that a statement, document or notice filed with the secretary of state be notarized may be satisfied by a properly authenticated digital signature. The execution of any statement, document or notice with a digital signature pursuant to this subsection constitutes an affirmation under penalty of perjury that the facts stated therein are true and that such person or persons are duly authorized to execute such statement, document or notice or are otherwise required to file such statement, document or notice.]" and

Further amend the title, enacting clause, and intersectional references accordingly.

On motion of Representative Long, **House Amendment No. 8** was adopted.

Representative Lograsso offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for Senate Bill No. 72, Page 18, Section 610.010, Line 22, by adding a comma after the word "closed"; and

Further amend said substitute, Page 18, Section 610.010, Line 23, by adding after the word "meeting" the following: **"when the vote on an issue is not unanimous,"**.

On motion of Representative Lograsso, **House Amendment No. 9** was adopted.

Representative Bearden offered **House Amendment No. 10.**

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for Senate Bill No. 72, Page 17, Section 610.010, Line 7, by inserting the following:

"(g) Any bi-state development agency established pursuant to section 70.370. RSMo;".

On motion of Representative Bearden, **House Amendment No. 10** was adopted.

Representative Hendrickson offered **House Amendment No. 11.**

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for Senate Bill No. 72, Page 4, Section 109.241, by inserting the number “1” before “The head of each local agency shall”; and

Further amend said substitute by inserting after Section 109.241 on Page 6 the following:

“2. The Secretary of State may adopt rules to authorize the electronic facsimile filing of any document filed with the Secretary under any provision administered by the Secretary. The rules may set forth standards for the acceptance of a form of signature other than the proper handwriting of a person. A signature or document filed by electronic facsimile in accordance with rules promulgated pursuant to this section shall be prima facie evidence for all purposes that the document actually was signed by the person whose signature appears on the facsimile.”; and

Further amend the title and enacting clause accordingly.

On motion of Representative Hendrickson, **House Amendment No. 11** was adopted.

Representative Harlan offered **House Amendment No. 12.**

House Amendment No. 12

AMEND House Substitute for House Committee Substitute for Senate Bill No. 72, Section 610.010, Page 24, Line 6 of said page, by inserting immediately after the word “**restructuring**” the following:

“; and

(19) Records relating to individually identifiable residential utility customers”.

On motion of Representative Harlan, **House Amendment No. 12** was adopted.

Representative Foley offered **House Amendment No. 13.**

House Amendment No. 13

AMEND House Substitute for House Committee Substitute for Senate Bill No. 72, Page 14, Section 197.160, Line 5 of said page, by inserting after all of said line the following:

"197.370. Sections 197.370 to 197.398 shall be known as the "Missouri Health Facilities Review Law".

197.372. The "Office of Health Facilities Review", whose purpose is to achieve the highest level of health for Missourians through cost containment, reasonable access, appropriate level of competitive choice, public accountability and preventing unnecessary duplication, is hereby established within the department of health.

197.374. As used in sections 197.370 to 197.398 the following terms mean:

(1) "Committee", as defined in section 197.376;

(2) "Develop", to undertake those activities which on their completion will result in the offering of a new institutional health service or the incurring of a financial obligation in relation to the offering of such a service;

(3) "Filed" or "filing", delivery to the staff of the committee an application and the appropriate application fee;

(4) "First-time service", includes the following that are new units of service in a specific location or for a mobile unit:

(a) Magnetic resonance imaging (MRI), positron emission tomography (PET) and linear acceleration;

- (b) Open heart surgery;
 - (c) Cardiac catheterization;
 - (d) Lithotripsy;
 - (e) Gamma knife; or
 - (f) Other emerging technology that exceeds two million dollars.
- (5) "Health care facilities", hospitals, intermediate care facilities, residential care facility I or II, skilled nursing facilities, diagnostic imaging centers, radiation therapy centers, ambulatory surgical facilities and licensed speciality units but excludes the private offices of physicians, dentists and other practitioners of the healing arts, including Christian Science sanatoriums;
- (6) "New institutional health service":
- (a) The development of a new health care facility;
 - (b) The acquisition, including acquisition by lease, of any health care facility, except for intermediate care facilities, residential care facilities I and II, or skilled care facilities, or facility to house a first-time service;
 - (c) Any change in the licensed bed capacity of a hospital that increases the total number of beds by more than ten beds or more than ten percent of total bed capacity, whichever is less, over a two-year period;
 - (d) Health services, excluding home health services, which are offered in a health care facility and which were not offered on a regular basis in such health care facility within the twelve-month period prior to the time such services would be offered;
 - (e) A reallocation by an existing health care facility of licensed beds from one physical facility or site to another by more than ten beds or more than ten percent of total licensed bed capacity, whichever is less, over a two-year period;
- (7) "Nonreviewable projects", those renovation or replacement projects in a current location whose cost is below seven million five hundred thousand dollars or new ambulatory surgical facilities costing one million five hundred thousand dollars or below, including capital and operating lease costs if applicable, which provides services to patients receiving Medicaid or Medicare. This subsection shall not apply to intermediate care facilities, residential care facilities I and II, and skilled nursing facilities;
- (8) "Nonsubstantive projects", projects which do not involve the addition, replacement, modernization or conversion of beds or the provision of a new institutional health service, but which include an expenditure over seven million five hundred thousand dollars and are due to an act of God or a normal consequence of maintaining health care services, facility or equipment;
- (9) "Person", any individual, trust, estate, partnership, corporation, including associations and joint stock companies, state or political subdivision or instrumentality of thereof, including a municipal corporation;
- (10) "Review certification", a written certificate issued by the committee setting forth the committee's affirmative finding that a proposed project sufficiently satisfies the criteria prescribed for such projects by sections 197.370 to 197.398;
- (11) "Total project cost", an expenditure by or on behalf of a health care facility which, under generally accepted accounting principles, is not properly chargeable as an expense of operation and maintenance and includes but is not limited to land, buildings, capital improvements and all other costs necessary to establish a first-time service or a new institutional health service.
- 197.376. 1. The "Missouri Health Facilities Review Committee" is hereby established under the department of health. The office of health facilities review shall provide clerical and administrative support to the committee and shall be subject to all policies and procedures of the department of health, including employment policies.
2. Those members serving in 2001 shall complete their terms and upon the expiration of such terms, the committee shall be composed of:
- (1) Five members appointed by the governor with the advice and consent of the senate, not more than three of whom shall be from the same political party. Three members shall be appointed in odd numbered years and two members shall be appointed in even numbered years for two year terms, each serving no more than six years; and
 - (2) The director of the division of health standards and licensure within the department of health or his or her designee;
 - (3) The director of the division of aging or his or her designee;
 - (4) Two members of the senate appointed by the president pro tem, who shall be from different political parties; and

(5) Two members of the house of representatives appointed by the speaker who shall be from different political parties.

3. No business of this committee shall be performed without a majority of the full body.

4. The committee shall elect a chairman at the first meeting of each odd numbered year. The committee shall meet at least twice a year or as determined by rule.

5. Members shall serve without compensation but shall be reimbursed for necessary expenses incurred in the performance of their duties.

6. The proceedings and records of the committee shall be subject to the provisions of chapter 610, RSMo. 197.378. The health facilities review committee shall:

(1) Review and approve or disapprove all applications for a review certification made under sections 197.370 to 197.398. It shall issue reasonable rules and regulations governing the submission, review, and disposition of applications;

(2) Notify the applicant within fifteen days of the date of filing of an application as to the completeness of such application as defined by rule;

(3) Provide written notification to persons located within this state at the beginning of a review. The notification may be given through publication of the review schedule in all newspapers of general circulation in the area to be served;

(4) Hold public hearings on all applications when a request in writing is filed by any person within thirty days from the date of publication of the notification of review;

(5) Within one hundred days of the filing of any application, issue in writing its approval or denial of the review certification; provided, that the committee may grant an extension of not more than thirty days on its own initiative or upon the written request of any person;

(6) Send to the applicant a copy of the aforesaid decisions with copies available to any person upon request;

(7) Consider the needs and circumstances of institutions providing training programs for health personnel;

(8) Consider the predominant ethnic, cultural, or religious compositions of the residents to be served by a health care facility in considering whether to grant a review certification;

(9) Failure by the committee to issue a written decision on an application for review certification within the time required by this section shall constitute approval of the final administrative action on the application and is subject to appeal pursuant to section 197.382 only on the question of approval.

197.380. 1. Any person who proposes to develop or offer a new institutional health service or a first-time service shall submit a letter of intent to the committee at least thirty days prior to the filing of the application.

2. An application fee must accompany each application for a review certification. The time of filing commences with the receipt of the application and the fee. The fee is one thousand dollars, or one-tenth of one percent of the total project cost, whichever is greater. All application fees shall be deposited in the state treasury. The general assembly will appropriate funds to the Missouri health facilities review committee.

197.382. Within thirty days of the decision of the committee, only the applicant may file an appeal pursuant to chapter 621, RSMo. Any subsequent appeal shall be to the circuit court of the county in which such health care service or facility is proposed to be developed.

197.384. 1. Prior to May 31, 2004, any person who proposes to develop or offer a new institutional health service must obtain a review certification from the committee prior to the time such services are offered.

2. Prior to May 31, 2004, any person who proposes a first-time service must obtain a review certification from the committee prior to the time such services are offered.

3. Any person who proposes to add new, not previously licensed, beds to an existing hospital, intermediate care facility, residential care facility I or II or skilled nursing facility must obtain a review certification. This shall not preclude the transfer of already licensed beds as defined in section 197.374.

4. Prior to May 31, 2004, any person who proposes to renovate or replace a project in a current location whose cost is over seven million five hundred thousand dollars must obtain a review certification.

5. Any person who proposes renovation, replacement or expansion in excess of ten million dollars shall demonstrate a level of uncompensated care equal to five percent of net operating revenue for the three fiscal years preceding the year in which the application for review certification is filed.

6. Those new institutional health services, first-time services, or addition of beds, that are found by the committee to meet the health needs of the community served pursuant to section 197.390, shall be granted a

review certification.

7. A review certification shall be issued only for the premises and persons named in the application and is not transferable except by the consent of the committee.

8. Project cost increases, exceeding the initial estimate by more than ten percent shall not be incurred without consent of the committee.

9. Periodic reports to the committee shall be required of any applicant who has been granted a review certification until the project has been completed. The committee may order the forfeiture of the review certification upon failure of the applicant to file any such report.

10. A review certification shall be subject to forfeiture for failure to incur expenditures equal to twenty percent of the total approved cost of the project within twelve months after the date of the order. The applicant may request an extension from the committee of not more than six additional months to avoid forfeiture.

11. No state agency charged by statute to license or certify health care facilities shall issue a license to or certify any such facility, or distinct part of such facility, that is developed and is required to have a review certification, without first obtaining a review certification.

12. No state agency may appropriate or grant funds to or make payment of any funds to any person or health care facility that has not first obtained every review certification required pursuant to sections 197.370 to 197.398.

13. In no event shall a review certification be denied because the applicant refuses to provide abortion services or information.

14. A review certification shall not be required for the transfer of ownership of an existing and operational health care facility in its entirety.

15. A review certification may be granted for something less than that which was sought in the original application.

16. To assure the safe, appropriate, and cost-effective transfer of new medical technology throughout the state, a review certification shall not be required for the purchase and operation of research equipment that is to be used in a clinical trial that has received written approval from a duly constituted institutional review board of an accredited school of medicine or osteopathy located in Missouri to establish its safety and efficacy and does not increase the bed complement of the institution in which the equipment is to be located. After the clinical trial has been completed, a review certification must be obtained for continued use in such facility.

17. The provisions of subsections 1, 2 and 4 of this section shall expire on May 31, 2004.

197.386. Review certification is not required for:

(1) Facilities operated by the state. Appropriation of funds to such facilities by the general assembly shall be in compliance, and such facilities shall be deemed to have received an appropriate review certification without any fee or charge;

(2) Facilities which are licensed pursuant to the provisions of chapter 198, RSMo, which are designed and operated exclusively for the care and treatment of persons with acquired human immunodeficiency syndrome (AIDS). Only AIDS patients shall be residents of such a facility and no others. Any facility that violates this provision shall be liable for a fine of one hundred dollars per resident per day for each such violation;

(3) Nonreviewable projects as per subdivision (7) of section 197.374.

197.388. 1. After July 1, 1983, no review certification shall be issued for the following:

(1) Additional residential care facility I, residential care facility II, intermediate care facility or skilled nursing facility beds above the number then licensed by this state;

(2) Beds in a licensed hospital to be reallocated on a temporary or permanent basis to nursing care or beds in a long-term care hospital meeting the requirements described in 42 CFR, Section 412.23(e), excepting those which are not subject to a review certification; nor

(3) The reallocation of intermediate care facility or skilled nursing facility beds of existing licensed beds by transfer or sale of licensed beds between a hospital licensed pursuant to this chapter or a nursing care facility licensed pursuant to chapter 198, RSMo; except for beds in counties in which there is no existing nursing care facility. No review certification shall be issued for the reallocation of existing residential care facility I or II, or intermediate care facilities operated exclusively for the mentally retarded to intermediate care or skilled nursing facilities or beds. However, after January 1, 2003, nothing in this section shall prohibit the Missouri health facilities review committee from issuing a review certification for additional beds in existing health care facilities or for new beds in new health care facilities or for the reallocation of licensed beds, provided that no construction shall begin prior to January 1, 2004.

2. The health facilities review committee shall utilize demographic data from the office of social and economic data analysis, or its successor organization, at the University of Missouri as their source of information in considering applications for new institutional long-term care facilities.

197.390. 1. The provisions of section 197.388 shall not apply to a residential care facility I, residential care facility II, intermediate care facility or skilled nursing facility only where the department of health has first determined that there presently exists a need for additional beds of that classification because the average occupancy of all licensed and available residential care facility I, residential care facility II, intermediate care facility and skilled nursing facility beds exceeds ninety percent for at least four consecutive calendar quarters, in a particular county, and within a fifteen-mile radius of the proposed facility, and the facility otherwise appears to qualify for a review certification. The department's certification that there is no need for additional beds shall serve as the final determination and decision of the committee. In determining ninety percent occupancy, residential care facility I and II shall be one separate classification and intermediate care and skilled nursing facilities are another separate classification.

2. The Missouri health facilities review committee may, for any facility certified to it by the department, consider the predominant ethnic or religious composition of the residents to be served by that facility in considering whether to grant a review certification.

3. There shall be no expenditure minimum for facilities, beds, or services referred to in subdivisions (1), (2) and (3) of section 197.388. The provisions of this subsection shall expire January 1, 2003.

4. As used in this section, the term "licensed and available" means beds which are actually in place and for which a license has been issued.

5. The provisions of section 197.388 shall not apply to any facility where at least ninety-five percent of the patients require diets meeting the dietary standards defined by section 196.165, RSMo.

6. The committee shall review all letters of intent and applications for long-term care hospital beds meeting the requirements described in 42 CFR, Section 412.23(e) under its criteria and standards for long-term care beds.

7. Sections 197.370 to 197.398 shall not be construed to apply to litigation pending in state court on or before April 1, 1996, in which the Missouri health facilities review committee is a defendant in an action concerning the application of sections 197.300 to 197.366 to long-term care hospital beds meeting the requirements described in 42 CFR, Section 412.23(e).

8. Notwithstanding any other provision of this chapter to the contrary:

(1) A facility licensed pursuant to chapter 198, RSMo, may increase its licensed bed capacity by:

(a) Submitting a letter of intent to expand to the division of aging and the health facilities review committee;

(b) Certification from the division of aging that the facility:

a. Has no patient care class I deficiencies within the last eighteen months; and

b. Has maintained a ninety-percent average occupancy rate for the previous six quarters;

(c) Has made an effort to purchase beds for eighteen months following the date the letter of intent to expand is submitted pursuant to paragraph (a) of this subdivision. For purposes of this paragraph, an "effort to purchase" means a copy certified by the offeror as an offer to purchase beds from another licensed facility in the same licensure category; and

(d) If an agreement is reached by the selling and purchasing entities, the health facilities review committee shall issue a review certification for the expansion of the purchaser facility upon surrender of the seller's license; or

(e) If no agreement is reached by the selling and purchasing entities, the health facilities review committee shall permit an expansion for:

a. A facility with more than forty beds may expand its licensed bed capacity within the same licensure category by twenty-five percent or thirty beds, whichever is greater, if that same licensure category in such facility has experienced an average occupancy of ninety-three percent or greater over the previous six quarters;

b. A facility with fewer than forty beds may expand its licensed bed capacity within the same licensure category by twenty-five percent or ten beds, whichever is greater, if that same licensure category in such facility has experienced an average occupancy of ninety-two percent or greater over the previous six quarters;

c. A facility adding beds pursuant to subparagraphs a. or b. of this paragraph shall not expand by more than fifty percent of its then licensed bed capacity in the qualifying licensure category;

(2) Any beds sold shall, for five years from the date of relicensure by the purchaser, remain unlicensed

and unused for any long-term care service in the selling facility, whether they do or do not require a license;

(3) The beds purchased shall, for two years from the date of purchase, remain in the bed inventory attributed to the selling facility and be considered by the department of social services as licensed and available for purposes of this section;

(4) Any residential care facility licensed pursuant to chapter 198, RSMo, may relocate any portion of such facility's current licensed beds to any other facility to be licensed within the same licensure category if both facilities are under the same licensure ownership or control, and are located within six miles of each other;

(5) A facility licensed pursuant to chapter 198, RSMo, may transfer or sell individual long-term care licensed beds to facilities qualifying pursuant to paragraphs (a) and (b) of subdivision (1) of this subsection. Any facility which transfers or sells licensed beds shall not expand its licensed bed capacity in that licensure category for a period of five years from the date the licensure is relinquished.

9. Any existing licensed and operating health care facility offering long-term care services may replace one-half of its licensed beds at the same site or a site not more than thirty miles from its current location if, for at least the most recent four consecutive calendar quarters, the facility operates only fifty percent of its then licensed capacity with every resident residing in a private room. In such case:

(1) The facility shall report to the division of aging vacant beds as unavailable for occupancy for at least the most recent four consecutive calendar quarters;

(2) The replacement beds shall be built to private room specifications and only used for single occupancy; and

(3) The existing facility and proposed facility shall have the same owner or owners, regardless of corporate or business structure, and such owner or owners shall stipulate in writing that the existing facility beds to be replaced will not later be used to provide long-term care services. If the facility is being operated under a lease, both the lessee and the owner of the existing facility shall stipulate the same in writing.

10. Nothing in this section shall prohibit a health care facility licensed pursuant to chapter 198, RSMo, from being replaced in its entirety within fifteen miles of its existing site so long as the existing facility and proposed or replacement facility have the same owner or owners regardless of corporate or business structure and the health care facility being replaced remains unlicensed and unused for any long-term care services whether they do or do not require a license from the date of licensure of the replacement facility.

197.394. 1. Any person who is paid to support or oppose any project before the committee shall register with the staff of the committee for every project in which such person has an interest. The registration shall also include the names and addresses of any person, firm, corporation or association that the person registering represents in relation to the named project. Any person violating the provisions of this subsection shall be subject to the penalties specified in section 105.478, RSMo.

2. Any person regulated by chapter 197 or 198, RSMo, and any officer, attorney, agent and employee thereof, shall not offer to any committee member or to any member of the committee staff, any office, appointment or position, or any present, gift, entertainment or gratuity of any kind while such application is pending before the committee. Any person guilty of knowingly violating the provisions of this section shall be punished as follows: For the first offense, such person is guilty of a class B misdemeanor; and for the second and subsequent offenses, such person is guilty of a class D felony.

197.396. For the purposes of reimbursement under section 208.152, RSMo, project costs for new institutional health services in excess of ten percent of the initial project estimate shall not be eligible for reimbursement for the first three years that a facility receives payment for services provided under section 208.152, RSMo. The initial estimate shall be that amount for which the original review certification was obtained. Reimbursement for these excess costs after the first three years shall not be made until a review certification has been granted for the excess project costs. The provisions of this section shall apply only to facilities which file an application for a review certification or make application for cost-overrun review of their original application or waiver.

197.397. The health facilities review committee shall submit an annual report to the governor and members of the general assembly on all projects that have come before the committee and have been approved, are in process or have been disapproved.

197.398. The committee shall have the power to promulgate reasonable rules, regulations, criteria and standards in conformity with this section and chapter 536, RSMo, to meet the objectives of sections 197.370 to 197.398 including the power to establish criteria and standards to review new types of equipment or service. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the

authority delegated in sections 197.370 to 197.398 shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, sections 536.028, RSMo. All rulemaking authority delegated prior to August 28, 2001, is of no force and effect and repealed. Nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to August 28, 2001, if it fully complied with all applicable provisions of the law. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void."; and

Further amend said bill, Page 26, Section 610.027, Line 15 of said page, by inserting after all of said line the following:

"[197.300. Sections 197.300 to 197.366 shall be known as the "Missouri Certificate of Need Law".]

[197.305. As used in sections 197.300 to 197.366, the following terms mean:

(1) "Affected persons", the person proposing the development of a new institutional health service, the public to be served, and health care facilities within the service area in which the proposed new health care service is to be developed;

(2) "Agency", the certificate of need program of the Missouri department of health;

(3) "Capital expenditure", an expenditure by or on behalf of a health care facility which, under generally accepted accounting principles, is not properly chargeable as an expense of operation and maintenance;

(4) "Certificate of need", a written certificate issued by the committee setting forth the committee's affirmative finding that a proposed project sufficiently satisfies the criteria prescribed for such projects by sections 197.300 to 197.366;

(5) "Develop", to undertake those activities which on their completion will result in the offering of a new institutional health service or the incurring of a financial obligation in relation to the offering of such a service;

(6) "Expenditure minimum" shall mean:

(a) For beds in existing or proposed health care facilities licensed pursuant to chapter 198, RSMo, and long-term care beds in a hospital as described in subdivision (3) of subsection 1 of section 198.012, RSMo, six hundred thousand dollars in the case of capital expenditures, or four hundred thousand dollars in the case of major medical equipment, provided, however, that prior to January 1, 2003, the expenditure minimum for beds in such a facility and long-term care beds in a hospital described in section 198.012, RSMo, shall be zero, subject to the provisions of subsection 7 of section 197.318;

(b) For beds or equipment in a long-term care hospital meeting the requirements described in 42 CFR, Section 412.23(e), the expenditure minimum shall be zero; and

(c) For health care facilities, new institutional health services or beds not described in paragraph (a) or (b) of this subdivision one million dollars in the case of capital expenditures, excluding major medical equipment, and one million dollars in the case of medical equipment;

(7) "Health care facilities", hospitals, health maintenance organizations, tuberculosis hospitals, psychiatric hospitals, intermediate care facilities, skilled nursing facilities, residential care facilities I and II, kidney disease treatment centers, including freestanding hemodialysis units, diagnostic imaging centers, radiation therapy centers and ambulatory surgical facilities, but excluding the private offices of physicians, dentists and other practitioners of the healing arts, and Christian Science sanatoriums, also known as Christian Science Nursing facilities listed and certified by the Commission for Accreditation of Christian Science Nursing Organization/Facilities, Inc., and facilities of not-for-profit corporations in existence on October 1, 1980, subject either to the provisions and regulations of Section 302 of the Labor-Management Relations Act, 29 U.S.C. 186 or the Labor-Management Reporting and Disclosure Act, 29 U.S.C. 401-538, and any residential care facility I or residential care facility II operated by a religious organization qualified pursuant to Section 501(c)(3) of the federal Internal Revenue Code, as amended, which does not require the expenditure of public funds for purchase or operation, with a total licensed bed capacity of one hundred beds or fewer;

(8) "Health service area", a geographic region appropriate for the effective planning and development of health services, determined on the basis of factors including population and the availability of resources, consisting of a population of not less than five hundred thousand or more than three million;

(9) "Major medical equipment", medical equipment used for the provision of medical and other health services;

(10) "New institutional health service":

(a) The development of a new health care facility costing in excess of the applicable expenditure minimum;

(b) The acquisition, including acquisition by lease, of any health care facility, or major medical equipment costing in excess of the expenditure minimum;

(c) Any capital expenditure by or on behalf of a health care facility in excess of the expenditure minimum;

(d) Predevelopment activities as defined in subdivision (13) hereof costing in excess of one hundred fifty thousand dollars;

(e) Any change in licensed bed capacity of a health care facility which increases the total number of beds by more than ten or more than ten percent of total bed capacity, whichever is less, over a two-year period;

(f) Health services, excluding home health services, which are offered in a health care facility and which were not offered on a regular basis in such health care facility within the twelve-month period prior to the time such services would be offered;

(g) A reallocation by an existing health care facility of licensed beds among major types of service or reallocation of licensed beds from one physical facility or site to another by more than ten beds or more than ten percent of total licensed bed capacity, whichever is less, over a two-year period;

(11) "Nonsubstantive projects", projects which do not involve the addition, replacement, modernization or conversion of beds or the provision of a new health service but which include a capital expenditure which exceeds the expenditure minimum and are due to an act of God or a normal consequence of maintaining health care services, facility or equipment;

(12) "Person", any individual, trust, estate, partnership, corporation, including associations and joint stock companies, state or political subdivision or instrumentality thereof, including a municipal corporation;

(13) "Predevelopment activities", expenditures for architectural designs, plans, working drawings and specifications, and any arrangement or commitment made for financing; but excluding submission of an application for a certificate of need.]

[197.310. 1. The "Missouri Health Facilities Review Committee" is hereby established. The agency shall provide clerical and administrative support to the committee. The committee may employ additional staff as it deems necessary.

2. The committee shall be composed of:

(1) Two members of the senate appointed by the president pro tem, who shall be from different political parties; and

(2) Two members of the house of representatives appointed by the speaker, who shall be from different political parties; and

(3) Five members appointed by the governor with the advice and consent of the senate, not more than three of whom shall be from the same political party.

3. No business of this committee shall be performed without a majority of the full body.

4. The members shall be appointed as soon as possible after September 28, 1979. One of the senate members, one of the house members and three of the members appointed by the governor shall serve until January 1, 1981, and the remaining members shall serve until January 1, 1982. All subsequent members shall be appointed in the manner provided in subsection 2 of this section and shall serve terms of two years.

5. The committee shall elect a chairman at its first meeting which shall be called by the governor. The committee shall meet upon the call of the chairman or the governor.

6. The committee shall review and approve or disapprove all applications for a certificate of need made under sections 197.300 to 197.366. It shall issue reasonable rules and regulations governing the submission, review and disposition of applications.

7. Members of the committee shall serve without compensation but shall be reimbursed for necessary expenses incurred in the performance of their duties.

8. Notwithstanding the provisions of subsection 4 of section 610.025, RSMo, the proceedings and records of the facilities review committee shall be subject to the provisions of chapter 610, RSMo.]

[197.312. A certificate of need shall not be required for any institution previously owned and operated for or in behalf of a city not within a county which chooses to be licensed as a facility defined under subdivision (15) or (16) of section 198.006, RSMo, for a facility of ninety beds or less that is owned or operated by a not-for-profit corporation which is exempt from federal income tax as an organization described in section 501(c)(3) of the Internal Revenue Code of 1986, which is controlled directly by a religious organization and which has received approval by the division of aging of plans for construction of such facility by August 1, 1995, and is licensed by the division of aging by July 1, 1996, as a facility defined under subdivision (15) or (16) of section 198.006, RSMo, or for a facility, serving exclusively mentally ill, homeless persons, of sixteen beds or less that is owned or operated by a not-for-profit corporation which

is exempt from federal income tax which is described in section 501(c)(3) of the Internal Revenue Code of 1986, which is controlled directly by a religious organization and which has received approval by the division of aging of plans for construction of such facility by May 1, 1996, and is licensed by the division of aging by July 1, 1996, as a facility defined under subdivision (15) or (16) of section 198.006, RSMo, or a residential care facility II located in a city not within a county operated by a not for profit corporation which is exempt from federal income tax which is described in section 501(c)(3) of the Internal Revenue Code of 1986, which is controlled directly by a religious organization and which is licensed for one hundred beds or less on or before August 28, 1997.]

[197.314. 1. The provisions of sections 197.300 to 197.366 shall not apply to any sixty-bed stand-alone facility designed and operated exclusively for the care of residents with Alzheimer's disease or dementia and located in a tax increment financing district established prior to 1990 within any county of the first classification with a charter form of government containing a city with a population of over three hundred fifty thousand and which district also has within its boundaries a skilled nursing facility.

2. The provisions of sections 197.300 to 197.366 shall not apply, as hereinafter stated, to a skilled nursing facility that is owned or operated by a not-for-profit corporation which was created by a special act of the Missouri general assembly, is exempt from federal income tax as an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, is owned by a religious organization and is to be operated as part of a continuing care retirement community offering independent living, residential care and skilled care. This exemption shall authorize no more than twenty additional skilled nursing beds at each of two facilities which do not have any skilled nursing beds as of January 1, 1999.]

[197.315. 1. Any person who proposes to develop or offer a new institutional health service within the state must obtain a certificate of need from the committee prior to the time such services are offered.

2. Only those new institutional health services which are found by the committee to be needed shall be granted a certificate of need. Only those new institutional health services which are granted certificates of need shall be offered or developed within the state. No expenditures for new institutional health services in excess of the applicable expenditure minimum shall be made by any person unless a certificate of need has been granted.

3. After October 1, 1980, no state agency charged by statute to license or certify health care facilities shall issue a license to or certify any such facility, or distinct part of such facility, that is developed without obtaining a certificate of need.

4. If any person proposes to develop any new institutional health care service without a certificate of need as required by sections 197.300 to 197.366, the committee shall notify the attorney general, and he shall apply for an injunction or other appropriate legal action in any court of this state against that person.

5. After October 1, 1980, no agency of state government may appropriate or grant funds to or make payment of any funds to any person or health care facility which has not first obtained every certificate of need required pursuant to sections 197.300 to 197.366.

6. A certificate of need shall be issued only for the premises and persons named in the application and is not transferable except by consent of the committee.

7. Project cost increases, due to changes in the project application as approved or due to project change orders, exceeding the initial estimate by more than ten percent shall not be incurred without consent of the committee.

8. Periodic reports to the committee shall be required of any applicant who has been granted a certificate of need until the project has been completed. The committee may order the forfeiture of the certificate of need upon failure of the applicant to file any such report.

9. A certificate of need shall be subject to forfeiture for failure to incur a capital expenditure on any approved project within six months after the date of the order. The applicant may request an extension from the committee of not more than six additional months based upon substantial expenditure made.

10. Each application for a certificate of need must be accompanied by an application fee. The time of filing commences with the receipt of the application and the application fee. The application fee is one thousand dollars, or one-tenth of one percent of the total cost of the proposed project, whichever is greater. All application fees shall be deposited in the state treasury. Because of the loss of federal funds, the general assembly will appropriate funds to the Missouri health facilities review committee.

11. In determining whether a certificate of need should be granted, no consideration shall be given to the facilities or equipment of any other health care facility located more than a fifteen-mile radius from the applying facility.

12. When a nursing facility shifts from a skilled to an intermediate level of nursing care, it may return to the higher level of care if it meets the licensure requirements, without obtaining a certificate of need.

13. In no event shall a certificate of need be denied because the applicant refuses to provide abortion services

or information.

14. A certificate of need shall not be required for the transfer of ownership of an existing and operational health facility in its entirety.

15. A certificate of need may be granted to a facility for an expansion, an addition of services, a new institutional service, or for a new hospital facility which provides for something less than that which was sought in the application.

16. The provisions of this section shall not apply to facilities operated by the state, and appropriation of funds to such facilities by the general assembly shall be deemed in compliance with this section, and such facilities shall be deemed to have received an appropriate certificate of need without payment of any fee or charge.

17. Notwithstanding other provisions of this section, a certificate of need may be issued after July 1, 1983, for an intermediate care facility operated exclusively for the mentally retarded.

18. To assure the safe, appropriate, and cost-effective transfer of new medical technology throughout the state, a certificate of need shall not be required for the purchase and operation of research equipment that is to be used in a clinical trial that has received written approval from a duly constituted institutional review board of an accredited school of medicine or osteopathy located in Missouri to establish its safety and efficacy and does not increase the bed complement of the institution in which the equipment is to be located. After the clinical trial has been completed, a certificate of need must be obtained for continued use in such facility.]

[197.316. 1. The provisions of subsection 10 of section 197.315 and sections 197.317 and 197.318 shall not apply to facilities which are licensed pursuant to the provisions of chapter 198, RSMo, which are designed and operated exclusively for the care and treatment of persons with acquired human immunodeficiency syndrome, AIDS.

2. If a facility is granted a certificate of need and is found to be exempt from the provisions of subsection 10 of section 197.315 and sections 197.317 and 197.318 pursuant to the provisions of subsection 1 of this section, then only AIDS patients shall be residents of such facility and no others.

3. Any facility that violates the provisions of subsection 2 of this section shall be liable for a fine of one hundred dollars per resident per day for each such violation.

4. The attorney general shall, upon request of the department of health, bring an action in a circuit court of competent jurisdiction for violation of this section.]

[197.317. 1. After July 1, 1983, no certificate of need shall be issued for the following:

(1) Additional residential care facility I, residential care facility II, intermediate care facility or skilled nursing facility beds above the number then licensed by this state;

(2) Beds in a licensed hospital to be reallocated on a temporary or permanent basis to nursing care or beds in a long-term care hospital meeting the requirements described in 42 CFR, Section 412.23(e), excepting those which are not subject to a certificate of need pursuant to paragraphs (e) and (g) of subdivision (10) of section 197.305; nor

(3) The reallocation of intermediate care facility or skilled nursing facility beds of existing licensed beds by transfer or sale of licensed beds between a hospital licensed pursuant to this chapter or a nursing care facility licensed pursuant to chapter 198, RSMo; except for beds in counties in which there is no existing nursing care facility. No certificate of need shall be issued for the reallocation of existing residential care facility I or II, or intermediate care facilities operated exclusively for the mentally retarded to intermediate care or skilled nursing facilities or beds. However, after January 1, 2003, nothing in this section shall prohibit the Missouri health facilities review committee from issuing a certificate of need for additional beds in existing health care facilities or for new beds in new health care facilities or for the reallocation of licensed beds, provided that no construction shall begin prior to January 1, 2004. The provisions of subsections 16 and 17 of section 197.315 shall apply to the provisions of this section.

2. The health facilities review committee shall utilize demographic data from the office of social and economic data analysis, or its successor organization, at the University of Missouri as their source of information in considering applications for new institutional long-term care facilities.]

[197.318. 1. The provisions of section 197.317 shall not apply to a residential care facility I, residential care facility II, intermediate care facility or skilled nursing facility only where the department of social services has first determined that there presently exists a need for additional beds of that classification because the average occupancy of all licensed and available residential care facility I, residential care facility II, intermediate care facility and skilled nursing facility beds exceeds ninety percent for at least four consecutive calendar quarters, in a particular county, and within a fifteen-mile radius of the proposed facility, and the facility otherwise appears to qualify for a certificate of need. The department's certification that there is no need for additional beds shall serve as the final determination and decision of the committee. In determining ninety percent occupancy, residential care facility I and II shall be one separate classification and intermediate care and skilled nursing facilities are another separate classification.

2. The Missouri health facilities review committee may, for any facility certified to it by the department, consider

the predominant ethnic or religious composition of the residents to be served by that facility in considering whether to grant a certificate of need.

3. There shall be no expenditure minimum for facilities, beds, or services referred to in subdivisions (1), (2) and (3) of section 197.317. The provisions of this subsection shall expire January 1, 2003.

4. As used in this section, the term "licensed and available" means beds which are actually in place and for which a license has been issued.

5. The provisions of section 197.317 shall not apply to any facility where at least ninety-five percent of the patients require diets meeting the dietary standards defined by section 196.165, RSMo.

6. The committee shall review all letters of intent and applications for long-term care hospital beds meeting the requirements described in 42 CFR, Section 412.23(e) under its criteria and standards for long-term care beds.

7. Sections 197.300 to 197.366 shall not be construed to apply to litigation pending in state court on or before April 1, 1996, in which the Missouri health facilities review committee is a defendant in an action concerning the application of sections 197.300 to 197.366 to long-term care hospital beds meeting the requirements described in 42 CFR, Section 412.23(e).

8. Notwithstanding any other provision of this chapter to the contrary:

(1) A facility licensed pursuant to chapter 198, RSMo, may increase its licensed bed capacity by:

(a) Submitting a letter of intent to expand to the division of aging and the health facilities review committee;

(b) Certification from the division of aging that the facility:

a. Has no patient care class I deficiencies within the last eighteen months; and

b. Has maintained a ninety-percent average occupancy rate for the previous six quarters;

(c) Has made an effort to purchase beds for eighteen months following the date the letter of intent to expand is submitted pursuant to paragraph (a) of this subdivision. For purposes of this paragraph, an "effort to purchase" means a copy certified by the offeror as an offer to purchase beds from another licensed facility in the same licensure category; and

(d) If an agreement is reached by the selling and purchasing entities, the health facilities review committee shall issue a certificate of need for the expansion of the purchaser facility upon surrender of the seller's license; or

(e) If no agreement is reached by the selling and purchasing entities, the health facilities review committee shall permit an expansion for:

a. A facility with more than forty beds may expand its licensed bed capacity within the same licensure category by twenty-five percent or thirty beds, whichever is greater, if that same licensure category in such facility has experienced an average occupancy of ninety-three percent or greater over the previous six quarters;

b. A facility with fewer than forty beds may expand its licensed bed capacity within the same licensure category by twenty-five percent or ten beds, whichever is greater, if that same licensure category in such facility has experienced an average occupancy of ninety-two percent or greater over the previous six quarters;

c. A facility adding beds pursuant to subparagraphs a. or b. of this paragraph shall not expand by more than fifty percent of its then licensed bed capacity in the qualifying licensure category;

(2) Any beds sold shall, for five years from the date of relicensure by the purchaser, remain unlicensed and unused for any long-term care service in the selling facility, whether they do or do not require a license;

(3) The beds purchased shall, for two years from the date of purchase, remain in the bed inventory attributed to the selling facility and be considered by the department of social services as licensed and available for purposes of this section;

(4) Any residential care facility licensed pursuant to chapter 198, RSMo, may relocate any portion of such facility's current licensed beds to any other facility to be licensed within the same licensure category if both facilities are under the same licensure ownership or control, and are located within six miles of each other;

(5) A facility licensed pursuant to chapter 198, RSMo, may transfer or sell individual long-term care licensed beds to facilities qualifying pursuant to paragraphs (a) and (b) of subdivision (1) of this subsection. Any facility which transfers or sells licensed beds shall not expand its licensed bed capacity in that licensure category for a period of five years from the date the licensure is relinquished.

9. Any existing licensed and operating health care facility offering long-term care services may replace one-half of its licensed beds at the same site or a site not more than thirty miles from its current location if, for at least the most recent four consecutive calendar quarters, the facility operates only fifty percent of its then licensed capacity with every resident residing in a private room. In such case:

(1) The facility shall report to the division of aging vacant beds as unavailable for occupancy for at least the most recent four consecutive calendar quarters;

- (2) The replacement beds shall be built to private room specifications and only used for single occupancy; and
- (3) The existing facility and proposed facility shall have the same owner or owners, regardless of corporate or business structure, and such owner or owners shall stipulate in writing that the existing facility beds to be replaced will not later be used to provide long-term care services. If the facility is being operated under a lease, both the lessee and the owner of the existing facility shall stipulate the same in writing.

10. Nothing in this section shall prohibit a health care facility licensed pursuant to chapter 198, RSMo, from being replaced in its entirety within fifteen miles of its existing site so long as the existing facility and proposed or replacement facility have the same owner or owners regardless of corporate or business structure and the health care facility being replaced remains unlicensed and unused for any long-term care services whether they do or do not require a license from the date of licensure of the replacement facility.]

[197.320. The committee shall have the power to promulgate reasonable rules, regulations, criteria and standards in conformity with this section and chapter 536, RSMo, to meet the objectives of sections 197.300 to 197.366 including the power to establish criteria and standards to review new types of equipment or service. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in sections 197.300 to 197.366 shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. All rulemaking authority delegated prior to August 28, 1999, is of no force and effect and repealed. Nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to August 28, 1999, if it fully complied with all applicable provisions of law. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void.]

[197.325. Any person who proposes to develop or offer a new institutional health service shall submit a letter of intent to the committee at least thirty days prior to the filing of the application.]

[197.326. 1. Any person who is paid either as part of his normal employment or as a lobbyist to support or oppose any project before the health facilities review committee shall register as a lobbyist pursuant to chapter 105, RSMo, and shall also register with the staff of the health facilities review committee for every project in which such person has an interest and indicate whether such person supports or opposes the named project. The registration shall also include the names and addresses of any person, firm, corporation or association that the person registering represents in relation to the named project. Any person violating the provisions of this subsection shall be subject to the penalties specified in section 105.478, RSMo.

2. A member of the general assembly who also serves as a member of the health facilities review committee is prohibited from soliciting or accepting campaign contributions from any applicant or person speaking for an applicant or any opponent to any application or persons speaking for any opponent while such application is pending before the health facilities review committee.

3. Any person regulated by chapter 197 or 198, RSMo, and any officer, attorney, agent and employee thereof, shall not offer to any committee member or to any person employed as staff to the committee, any office, appointment or position, or any present, gift, entertainment or gratuity of any kind or any campaign contribution while such application is pending before the health facilities review committee. Any person guilty of knowingly violating the provisions of this section shall be punished as follows: For the first offense, such person is guilty of a class B misdemeanor; and for the second and subsequent offenses, such person is guilty of a class D felony.]

[197.327. 1. If a facility is granted a certificate of need pursuant to sections 197.300 to 197.365 based on an application stating a need for additional Medicaid beds, such beds shall be used for Medicaid patients and no other.

2. Any person who violates the provisions of subsection 1 of this section shall be liable to the state for civil penalties of one hundred dollars for every day of such violation. Each nonMedicaid patient placed in a Medicaid bed shall constitute a separate violation.

3. The attorney general shall, upon the request of the department, bring an action in a circuit court of competent jurisdiction to recover the civil penalty. The department may bring such an action itself. The civil action may be brought in the circuit court of Cole County or, at the option of the director, in another county which has venue of an action against the person under other provisions of law.]

[197.330. 1. The committee shall:

(1) Notify the applicant within fifteen days of the date of filing of an application as to the completeness of such application;

(2) Provide written notification to affected persons located within this state at the beginning of a review. This notification may be given through publication of the review schedule in all newspapers of general circulation in the area

to be served;

(3) Hold public hearings on all applications when a request in writing is filed by any affected person within thirty days from the date of publication of the notification of review;

(4) Within one hundred days of the filing of any application for a certificate of need, issue in writing its findings of fact, conclusions of law, and its approval or denial of the certificate of need; provided, that the committee may grant an extension of not more than thirty days on its own initiative or upon the written request of any affected person;

(5) Cause to be served upon the applicant, the respective health system agency, and any affected person who has filed his prior request in writing, a copy of the aforesaid findings, conclusions and decisions;

(6) Consider the needs and circumstances of institutions providing training programs for health personnel;

(7) Provide for the availability, based on demonstrated need, of both medical and osteopathic facilities and services to protect the freedom of patient choice; and

(8) Establish by regulation procedures to review, or grant a waiver from review, nonsubstantive projects.

The term "filed" or "filing" as used in this section shall mean delivery to the staff of the health facilities review committee the document or documents the applicant believes constitute an application.

2. Failure by the committee to issue a written decision on an application for a certificate of need within the time required by this section shall constitute approval of and final administrative action on the application, and is subject to appeal pursuant to section 197.335 only on the question of approval by operation of law.]

[197.335. Within thirty days of the decision of the committee, the applicant may file an appeal to be heard de novo by the administrative hearing commissioner, the circuit court of Cole County or the circuit court in the county within which such health care service or facility is proposed to be developed.]

[197.340. Any health facility providing a health service must notify the committee of any discontinuance of any previously provided health care service, a decrease in the number of licensed beds by ten percent or more, or the change in licensure category for any such facility.]

[197.345. Any health facility with a project for facilities or services for which a binding construction or purchase contract has been executed prior to October 1, 1980, or health care facility which has commenced operations prior to October 1, 1980, shall be deemed to have received a certificate of need, except that such certificate of need shall be subject to forfeiture under the provisions of subsections 8 and 9 of section 197.315.]

[197.355. The legislature may not appropriate any money for capital expenditures for health care facilities until a certificate of need has been issued for such expenditures.]

[197.357. For the purposes of reimbursement under section 208.152, RSMo, project costs for new institutional health services in excess of ten percent of the initial project estimate whether or not approval was obtained under subsection 7 of section 197.315 shall not be eligible for reimbursement for the first three years that a facility receives payment for services provided under section 208.152, RSMo. The initial estimate shall be that amount for which the original certificate of need was obtained or, in the case of facilities for which a binding construction or purchase contract was executed prior to October 1, 1980, the amount of that contract. Reimbursement for these excess costs after the first three years shall not be made until a certificate of need has been granted for the excess project costs. The provisions of this section shall apply only to facilities which file an application for a certificate of need or make application for cost-overrun review of their original application or waiver after August 13, 1982.]

[197.366. The provisions of subdivision (8) of section 197.305 to the contrary notwithstanding, after December 31, 2001, the term "health care facilities" in sections 197.300 to 197.366 shall mean:

(1) Facilities licensed under chapter 198, RSMo;

(2) Long-term care beds in a hospital as described in subdivision (3) of subsection 1 of section 198.012, RSMo;

(3) Long-term care hospitals or beds in a long-term care hospital meeting the requirements described in 42 CFR, section 412.23(e); and

(4) Construction of a new hospital as defined in chapter 197.]; and

[197.367. Upon application for renewal by any residential care facility I or II which on the effective date of this act has been licensed for more than five years, is licensed for more than fifty beds and fails to maintain for any calendar year its occupancy level above thirty percent of its then licensed beds, the division of aging shall license only fifty beds for such facility.]; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Ridgeway raised a point of order that **House Amendment No. 13** is not germane to the bill.

The Chair ruled the point of order not well taken.

Representative Jetton offered **House Substitute Amendment No. 1 for House Amendment No. 13**.

*House Substitute Amendment No. 1
for
House Amendment No. 13*

AMEND House Substitute for House Committee Substitute for Senate Bill No. 72, Page 14, Section 197.160, Line 5 of said page, by inserting after all of said line the following:

- "197.370. As used in sections 197.370 to 197.384, the following terms mean:**
- (1) "Acute care facilities", hospitals, diagnostic imaging centers, radiation therapy centers, ambulatory surgical facilities and short stay specialty units;**
 - (2) "Committee", as defined in section 197.310;**
 - (3) "Develop", to undertake those activities which on their completion will result in the offering of a new institutional acute care service or a first-time service, or the incurring of a financial obligation in relation to the offering of such a service;**
 - (4) "Filed" or "filing", deliver to the staff of the committee the document or documents an applicant believes constitutes an application and the appropriate application fee;**
 - (5) "First-time services", includes the following services costing in excess of one million dollars that are proposed in a specific location or for a mobile unit:**
 - (a) Magnetic resonance imaging (MRI), positron emission tomography (PET) and linear acceleration (radiation therapy);**
 - (b) Open-heart surgery;**
 - (c) Cardiac catheterization labs;**
 - (d) Lithotripsy units;**
 - (e) Gamma knife; or**
 - (f) Other emerging technology that exceeds two million dollars;**
 - (6) "New institutional acute care service":**
 - (a) The development of a new acute care facility;**
 - (b) The acquisition, including acquisition by lease, of any acute care facility or first-time service;**
 - (c) Any change in a licensed bed capacity of a hospital that increases the total number of beds by more than ten beds or more than ten percent of total bed capacity, whichever is less, over a two-year period;**
 - (d) A reallocation by an existing acute care facility of licensed beds from one physical facility or site to another by more than ten beds or more than ten percent of total licensed bed capacity, whichever is less, over a two-year period;**
 - (7) "Nonreviewable projects", those projects involving renovation or replacement of existing facilities or portions of facilities, or same services in a current location whose cost is below ten million dollars;**
 - (8) "Nonsubstantive projects", projects which do not involve the addition, replacement or modernization of beds or the provision of a new institutional acute care service, including all projects, regardless of cost, that are due to an act of God or a normal consequence of maintaining acute care services, facility or equipment;**
 - (9) "Person", any individual, trust, estate, partnership, corporation, including associations and joint stock companies, state or political subdivision or instrumentality thereof, including a municipal corporation;**
 - (10) "Review certification", a written certificate issued by the committee setting forth the committee's affirmative finding that a proposed project described in sections 197.370 to 197.384 sufficiently satisfies the criteria prescribed for such projects by sections 197.370 to 197.384;**
 - (11) "Total expenditure", an expenditure by or on behalf of an acute care facility which, under generally accepted accounting principles, is not properly chargeable as an expense of operation and maintenance; except**

for, in all cases, costs to lease property, buildings or equipment necessary to establish a first-time service or a new institutional acute care service, which must be included in the total project cost.

197.372. The health facilities review committee for projects described in sections 197.370 to 197.384 shall:

(1) Review and approve or disapprove all applications for a review certification made pursuant to sections 197.370 to 197.384. The committee shall issue reasonable rules governing the submission, review and disposition of applications;

(2) Notify the applicant within fifteen days of the date of filing of an application as to the completeness of such application as defined by rule;

(3) Provide written notification to affected persons located within this state at the beginning of a review. The notification may be given through publication of the review schedule in all newspapers of general circulation in the area to be served;

(4) Hold public hearings on all applications when a request in writing is filed by any affected person within thirty days from the date of publication of the notification of review;

(5) Within one hundred days of the filing of any application, issue in writing its findings of fact, conclusions of law, and its approval or denial of the review certification; provided, that the committee may grant an extension of not more than thirty days on its own initiative or upon the written request of any affected person;

(6) Send to the applicant a copy of the aforesaid findings, conclusions and decisions; copies shall be available to any person upon request;

(7) Consider the needs and circumstances of institutions providing training programs for health personnel;

(8) Consider the predominant ethnic, cultural or religious compositions of the residents to be served by an acute care facility in considering whether to grant a review certification;

(9) Provide for the availability, based on demonstration of need, of both medical and osteopathic facilities and services to protect the freedom of patient choice;

(10) Failure by the committee to issue a written decision on an application for review certification within the time required by this section shall constitute approval of and the final administrative action on the application and shall be subject to appeal pursuant to section 197.376 only on the question of approval by operation of law; and

(11) Establish by regulation a brief reporting format, sworn and notarized, for nonsubstantive and nonreviewable projects.

197.374. 1. Any person who proposes to develop or offer a new institutional acute care service or a first-time service shall submit a letter of intent to the committee at least thirty days prior to the filing of the application.

2. An application fee shall accompany each application for a review certification. The time of filing commences with the receipt of the application and the fee. The fee shall be one thousand dollars or one-tenth of one percent of the total project, whichever is greater. All application fees shall be deposited in the state treasury. The general assembly will appropriate funds to the Missouri health facilities review committee.

197.376. Within thirty days of the decision of the committee, the applicant may file an appeal pursuant to chapter 621, RSMo. Any subsequent appeal venue shall be the circuit court in the county within which such acute care service or facility is proposed to be developed.

197.378. 1. For the purpose of submitting an application for review certification, any person who proposes to develop or offer a new institutional acute care service costing in excess of one million dollars shall obtain a review certification from the committee prior to the time such services are offered.

2. Any person who proposes a first-time service shall obtain a review certification from the committee prior to the time such services are offered.

3. Any person who proposes to add new, not previously licensed, beds to an existing hospital shall obtain a review certification. This shall not preclude the addition or transfer of beds without review certification as defined in paragraphs (c) and (d) of subdivision (6) of section 197.370.

4. Any person who proposes to renovate or replace a project in a current location whose cost is over ten million dollars must obtain a review certification.

5. Only those new institution acute care services or first-time services that are found by the committee to meet the health needs of the community served shall be granted a review certification. A review certification may be granted if an applicant can demonstrate that need exists for a competitive alternative to existing facilities

in highly concentrated metropolitan markets.

6. A review certification shall be issued only for the premises and persons named in the application and is not transferable except by the consent of the committee.

7. Project cost increases, exceeding the initial estimate by more than ten percent shall not be incurred without consent of the committee.

8. Periodic reports to the committee shall be required of any applicant who has been granted a review certification until the project has been completed. The committee may order the forfeiture of the review certification upon failure of the applicant to file any such report.

9. A review certification shall be subject to forfeiture for failure to incur expenditures equal to twenty percent of the total approved cost of any project within twelve months after the date of the order. The applicant may request an extension from the committee to avoid forfeiture.

10. No state agency charged by statute to license or certify acute care facilities shall issue a license to or certify any such facility, or distinct part of such facility, that is developed and is required to have a review certification, without first obtaining a review certification.

11. No state agency may appropriate or grant funds to or make payment of any funds to any person or acute care facility that has not first obtained every review certification required pursuant to sections 197.370 to 197.384.

12. In no event shall a review certification be denied because the applicant refuses to provide abortion services or information.

13. A review certification shall not be required for the transfer of ownership of an existing and operational acute care facility in its entirety.

14. A review certification may be granted for something less than that which was sought in the original application.

15. To assure the safe, appropriate, and cost-effective transfer of new medical technology throughout the state, a review certification shall not be required for the purchase and operation of research equipment that is to be used in a clinical trial that has received written approval from a duly constituted institutional review board of an accredited school of medicine or osteopathy located in Missouri to establish its safety and efficiency and does not increase the bed complement of the institution in which the equipment is to be located. After the clinical trial has been completed, a review certification must be obtained for continued use in such facility.

197.380. Review certification is not required for:

(1) Facilities operated by the state and appropriation of funds to such facilities by the general assembly shall be in compliance, and such facilities shall be deemed to have received an appropriate review certification without any fee or charge;

(2) Nonreviewable projects pursuant to subdivision (7) of section 197.370 or nonsubstantive projects pursuant to subdivision (8) of section 197.370.

197.382. For the purposes of reimbursement pursuant to section 208.152, RSMo, project costs for new institutional acute care services in excess of ten percent of the initial project estimate regardless of whether approval was obtained pursuant to subsection 7 of section 197.378 shall not be eligible for reimbursement for the first three years that a facility receives payment for services provided pursuant to section 208.152, RSMo. The initial estimate shall be that amount for which the original review certificate was obtained. Reimbursement for these excess costs after the first three years shall not be made until a review certification has been granted for the excess project costs. The provisions of this section shall apply only to facilities which file an application for a review certification or make application for cost-overrun review of their original application or waiver.

197.384. The committee shall have the power to promulgate reasonable rules, regulations, criteria and standards in conformity with this section and chapter 536, RSMo, to meet the objectives of sections 197.300 to 197.384 including the power to establish criteria and standards to review new types of equipment or service. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in sections 197.300 to 197.384 shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. All rulemaking authority delegated prior to August 28, 2001, is of no force and effect and repealed. Nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to August 28, 2001, if it fully complied with all applicable provisions of the law. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of

rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void.
197.385. The provisions of sections 197.370 to 197.384 shall expire on December 31, 2003."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Jetton moved that **House Substitute Amendment No. 1 for House Amendment No. 13** be adopted.

Which motion was defeated by the following vote:

AYES: 042

Bartelsmeyer	Bartle	Boatright	Burton	Campbell
Champion	Crowell	Cunningham	Enz	Fares
Froelker	Gaskill	Hendrickson	Hohulin	Holand
Hunter	Jetton	Legan	Linton	Lograsso
Long	Luetkemeyer	Marble	Mayer	Miller
Monaco	Moore	Myers	Naeger	Phillips
Portwood	Purgason	Rector	Reinhart	Richardson
Ridgeway	Roark	Schwab	Scott	Secrest
Van Zandt	Wright			

NOES: 104

Abel	Barnett	Barnitz	Barry 100	Bearden
Behnen	Berkowitz	Black	Bland	Bonner
Boucher	Boykins	Bray 84	Burcham	Byrd
Carnahan	Cierpiot	Coleman	Crawford	Crump
Curls	Davis	Dempsey	Dolan	Farnen
Foley	Ford	Franklin	Fraser	Gambaro
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Levin	Lowe	Luetkenhaus
Marsh	May 149	Mays 50	McKenna	Merideth
Murphy	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Ransdall	Relford	Reynolds	Rizzo
Robirds	Ross	Scheve	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	St. Onge
Surface	Thompson	Treadway	Troupe	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

PRESENT: 001

Cooper

ABSENT WITH LEAVE: 013

Baker	Ballard	Berkstresser	Bowman	Britt
Brooks	Clayton	Copenhaver	Liese	Reid
Shoemyer	Townley	Wiggins		

VACANCIES: 003

On motion of Representative Foley, **House Amendment No. 13** was adopted by the following vote:

AYES: 113

Abel	Barnett	Barnitz	Barry 100	Bearden
Behnen	Berkowitz	Berkstresser	Black	Bland
Bonner	Boucher	Bowman	Boykins	Burcham
Byrd	Carnahan	Clayton	Coleman	Crawford
Crump	Davis	Dempsey	Dolan	Fares
Farnen	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Hartzler	Haywood	Hegeman	Hickey	Hilgemann
Hollingsworth	Holt	Hoppe	Hosmer	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Lograsso	Lowe	Luetkemeyer
Luetkenhaus	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Ransdall	Reid	Relford	Reynolds	Richardson
Rizzo	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Thompson	Treadway	Troupe	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 037

Bartelsmeyer	Bartle	Boatright	Bray 84	Burton
Campbell	Champion	Crowell	Cunningham	Enz
Froelker	Gaskill	Harding	Harlan	Henderson
Hendrickson	Hohulin	Holand	Hunter	Jetton
Linton	Long	Marble	Marsh	Monaco
Moore	Phillips	Portwood	Purgason	Rector
Reinhart	Ridgeway	Roark	Surface	Townley
Van Zandt	Wright			

PRESENT: 002

Cooper	Curls
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ABSENT WITH LEAVE: 008

Baker	Ballard	Britt	Brooks	Cierpiot
Copenhaver	Liese	Wiggins		

VACANCIES: 003

Representative Legan offered **House Amendment No. 14.**

House Amendment No. 14

AMEND House Substitute for House Committee Substitute for Senate Bill No. 72, Section 610.010, Page 15, Line 2, by inserting immediately after the word “**Missouri,**” the following:

“Central Missouri State University, Missouri Southern State College, Missouri Western State College, Harris-Stowe State College, Truman State University, Southeast Missouri State University, Southwest Missouri State University, Northwest Missouri State University, Lincoln University, Linn State Technical College, and any junior college governed by chapter 178, Revised Statutes of Missouri.”; and

Further amend said section, Page 16, Line 5, by inserting immediately after the word “Missouri,” the following:

“Central Missouri State University, Missouri Southern State College, Missouri Western State College, Harris-Stowe State College, Truman State University, Southeast Missouri State University, Southwest Missouri State University, Northwest Missouri State University, Lincoln University, Linn State Technical College, and any junior college governed by chapter 178, Revised Statutes of Missouri.”.

On motion of Representative Legan, **House Amendment No. 14** was adopted.

Representative Coleman offered **House Amendment No. 15**.

House Amendment No. 15

AMEND House Substitute for House Committee Substitute for Senate Bill No. 72, Section 197.160, Page 14, Line 5, by inserting immediately after said line:

“347.740. The secretary of state may collect an additional fee of five dollars on each and every fee required in this chapter. All fees collected as provided in this section shall be deposited in the state treasury and credited to the secretary of state’s technology trust fund account. **The provisions of this section shall expire on December 31, 2009.**

351.127. The secretary of state may collect an additional fee of five dollars on each and every fee required in this chapter. All fees collected as provided in this section shall be deposited in the state treasury and credited to the secretary of state’s technology trust fund account. **The provisions of this section shall expire on December 31, 2009.**

355.023. The secretary of state may collect an additional fee of five dollars on each and every fee required in this chapter. All fees collected as provided in this section shall be deposited in the state treasury and credited to the secretary of state’s technology trust fund account. **The provisions of this section shall expire on December 31, 2009.**

356.233. The secretary of state may collect an additional fee of five dollars on each and every fee required in this chapter. All fees collected as provided in this section shall be deposited in the state treasury and credited to the secretary of state’s technology trust fund account. **The provisions of this section shall expire on December 31, 2009.**

359.653. The secretary of state may collect an additional fee of five dollars on each and every fee required in this chapter. All fees collected as provided in this section shall be deposited in the state treasury and credited to the secretary of state’s technology trust fund account. **The provisions of this section shall expire on December 31, 2009.**

400.9-118. The secretary of state may collect an additional fee of five dollars on each and every fee paid to the secretary of state as required in chapter 400.9. All fees collected as provided in this section shall be deposited in the state treasury and credited to the secretary of state’s technology trust fund account. The provisions of this section shall expire on December 31, 2009.

417.018. The secretary of state may collect an additional fee of five dollars on each and every fee required in this chapter. All fees collected as provided in this section shall be deposited in the state treasury and credited to the secretary of state’s technology trust fund account. **The provisions of this section shall expire on December 31, 2009.”; and**

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Coleman, **House Amendment No. 15** was adopted by the following vote:

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AYES: 119

Abel	Ballard	Barnett	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Coleman
Copenhaver	Crawford	Crowell	Cunningham	Curls
Dempsey	Dolan	Enz	Fares	Farnen
Ford	Fraser	Gambaro	Gaskill	Graham
Gratz	Green 15	Griesheimer	Hanaway	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Holand	Holt	Hoppe	Hunter
Jetton	Johnson 61	Kelley 47	Kelly 27	Kennedy
King	Koller	Legan	Levin	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Miller	Moore	Myers	Naeger	Nordwald
O'Connor	Ostmann	Phillips	Portwood	Ransdall
Rector	Reinhart	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Shelton
Shields	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Troupe	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 026

Barnitz	Britt	Clayton	Cooper	Crump
Davis	Franklin	George	Green 73	Hagan-Harrell
Hampton	Harding	Hohulin	Hollingsworth	Johnson 90
Jolly	Kelly 144	Kelly 36	Merideth	O'Toole
Overschmidt	Purgason	Relford	Selby	Shoemyer
Treadway				

PRESENT: 000

ABSENT WITH LEAVE: 015

Baker	Barry 100	Brooks	Foley	Froelker
Harlan	Hosmer	Lawson	Liese	Lograsso
Monaco	Murphy	Reid	Van Zandt	Wiggins

VACANCIES: 003

Representative Richardson offered **House Amendment No. 16**.

Representative Smith raised a point of order that **House Amendment No. 16** amends previously amended material.

The Chair ruled the point of order well taken.

Representative Crowell offered **House Amendment No. 16**.

Representative Smith raised a point of order that **House Amendment No. 16** amends previously amended material.

Representative Smith raised an additional point of order that **House Amendment No. 16** goes beyond the scope of the bill.

The Chair ruled the first point of order not well taken.

The Chair ruled the second point of order well taken.

Representative Dempsey offered **House Amendment No. 16**.

House Amendment No. 16

AMEND House Substitute for House Committee Substitute for Senate Bill No. 72, Page 24, Section 610.010, Line 5, by deleting after the word “before” the words “December 31, 2003” and inserting in lieu thereof the following: “**December 31, 2002**”.

Representative Dempsey moved that **House Amendment No. 16** be adopted.

Which motion was defeated.

Representative Hosmer offered **House Amendment No. 17**.

House Amendment No. 17

AMEND House Substitute for House Committee Substitute for Senate Bill No. 72, Page 11, Section 191.940, Line 11 of said page, by inserting immediately after said line:

“193.185. 1. A report of each marriage performed in this state shall be filed with the department and shall be registered if it has been completed and filed in accordance with this section.

2. The official who issues the marriage license shall prepare the report on the form prescribed and furnished by the state registrar upon the basis of information obtained from one of the parties to be married.

3. Each person who performs a marriage shall certify the fact of marriage and return the license to the official who issued the license within [ten] **fifteen** days after the ceremony. This license shall be signed by the witnesses to the ceremony. A marriage certificate shall be given to the parties.

4. Every official issuing marriage licenses shall complete and forward to the department on or before the fifteenth day of each calendar month the reports of marriages returned to such official during the preceding calendar month.”; and

Further amend said bill, Page 14, Section 197.160, Line 5 of said page, by inserting after said line the following:

“451.080. 1. The recorders of the several counties of this state, and the recorder of the city of St. Louis, shall, when applied to by any person legally entitled to a marriage license, issue the same which may be in the following form: State of Missouri)

) ss.

) County of)

This license authorizes any judge, associate circuit judge, licensed or ordained preacher of the gospel, or other person authorized under the laws of this state, to solemnize marriage between A B of, county of and state of, who is the age of eighteen years, and C D of, in the county of, state of, who is the age of eighteen years.

2. If the man is under eighteen or the woman under eighteen, add the following:

The custodial parent or guardian, as the case may be, of the said A B or C D (A B or C D, as the case may require), has given his or her assent to the said marriage.

Witness my hand as recorder, with the seal of office hereto affixed, at my office, in, the day of, [19] 20.., recorder.

3. On which such license the person solemnizing the marriage shall, within [ninety] **fifteen** days after the issuing thereof, make as near as may be the following return, and return such license to the officer issuing the same: State of Missouri)

) ss.

) County of)

This is to certify that the undersigned did at, in said county, on the day of A. D. [19] 20.., unite in marriage the above-named persons.

451.040. 1. Previous to any marriage in this state, a license for that purpose shall be obtained from the officer authorized to issue the same, and no marriage contracted shall be recognized as valid unless the license has been previously obtained, and unless the marriage is solemnized by a person authorized by law to solemnize marriages.

2. Before applicants for a marriage license shall receive a license, and before the recorder of deeds shall be authorized to issue a license, the parties to the marriage shall present an application for the license, duly executed and signed in the presence of the recorder of deeds or their deputy. Each application for a license shall contain the Social Security number of the applicant, **provided that the applicant in fact has a Social Security number, or the applicant shall sign a statement provided by the recorder that the applicant does not have a Social Security number.** The Social Security number contained in an application for a marriage license shall be exempt from examination and copying pursuant to section 610.024, RSMo. Upon the expiration of three days after the receipt of the application the recorder of deeds shall issue the license, unless one of the parties withdraws the application. The license shall be void after thirty days from the date of issuance.

3. Provided, however, that such license may be issued on order of a circuit or associate circuit judge of the county in which the license is applied for, without waiting three days, such license being issued only for good cause shown and by reason of such unusual conditions as to make such marriage advisable.

4. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor.

5. Common-law marriages shall be null and void.

6. Provided, however, that no marriage shall be deemed or adjudged invalid, nor shall the validity be in any way affected for want of authority in any person so solemnizing the marriage pursuant to section 451.100, if consummated with the full belief on the part of the persons, so married, or either of them, that they were lawfully joined in marriage.

451.130. 1. If any recorder willfully neglect or refuse to issue a license to any person legally entitled thereto on application, on payment or tender of the fee provided for in section 451.150, or shall fail to refuse to record such license, with the return thereon, as herein provided, he shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than five nor more than one hundred dollars.

2. Every officer or person who shall fail to return a license within [ninety] **fifteen** days after the issuing of the same, or who shall make a false return thereon, or any recorder who shall willfully make a false record of any marriage license or return thereon, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished as provided in the preceding part of this section.”; and

Further amend the title and enacting clause accordingly.

On motion of Representative Hosmer, **House Amendment No. 17** was adopted.

On motion of Representative Smith, **HS HCS SB 72, as amended**, was adopted.

On motion of Representative Smith, **HS HCS SB 72, as amended**, was read the third time and passed by the following vote:

AYES: 112

Abel	Baker	Barnett	Barnitz	Barry 100
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Bonner	Boucher	Bowman	Bray 84
Britt	Burcham	Campbell	Carnahan	Cierpiot
Clayton	Coleman	Copenhaver	Crawford	Crump
Curls	Davis	Dempsey	Dolan	Fares
Farnen	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler	Haywood	Henderson	Hickey
Hilgemann	Holt	Hoppe	Hosmer	Johnson 90
Jolly	Kelley 47	Kelly 27	Kelly 36	Kennedy
King	Koller	Legan	Levin	Liese
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	May 149
Mays 50	McKenna	Merideth	Miller	Monaco
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Ransdall	Reid
Relford	Reynolds	Rizzo	Robirds	Ross
Scheve	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Thompson
Townley	Treadway	Troupe	Villa	Vogel
Wagner	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 034

Bartelsmeyer	Bartle	Boatright	Burton	Byrd
Champion	Crowell	Cunningham	Enz	Froelker
Gaskill	Harding	Hegeman	Hendrickson	Hohulin
Holand	Hunter	Jetton	Johnson 61	Kelly 144
Marble	Marsh	Mayer	Phillips	Portwood
Purgason	Rector	Reinhart	Richardson	Roark
Schwab	Secrest	Surface	Wright	

PRESENT: 004

Boykins	Cooper	Moore	Walton
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ABSENT WITH LEAVE: 010

Ballard	Brooks	Hollingsworth	Lawson	Linton
Long	Ridgeway	Scott	Van Zandt	Wiggins

VACANCIES: 003

Speaker Kreider declared the bill passed.

HCS SCS SB 236, relating to public assistance programs, was taken up by Representative Ladd Baker.

Representative Ladd Baker offered **HS HCS SCS SB 236**.

Representative Hanaway raised a point of order that **HS HCS SCS SB 236** goes beyond the scope of the original bill and the House Committee Substitute.

The Chair ruled the point of order not well taken.

Representative Hanaway appealed the ruling of the Chair.

The ruling of the Chair was sustained by the following vote:

AYES: 082

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Campbell	Carnahan	Clayton
Coleman	Copenhaver	Crump	Curls	Davis
Farnen	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham	Green 15	Green 73
Hagan-Harrell	Hampton	Harding	Harlan	Haywood
Hickey	Hilgemann	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Kelly 27
Kelly 36	Kennedy	Koller	Liese	Lowe
Luetkenhaus	Mays 50	McKenna	Merideth	Monaco
O'Connor	O'Toole	Overschmidt	Ransdall	Relford
Reynolds	Rizzo	Scheve	Seigfreid	Selby
Shelton	Shoemyer	Skaggs	Smith	Thompson
Treadway	Troupe	Van Zandt	Villa	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 075

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Froelker	Gaskill	Gratz
Griesheimer	Hanaway	Hartzler	Hegeman	Henderson
Hendrickson	Hohulin	Holand	Hunter	Jetton
Kelley 47	Kelly 144	King	Legan	Levin
Linton	Lograsso	Long	Luetkemeyer	Marble
Marsh	May 149	Mayer	Miller	Moore
Murphy	Myers	Naeger	Nordwald	Ostmann
Phillips	Portwood	Purgason	Rector	Reid
Reinhart	Richardson	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Secrest	Shields
St. Onge	Surface	Townley	Vogel	Wright

PRESENT: 000

ABSENT WITH LEAVE: 003

Brooks	Lawson	Wiggins
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VACANCIES: 003

Representative Ladd Baker offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 236, Page 35, Section 376.1209, Lines 16 and 17, by deleting all of said lines and inserting in lieu thereof the following:

“insurer, then the new policy shall provide coverage for prosthetic devices or reconstructive surgery and such coverage for prosthetic devices and reconstructive surgery shall be subject to the same deductible and coinsurance conditions applied to a mastectomy and all other terms and conditions applicable to other benefits under the new policy.”; and

Further amend said bill, Page 36, Section 376.1250, Subsection 1, Subdivision (2), Line 23, after the word “reoccurrence” by inserting “; **and**” and deleting the rest of said subdivision.

On motion of Representative Ladd Baker, **House Amendment No. 1** was adopted.

Representative Hollingsworth offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 236, Page 30, Section 208.151, Lines 5 and 6, by deleting the phrase “**the effective date of this act**” and inserting in lieu thereof the following: “**July 1, 2002**”; and

Further amend said bill, Page 30, Section 208.151, Line 7, by deleting the following: “**2002**” and inserting in lieu thereof the following: “**2003**”; and

Further amend said bill, Page 30, Section 208.151, Line 8, by deleting the following: “**2003**” and inserting in lieu thereof the following: “**2004**”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hollingsworth, **House Amendment No. 2** was adopted.

Representative Burcham offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 236, Page 45, Section 453.121, Line 21 of said page, by inserting after all of said line the following:

"453.170. 1. When an adoption occurs pursuant to the laws of other states of the United States, Missouri shall, from the date of adoption hold the adopted person to be for every purpose the lawful child of its parent or parents by adoption as fully as though born to them in lawful wedlock, and such adoption shall have the same force and effect as adoption pursuant to the provisions of this chapter, including all inheritance rights.

2. When an adoption occurs in a foreign country and [is recognized as a valid adoption by] **the adopted child has migrated to the United States with the permission of** the United States Department of Justice and the United States Department of Immigration and Naturalization Services, this state shall recognize the adoption. The department of health, upon receipt of proof of adoption as required in subsection 7 of section 193.125, RSMo, shall issue a birth certificate for the adopted child upon request on forms prescribed and furnished by the state registrar pursuant to section 193.125, RSMo.

3. The adoptive parent or parents may petition the court pursuant to this section to request a change of name. The petition shall include a certified copy of the decree of adoption issued by the foreign country and documentation

from the United States Department of Justice and the United States Department of Immigration and Naturalization Services which shows the child lawfully entered the United States. The court shall recognize and give effect to the decree of the foreign country and grant a decree of recognition of the adoption and shall change the name of the adopted child to the name given by the adoptive parent, if such a request has been made."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Burcham, **House Amendment No. 3** was adopted.

Representative Barry offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 236, Page 34, Section 208.819, Line 19 of said page, by inserting after all of said line the following:

"376.1199. 1. Each health carrier or health benefit plan that offers or issues health benefit plans providing obstetrical/gynecological benefits and pharmaceutical coverage, which are delivered, issued for delivery, continued or renewed in this state on or after January 1, 2002, shall:

(1) Notwithstanding the provisions of subsection 4 of section 354.618, RSMo, provide enrollees with direct access to the services of a participating obstetrician, participating gynecologist or participating obstetrician/gynecologist of her choice within the provider network for covered services. The services covered by this subdivision shall be limited to those services defined by the published recommendations of the accreditation council for graduate medical education for training an obstetrician, gynecologist or obstetrician/gynecologist, including but not limited to diagnosis, treatment and referral for such services. A health carrier shall not impose additional co-payments, coinsurance or deductibles upon any enrollee who seeks or receives health care services pursuant to this subdivision, unless similar additional co-payments, coinsurance or deductibles are imposed for other types of health care services received within the provider network. Nothing in this subsection shall be construed to require a health carrier to perform, induce, pay for, reimburse, guarantee, arrange, provide any resources for or refer a patient for an abortion, as defined in section 188.015, RSMo, other than a spontaneous abortion or to prevent the death of the female upon whom the abortion is performed, or to supersede or conflict with section 376.805; and

(2) Notify enrollees annually of cancer screenings covered by the enrollees' health benefit plan and the current American Cancer Society guidelines for all cancer screenings or notify enrollees at intervals consistent with current American Cancer Society guidelines of cancer screenings which are covered by the enrollees' health benefit plans. The notice shall be delivered by mail unless the enrollee and health carrier have agreed on another method of notification; and

(3) Include coverage for services related to diagnosis, treatment and appropriate management of osteoporosis when such services are provided by a person licensed to practice medicine and surgery in this state, for individuals with a condition or medical history for which bone mass measurement is medically indicated for such individual. In determining whether testing or treatment is medically appropriate, due consideration shall be given to peer reviewed medical literature. A policy, provision, contract, plan or agreement may apply to such services the same deductibles, coinsurance and other limitations as apply to other covered services; and

(4) If the health benefit plan also provides coverage for pharmaceutical benefits, provide coverage for contraceptives either at no charge or at the same level of deductible, coinsurance or co-payment as any other covered drug. No such deductible, coinsurance or co-payment shall be greater than any drug on the health benefit plan's formulary. As used in this section, "contraceptive" shall include all prescription drugs and devices approved by the federal Food and Drug Administration for use as a contraceptive, but shall exclude all drugs and devices that are intended to induce an abortion, as defined in section 188.015, RSMo, which shall be subject to section 376.805. Nothing in this subdivision shall be construed to exclude coverage for prescription contraceptive drugs or devices ordered by a health care provider with prescriptive authority for reasons other than contraceptive or abortion purposes.

2. For the purposes of this section, "health carrier" and "health benefit plan" shall have the same

meaning as defined in section 376.1350.

3. The provisions of this section shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, short-term major medical policies of six months or less duration, or any other supplemental policy as determined by the director of the department of insurance.

4. Notwithstanding the provisions of subdivision (4) of subsection 1 of this section to the contrary:

(1) Any health carrier may issue to any person or entity purchasing a health benefit plan, a health benefit plan that excludes coverage for contraceptives if the use or provision of such contraceptives is contrary to the moral, ethical or religious beliefs or tenets of such person or entity;

(2) Upon request of an enrollee who is a member of a group health benefit plan and who states that the use or provision of contraceptives is contrary to his or her moral, ethical or religious beliefs, any health carrier shall issue to or on behalf of such enrollee a policy form that excludes coverage for contraceptives. Any administrative costs to a group health benefit plan associated with such exclusion of coverage not offset by the decreased costs of providing coverage shall be borne by the group policyholder or group plan holder;

(3) Any health carrier which is owned, operated or controlled in substantial part by an entity that is operated pursuant to moral, ethical or religious tenets that are contrary to the use or provision of contraceptives shall be exempt from the provisions of subdivision (4) of subsection 1 of this section.

For purposes of this subsection, if new premiums are charged for a contract, plan or policy, it shall be determined to be a new contract, plan or policy.

5. Except for a health carrier that is exempted from providing coverage for contraceptives pursuant to this section, a health carrier shall allow enrollees in a health benefit plan that excludes coverage for contraceptives pursuant to subsection 4 of this section to purchase a health benefit plan that includes coverage for contraceptives.

6. Any health benefit plan issued pursuant to subsection 1 of this section shall provide clear and conspicuous written notice on the enrollment form or any accompanying materials to the enrollment form and the group health benefit plan contract:

(1) Whether coverage for contraceptives is or is not included;

(2) That an enrollee who is a member of a group health benefit plan with coverage for contraceptives has the right to exclude coverage for contraceptives if such coverage is contrary to his or her moral, ethical or religious beliefs; and

(3) That an enrollee who is a member of a group health benefit plan without coverage for contraceptives has the right to purchase coverage for contraceptives.

7. Health carriers shall not disclose to the person or entity who purchased the health benefit plan the names of enrollees who exclude coverage for contraceptives in the health benefit plan or who purchase a health benefit plan that includes coverage for contraceptives. Health carriers and the person or entity who purchased the health benefit plan shall not discriminate against an enrollee because the enrollee excluded coverage for contraceptives in the health benefit plan or purchased a health benefit plan that includes coverage for contraceptives.

8. The departments of health and insurance may promulgate rules necessary to implement the provisions of this section. No rule or portion of a rule promulgated pursuant to this section shall become effective unless it has been promulgated pursuant to chapter 536, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Barry, **House Amendment No. 4** was adopted.

Representative Campbell offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 236, Page 49, Section 453.325, Line 22 of said page, by inserting after all of said line the following:

"660.600. As used in sections 660.600 to 660.608, the following terms mean:

- (1) ["Division", the division of aging of the department of social services;
- (2)] "Long-term care facility", any facility licensed pursuant to chapter 198, RSMo, and long-term care facilities connected with hospitals licensed pursuant to chapter 197, RSMo;
- [(3)] **(2)** "Office", the office of the state ombudsman for long-term care facility residents;
- [(4)] **(3)** "Ombudsman", the state ombudsman for long-term care facility residents;
- [(5)] **(4)** "Regional ombudsman coordinators", designated individuals working for, or under contract with, the area agencies on aging, and who are so designated by the [area agency on aging] **office of lieutenant governor** and certified by the ombudsman as meeting the qualifications established by the [division] **office of lieutenant governor**;
- [(6)] **(5)** "Resident", any person who is receiving care or treatment in a long-term care facility.

660.603. 1. There is hereby established within the [division of aging] **office of lieutenant governor** the "Office of State Ombudsman for Long-Term Care Facility Residents", for the purpose of helping to assure the adequacy of care received by residents of long-term care facilities and to improve the quality of life experienced by them, in accordance with the federal Older Americans Act, 42 U.S.C. 3001, et seq.

2. The office shall be administered by the state ombudsman, who shall devote his **or her** entire time to the duties of his **or her** position.

3. The office shall establish and implement procedures for receiving, processing, responding to, and resolving complaints made by or on behalf of residents of long-term care facilities relating to action, inaction, or decisions of providers, or their representatives, of long-term care services, of public agencies or of social service agencies, which may adversely affect the health, safety, welfare or rights of such residents.

4. The [division] **office of lieutenant governor** shall establish and implement procedures for resolution of complaints. The ombudsman or representatives of the office shall have the authority to:

(1) Enter any long-term care facility and have access to residents of the facility at a reasonable time and in a reasonable manner. The ombudsman shall have access to review resident records, if given permission by the resident or the resident's legal guardian. Residents of the facility shall have the right to request, deny, or terminate visits with an ombudsman;

(2) Make the necessary inquiries and review such information and records as the ombudsman or representative of the office deems necessary to accomplish the objective of verifying [these] complaints.

5. The office shall acknowledge complaints, report its findings, make recommendations, gather and disseminate information and other material, and publicize its existence.

6. Where written consent or written documentation from a representative of the office to support oral consent of the complainant, resident or the legal representative of such resident exists, the office or regional ombudsman coordinator may make a report of the suspected abuse or neglect of the resident to the central registry pursuant to section 660.263.

7. The ombudsman may recommend to the relevant governmental agency changes in the rules and regulations adopted or proposed by such governmental agency which do or may adversely affect the health, safety, welfare, or civil or human rights of any resident in a facility. The office shall analyze and monitor the development and implementation of federal, state and local laws, regulations and policies with respect to long-term care facilities and services in the state and shall recommend to the [division] **office of lieutenant governor** changes in such laws, regulations and policies deemed by the office to be appropriate.

[7.] **8.** The office shall promote community contact and involvement with residents of facilities through the use of volunteers and volunteer programs directed by the regional ombudsman coordinators.

[8.] **9.** The office shall develop and establish [by regulation of the division] statewide policies and standards for implementing the activities of the ombudsman program, including the qualifications and the training of regional ombudsman coordinators and ombudsman volunteers.

[9.] **10.** The office shall develop and propose programs for use, training and coordination of volunteers in conjunction with the regional ombudsman coordinators and may:

- (1) Establish and conduct recruitment programs for volunteers;
- (2) Establish and conduct training seminars, meetings and other programs for volunteers; and

(3) Supply personnel, written materials and such other reasonable assistance, including publicizing their activities, as may be deemed necessary.

[10.] **11.** The office shall prepare and distribute to each facility written notices which set forth the address and telephone number of the office, a brief explanation of the function of the office, the procedure to follow in filing a complaint and other pertinent information.

[11.] **12.** The administrator of each facility shall ensure that such written notice is given to every resident or [his] **every resident's** guardian upon admission to the facility and to every person already in residence, or to his **or her** guardian. The administrator shall also post such written notice in a conspicuous, public place in the facility in the number and manner set forth [in the regulations adopted by the division] **by the office of lieutenant governor.**

[12.] **13.** The office shall inform residents, their guardians or their families of their rights and entitlements under state and federal laws and rules and regulations by means of the distribution of educational materials and group meetings.

14. All funding and full-time employees designated for the office of the state ombudsman for long-term care facility residents shall be transferred from the division of aging within the department of social services to the office of the lieutenant governor.

15. The office of lieutenant governor may establish additional ombudsman programs relating to elder care if the office of lieutenant governor obtains the necessary funding for such a program. The office of lieutenant governor shall actively seek any state or federal funding sources available to implement the provisions of this subsection.

660.604. There is hereby established a five-member "Long-term Care Facility Ombudsman Advisory Commission". The lieutenant governor shall serve as a permanent member of the commission with the remaining four members to be appointed by the lieutenant governor to oversee the transfer of the state ombudsman from the division of aging to the office of the lieutenant governor. The commission shall also assist the state ombudsman with policy issues and the development of the state ombudsman program to ensure statewide consistency in the implementation of the program. Ombudsman commissioners shall be appointed for four-year terms, except the first commission shall be appointed as follows: two members to a four-year term, one member to a three-year term and one member to a two-year term. Each commissioner shall hold office until his or her successor has been appointed and qualified."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Campbell, **House Amendment No. 5** was adopted.

Representative Burton offered **House Amendment No. 6.**

Representative Ladd Baker raised a point of order that **House Amendment No. 6** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Monaco offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 236, Page 39, Section 376.1250, Line 5, by inserting after all of said line the following:

“453.005. 1. The provisions of sections 453.005 to 453.400 shall be construed so as to promote the best interests and welfare of the child in recognition of the entitlement of the child to a permanent and stable home.

2. The division of family services and all persons involved in the adoptive placement of children as provided in subdivisions (1), (2) and (4) of section 453.014, shall provide for the diligent recruitment of potential adoptive homes that reflect the ethnic and racial diversity of children in the state for whom adoptive homes are needed.

3. [In the selection of an adoptive home, consideration shall be given to both a child's cultural, racial and ethnic background and the capacity of the adoptive parents to meet the needs of a child of a specific background, as one of a number of factors used in determining whether a placement is in the child's best interests. This factor must, however, be applied on an individualized basis, not by general rules.

4.] Placement of a child in an adoptive home may not be delayed or denied on the basis of race, color or national origin.”.

Representative Hollingsworth raised a point of order that **House Amendment No. 6** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Monaco, **House Amendment No. 6** was adopted.

Representative Luetkemeyer offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 236, Page 34, Section 208.819, Line 4, by deleting all of Lines 4 through 10 and renumbering subsequent sections accordingly.

Representative Johnson (90) offered **House Substitute Amendment No. 1 for House Amendment No. 7**.

*House Substitute Amendment No. 1
for
House Amendment No. 7*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 236, Page 34, Section 208.819, Line 10, by inserting after said line the following:

“Said representatives of disability-related community organizations shall be registered with the family care registry and shall comply with the provisions of section 660.317.”.

Representative Luetkemeyer raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 7** is not a true substitute amendment.

The Chair ruled the point of order not well taken.

On motion of Representative Johnson (90), **House Substitute Amendment No. 1 for House Amendment No. 7** was adopted by the following vote:

AYES: 090

Abel	Baker	Barnitz	Barry 100	Bartelsmeyer
Bartle	Behnen	Berkowitz	Black	Bonner
Boucher	Bray 84	Britt	Burcham	Byrd
Campbell	Carnahan	Clayton	Cooper	Copenhaver
Crump	Cunningham	Curls	Davis	Dempsey
Fares	Farnen	Foley	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Harding
Harlan	Hartzler	Haywood	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hosmer	Johnson 90
Jolly	Kelly 27	Kelly 36	Kennedy	Lawson
Legan	Levin	Lowe	Luetkenhaus	Marsh
May 149	Merideth	Monaco	Moore	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Portwood
Ransdall	Reid	Relford	Reynolds	Roark
Scott	Seigfreid	Selby	Shoemyer	Skaggs
Smith	Treadway	Villa	Wagner	Walton
Ward	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 049

Ballard	Barnett	Bearden	Berkstresser	Boatright
Burton	Champion	Cierpiot	Crawford	Crowell
Dolan	Enz	Froelker	Gaskill	Hanaway
Hegeman	Henderson	Hendrickson	Hohulin	Hunter
Jetton	Kelley 47	Kelly 144	King	Linton
Lograsso	Luetkemeyer	Marble	Mayer	Miller
Murphy	Myers	Naeger	Phillips	Purgason
Rector	Reinhart	Richardson	Ridgeway	Robirds
Scheve	Schwab	Secrest	Shields	St. Onge
Surface	Townley	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 021

Bland	Bowman	Boykins	Brooks	Coleman
Ford	Hoppe	Johnson 61	Koller	Liese
Long	Mays 50	McKenna	Rizzo	Ross
Shelton	Thompson	Troupe	Van Zandt	Wiggins
Williams				

VACANCIES: 003

Representative Johnson (90) requested a verification of the roll call on the motion to adopt **House Substitute Amendment No. 1 for House Amendment No. 7.**

Representative Abel offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 236, Page 1, Section 191.211, Line 19, by inserting before said line the following:

“135.095. For all tax years beginning on or after January 1, 1999, but before January 1, 2005, a [resident individual] **claimant** who has attained sixty-five years of age on or before the last day of the tax year shall be allowed, for the purpose of offsetting the cost of legend drugs, a maximum credit against the tax otherwise due pursuant to chapter 143, RSMo, not including sections 143.191 to 143.265, RSMo, of two hundred dollars. **For the purpose of this section, a “claimant” is defined as a person or persons claiming a credit under sections 135.005. If two claimants are eligible to file a joint federal income tax return and reside at the same address at any time during the taxable year, then the credit may only be allowed if claimed on a combined Missouri income tax return or a combined claim return reporting their combined incomes and property taxes. A claimant shall not be allowed a credit unless the claimant or spouse has attained the age of sixty-five on or before the last day of the calendar year and the claimant or spouse was a resident of Missouri for the entire year during which the credit is claimed. A claimant must apply for his or her own credit.** [An individual] A claimant shall be entitled to the maximum credit allowed by this section if the [individual] **claimant** has [a Missouri adjusted gross income] **an income as defined in section 135.010** of fifteen thousand dollars or less; provided that, no [individual who receives full reimbursement for the cost of legend drugs from Medicare or Medicaid, or] **claimant who meets the income criteria for Medicaid eligibility, or has coverage for pharmaceutical benefits through a health benefit plan as defined in section 376.1350, RSMo, including a Medicare supplement or Medicare + Choice plan, or through a self-funded employee benefit plan shall qualify for the credit allowed pursuant to this section unless a claimant’s pharmaceutical expenses exceed the claimant’s coverage, in which case, a claimant may qualify for a credit for the additional expenses, up to two hundred dollars. No claimant who is a resident of a local, state or federally funded facility shall qualify for the credit allowed pursuant to this section. If [an individual’s Missouri adjusted gross income] a claimant’s income as defined in section 135.010 is greater than fifteen thousand dollars, such [individual] claimant shall be entitled to a credit equal to the greater of zero or the maximum credit allowed by this section reduced by two dollars for every hundred dollars such [individual’s] claimant’s income exceeds fifteen thousand dollars. The credit shall be claimed as prescribed by the director of the department of revenue. Such credit shall be considered an overpayment of tax and shall be refundable even if the amount of the credit exceeds [an individual’s] a claimant’s tax liability. A credit may not be claimed pursuant to this section for any tax year ending after December 31, 2001, or any tax year during which the Missouri pharmaceutical assistance program is in full operation, whichever is later.**

208.550. 1. As used in this section, the following terms mean:

- (1) "Department", the department of social services;
- (2) "Household income", the amount of income as defined in section 135.010, RSMo. For purposes of this section, household income shall be the household income of the applicant for the previous calendar year;
- (3) "Medicaid", the program for medical assistance established pursuant to Title XIX of the federal Social Security Act and administered by the department;
- (4) "Missouri resident", an individual who establishes residence for a period of twelve months in a settled or permanent home or domicile within the state of Missouri with the intention of remaining in this state. An individual is a resident of this state until the individual establishes a permanent residence outside this state;
- (5) "Prescription drug", a prescription drug as defined in 13 CSR 70-20. The current limitations or restrictions placed on certain pharmaceuticals by the department shall remain and the department may define additional restrictions by rule;
- (6) "Program", the pharmaceutical investment program for seniors (PIPS) established pursuant to this section.

2. The department of social services shall establish a "Pharmaceutical Investment Program for Seniors" to help defray the costs of prescription drugs for elderly Missouri residents. The following Missouri residents shall be eligible to participate in the program:

- (1) Any person sixty-five years of age or older, with a household income at or below fifteen thousand dollars who is not currently ineligible pursuant to subsection 3 of this section. Such person shall demonstrate that his or her estimated annual prescription drug costs will exceed the total deductible for twelve months outlined in subsections 5 and 6 of this section;
- (2) For a married couple in which at least one spouse is sixty-five years of age or older, with an annual household income at or below twenty-five thousand dollars:
 - (a) If only one spouse is sixty-five years of age or older, such spouse shall be eligible if his or her household income is at or below fifteen thousand dollars, he or she is not ineligible pursuant to subsection 3 of this section, and his or her estimated annual prescription drug costs will exceed the total deductible for twelve

months outlined in subsections 5 and 6 of this section;

(b) If both spouses are sixty-five years of age or older, both spouses shall be eligible if their estimated annual prescription drug costs will exceed the total deductible for twelve months outlined in subsections 5 and 6 of this section. One or both spouses may be currently ineligible pursuant to subsection 3 of this section;

(3) Any person sixty-five years of age or older who does not qualify pursuant to subdivision (1) of this subsection and who is not currently ineligible pursuant to subsection 3 of this section, if such person's estimated annual pharmaceutical costs will exceed ten percent of such person's household income. Such person shall be eligible to participate in the program and receive benefits not to exceed six thousand dollars per year after such person has expended ten percent of his or her household income; or

(4) A married couple in which at least one spouse is sixty-five years of age or older who does not qualify pursuant to subdivision (2) of this subsection and who are not currently ineligible pursuant to subsection 3 of this section, if such couple's estimated annual pharmaceutical costs will exceed ten percent of such couple's family household income. Such couple shall be eligible to participate in the program and receive benefits not to exceed twelve thousand dollars per year after such couple has expended ten percent of their family household income on their annual pharmaceutical costs.

3. Any person who is receiving Medicaid benefits shall not be eligible to participate in the program, except those Medicaid recipients whose Medicaid coverage does not include pharmacy benefits. The pharmaceutical investment program for seniors is a payer of last resort. If a senior has coverage for pharmaceutical benefits through a health benefit plan, as defined in section 376.1350, RSMo, including a Medicare supplement or Medicare+Choice plan, or through a self-funded employee benefit plan, the pharmaceutical investment program for seniors shall pay only for eligible costs not provided by such coverage and only after the senior has met the deductible required by subsections 5 and 6 of this section.

4. Applicants for the program shall submit an annual application to the department, or the department's designee, that attests to the age, residence, annual household income and estimated annual prescription drug costs for an individual or couple, if married. The department shall prescribe by rule the form of the application for enrollment in the program.

5. Upon notification of eligibility, an enrollee may access the program by meeting the cost-sharing obligation through a monthly deductible calculated and based on one of the following:

(1) If the enrollee's household income is at or below twelve thousand dollars for an individual or twenty thousand dollars for a couple, the monthly deductible is one-twelfth of eight hundred dollars for an individual or one-twelfth of sixteen hundred dollars for a couple; or

(2) If the enrollee's household income is between twelve thousand one dollars and fifteen thousand dollars for an individual or twenty thousand one dollars and twenty-five thousand dollars for a couple, the monthly deductible is one-twelfth of one thousand two hundred dollars for an individual or one-twelfth of twenty-four hundred dollars for a couple.

6. For any month in which the enrollee does not meet the deductible, the difference between the monthly deductible and the actual expenditure on prescription drugs shall be added to the next month's deductible.

7. Nothing in this section shall be construed as requiring an applicant to accept Medicaid benefits in lieu of participation in this program.

8. For prescription drugs, enrollees shall pay a five dollar co-payment for a generic prescription drug or a brand name prescription drug when a recognized generic drug is not available or is more expensive and a fifteen dollar co-payment for a brand name prescription drug when a recognized generic prescription drug is available. The department may implement higher co-payments. Such co-payment may be modified annually by the general assembly through the appropriation process. Such co-payment shall be used to reduce the state's cost for the program. In addition, each enrollee shall pay an annual twenty-five dollar co-payment to offset the administrative costs of the program. Nothing in this subsection shall be construed as permitting therapeutic substitutions.

9. In providing program benefits, the department may enter into a contract with a private individual, corporation or agency to manage the program.

10. The department shall collaborate with the division of aging in the department of health and utilize area agencies on aging, senior citizens centers and other senior focused entities to provide outreach, enrollment referral assistance and education services to potentially eligible seniors for the pharmaceutical investment program for seniors.

11. The department shall submit quarterly reports to the governor, the senate appropriations committee,

and the house of representatives budget committee, the speaker of the house of representatives and the president pro tem of the senate, that include:

(1) Quantified data as to the number of program applicants and enrollees subsequently found eligible for Medicaid;

(2) An estimate of whether the current rate of expenditures will exceed the existing appropriation for the program in the current fiscal year; and

(3) Recommendations for changes to the deductibles and co-payments for enrollees in the program.

12. The program established in this section is not an entitlement. Benefits shall be limited to the level supported by the moneys explicitly appropriated pursuant to this section. If in any fiscal year the department projects that the total cost of the program will exceed the amount currently appropriated for the program, the department shall implement cost control measures to reduce the projected cost. Such cost control measures may include, but are not limited to, increasing the co-payments outlined in subsection 8 of this section or increasing the deductible requirements outlined in subsection 5 of this section. The department may request a supplemental appropriation to meet the projected costs, but must implement cost containment measures to reduce the projected cost to the current appropriated amount. The pharmaceutical investment program for seniors is a payer of last resort. If the federal government establishes a pharmaceutical assistance program that covers program eligible seniors under Medicare or another program, the pharmaceutical insurance program for seniors shall cover only eligible costs not covered by the federal program.

13. The department may promulgate rules to implement the provisions of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536, RSMo.

14. Any person who knowingly makes any false statements, falsifies or permits to be falsified any records, or engages in conduct in an attempt to defraud the program is guilty of a misdemeanor and shall forfeit all rights to which he or she may be entitled hereunder.

Section B. Section 208.550 of section A of this act shall become effective July 1, 2002.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Purgason raised a point of order that **House Amendment No. 8** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Smith assumed the Chair.

Speaker Kreider resumed the Chair.

On motion of Representative Abel, **House Amendment No. 8** was adopted by the following vote:

AYES: 139

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Burcham	Burton	Byrd	Campbell
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Fraser	Froelker	Gambara
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway

Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Levin
Liese	Long	Lowe	Luetkemeyer	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Reynolds	Richardson	Rizzo
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	St. Onge	Surface	Thompson
Townley	Treadway	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 010

Cunningham	Hohulin	Holand	Hunter	Linton
Lograsso	Marble	Phillips	Ridgeway	Roark

PRESENT: 000

ABSENT WITH LEAVE: 011

Brooks	Carnahan	Crump	Franklin	Hosmer
Legan	Luetkenhaus	Relford	Smith	Troupe
Wiggins				

VACANCIES: 003

Representative Kelly (27) offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 236, by inserting in the appropriate location the following:

"193.125. 1. For each adoption decreed by a court of competent jurisdiction in this state, the court shall require the preparation of a certificate of decree of adoption on a form as prescribed and furnished by the state registrar. The certificate of decree of adoption shall include such facts as are necessary to locate and identify the certificate of birth of the person adopted, and shall provide information necessary to establish a new certificate of birth of the person adopted and shall identify the court and county of the adoption and be certified by the clerk of the court. The state registrar shall file the original certificate of birth with the certificate of decree of adoption and such file may be opened by the state registrar only upon receipt of a certified copy of an order as decreed by the court of adoption **or pursuant to subsection 2 of this section.**

2. Upon receipt of a written application to the state registrar, any adopted person eighteen years of age or older born in the state of Missouri shall be issued a certified copy of his or her unaltered, original and unamended certificate of birth in the custody of the state registrar, with procedures, filing fees and waiting periods identical to those imposed upon nonadopted citizens of the state of Missouri. Nothing in this subsection shall be construed as violating the provisions of section 453.121, RSMo.

3. Information necessary to prepare the report of adoption shall be furnished by each petitioner for adoption or the petitioner's attorney. The social welfare agency or any person having knowledge of the facts shall supply the court with such additional information as may be necessary to complete the report. The provision of such information shall

be prerequisite to the issuance of a final decree in the matter by the court.

[3.] **4.** Whenever an adoption decree is amended or annulled, the clerk of the court shall prepare a report thereof, which shall include such facts as are necessary to identify the original adoption report and the facts amended in the adoption decree as shall be necessary to properly amend the birth record.

[4.] **5.** Not later than the fifteenth day of each calendar month or more frequently as directed by the state registrar the clerk of the court shall forward to the state registrar reports of decrees of adoption, annulment of adoption and amendments of decrees of adoption which were entered in the preceding month, together with such related reports as the state registrar shall require.

[5.] **6.** When the state registrar shall receive a report of adoption, annulment of adoption, or amendment of a decree of adoption for a person born outside this state, he or she shall forward such report to the state registrar in the state of birth.

[6.] **7.** In a case of adoption in this state of a person not born in any state, territory or possession of the United States or country not covered by interchange agreements, the state registrar shall upon receipt of the certificate of decree of adoption prepare a birth certificate in the name of the adopted person, as decreed by the court. The state registrar shall file the certificate of the decree of adoption, and such documents may be opened by the state registrar only by an order of court **or written application to the state registrar by adoptees eighteen years of age or older as provided in subsection 2 of this section.** The birth certificate prepared [under] **pursuant to** this subsection shall have the same legal weight as evidence as a delayed or altered birth certificate as provided in section 193.235.

[7.] **8.** The department, upon receipt of proof that a person has been adopted by a Missouri resident pursuant to laws of countries other than the United States, shall prepare a birth certificate in the name of the adopted person as decreed by the court of such country. If such proof contains the surname of either adoptive parent, the department of health shall prepare a birth certificate as requested by the adoptive parents. Any subsequent change of the name of the adopted person shall be made by a court of competent jurisdiction. The proof of adoption required by the department shall include a copy of the original birth certificate and adoption decree, an English translation of such birth certificate and adoption decree, and a copy of the approval of the immigration of the adopted person by the Immigration and Naturalization Service of the United States government which shows the child lawfully entered the United States. The authenticity of the translation of the birth certificate and adoption decree required by this subsection shall be sworn to by the translator in a notarized document. The state registrar shall file such documents received by the department relating to such adoption and such documents may be opened by the state registrar only by an order of a court **or written application to the state registrar by adoptees eighteen years of age or older as provided in subsection 2 of this section.** A birth certificate pursuant to this subsection shall be issued upon request of one of the adoptive parents of such adopted person or upon request of the adopted person if of legal age. The birth certificate prepared pursuant to the provisions of this subsection shall have the same legal weight as evidence as a delayed or altered birth certificate as provided in sections 193.005 to 193.325.

[8.] **9.** If no certificate of birth is on file for the person under twelve years of age who has been adopted, a belated certificate of birth shall be filed with the state registrar as provided in sections 193.005 to 193.325 before a new birth record is to be established as result of adoption. A new certificate is to be established on the basis of the adoption [under] **pursuant to** this section and shall be prepared on a standard certificate of live birth form.

[9.] **10.** If no certificate of birth has been filed for a person twelve years of age or older who has been adopted, a new birth certificate is to be established [under] **pursuant to** this section upon receipt of proof of adoption as required by the department. A new certificate shall be prepared in the name of the adopted person as decreed by the court, registering adopted parents' names. The new certificate shall be prepared on a delayed birth certificate form. The adoption decree is placed in a sealed file and shall not be subject to inspection except upon an order of the court.

193.255. 1. The state registrar and other custodians of vital records authorized by the state registrar to issue certified copies of vital records upon receipt of application shall issue a certified copy of any vital record in [his] **the registrar's** custody or a part thereof to any applicant having a direct and tangible interest in the vital record, **including an adopted person eighteen years of age or older as provided for in section 193.125.** Each copy issued shall show the date of registration, and copies issued from records marked "Delayed" or "Amended" shall be similarly marked and show the effective date. The documentary evidence used to establish a delayed certificate shall be shown on all copies issued. All forms and procedures used in the issuance of certified copies of vital records in the state shall be provided or approved by the state registrar.

2. A certified copy of a vital record or any part thereof, issued in accordance with subsection 1 of this section, shall be considered for all purposes the same as the original and shall be prima facie evidence of the facts stated therein, provided that the evidentiary value of a certificate or record filed more than one year after the event, or a record which

has been amended, shall be determined by the judicial or administrative body or official before whom the certificate is offered as evidence.

3. The federal agency responsible for national vital statistics may be furnished such copies or data from the system of vital statistics as it may require for national statistics, provided such federal agency share in the cost of collecting, processing, and transmitting such data, and provided further that such data shall not be used for other than statistical purposes by the federal agency unless so authorized by the state registrar.

4. Federal, state, local and other public or private agencies may, upon request, be furnished copies or data of any other vital statistics not obtainable under subsection 1 of this section for statistical or administrative purposes upon such terms or conditions as may be prescribed by regulation, provided that such copies or data shall not be used for purposes other than those for which they were requested unless so authorized by the state registrar.

5. The state registrar may, by agreement, transmit copies of records and other reports required by sections 193.005 to 193.325 to offices of vital statistics outside this state when such records or other reports relate to residents of those jurisdictions or persons born in those jurisdictions. This agreement shall require that the copies be used for statistical and administrative purposes only, and the agreement shall further provide for the retention and disposition of such copies. Copies received by the department from offices of vital statistics in other states shall be handled in the same manner as prescribed in this section.

6. No person shall prepare or issue any certificate which purports to be an original, certified copy, or copy of a vital record except as authorized herein or by regulations adopted hereunder."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Purgason raised a point of order that **House Amendment No. 9** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Kelly (27) moved that **House Amendment No. 9** be adopted.

Which motion was defeated by the following vote:

AYES: 052

Barnitz	Barry 100	Bray 84	Burton	Campbell
Coleman	Davis	Farnen	Foley	Ford
Fraser	George	Graham	Green 15	Green 73
Harding	Harlan	Holand	Hollingsworth	Hosmer
Johnson 61	Johnson 90	Kelly 27	Kelly 36	Kennedy
Koller	Lawson	Lowe	Luetkenhaus	Mays 50
McKenna	Merideth	Ostmann	Ransdall	Reid
Rizzo	Robirds	Selby	Shelton	Skaggs
Smith	Surface	Troupe	Villa	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 094

Baker	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkowitz	Berkstresser	Black	Bland
Boatright	Boucher	Bowman	Boykins	Britt
Burcham	Byrd	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Cunningham	Curls	Dempsey	Dolan	Enz
Fares	Froelker	Gambaro	Gaskill	Gratz
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Hartzler

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Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holt	Hoppe	Hunter
Jetton	Jolly	Kelley 47	Kelly 144	King
Levin	Liese	Lograsso	Luetkemeyer	Marble
Marsh	May 149	Mayer	Miller	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Overschmidt	Phillips	Portwood	Purgason
Rector	Reinhart	Reynolds	Ridgeway	Roark
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Shields	Shoemyer	St. Onge	Thompson
Townley	Treadway	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 014

Abel	Ballard	Bonner	Brooks	Crump
Franklin	Legan	Linton	Long	Monaco
Relford	Richardson	Van Zandt	Wiggins	

VACANCIES: 003

Representative Ward offered **House Amendment No. 10.**

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 236, Page 8, Section 198.531, Line 6 of said page, by inserting after all of said line the following:

"207.155. The division of family services may, subject to appropriation, provide financial assistance to local not-for-profit food pantries operating throughout the state which distribute federally donated agriculture commodities in addition to nonfederal food products. Such financial assistance shall be provided to supplement food pantry funds for the sole purpose of acquiring additional nonfederal food products and shall be limited to direct expenses incurred for sums expended in connection with the acquisition, affiliate food bank shared maintenance fees, transportation, warehousing, storage, safekeeping and distribution of such nonfederal food products. Such financial assistance shall be apportioned in proportion to the number of households served within the service area of the food pantry and, pursuant to an agreement entered into with the division of family services pursuant to this section, shall be made available upon receipt of a reimbursement request form from the food pantry for expenses set forth in this section."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Ward moved that **House Amendment No. 10** be adopted.

Which motion was defeated.

Representative Graham offered **House Amendment No. 11.**

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 236, Page 55, Section 3, Line 2, by inserting after all of said line the following:

“Section 4. 1. The state of Missouri hereby grants limited consent to be sued under the Americans with Disabilities Act, 42 U.S.C. Section 12101, et seq., in the state courts of Missouri. The state of Missouri does not consent to be sued under the Americans with Disabilities Act in federal courts.

2. The consent granted in subsection 1 of this section is for a maximum monetary award in the amounts described in section 537.610. No state court shall enter a judgement for an amount in excess of the monetary limits in section 537.610. Such monetary limit shall apply regardless of whether the state has insurance for defense of the claim. The amount may include attorneys’ fees, but shall not include punitive or exemplary damages.

3. The provisions of this section shall apply to all actions pending or initiated on or after the effective date of this section.

4. The provisions of this section shall, without limitation, apply to the Missouri State Capitol Building.”;
and

Further amend said bill, Page 55, Section B, Line 6, by inserting after the letter “A” the following: **“and the enactment of section 4 of section A”.**

Representative Purgason raised a point of order that **House Amendment No. 11** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Graham, **House Amendment No. 11** was adopted.

Representative Portwood offered **House Amendment No. 12.**

House Amendment No. 12

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 236, Page 34, Section 208.819, Line 19 of said page, by inserting after all of said line the following:

"354.400. As used in sections 354.400 to 354.535, the following terms shall mean:

(1) "Basic health care services", health care services which an enrolled population might reasonably require in order to be maintained in good health, including, as a minimum, emergency care, inpatient hospital and physician care **and chiropractic care, as defined in chapter 331, RSMo**, and outpatient medical **and chiropractic** services;

(2) "Community-based health maintenance organization", a health maintenance organization which:

(a) Is wholly owned and operated by hospitals, hospital systems, physicians, or other health care providers or a combination thereof who provide health care treatment services in the service area described in the application for a certificate of authority from the department of insurance;

(b) Is operated to provide a means for such health care providers to market their services directly to consumers in the service area of the health maintenance organization;

(c) Is governed by a board of directors that exercises fiduciary responsibility over the operations of the health maintenance organization and of which a majority of the directors consist of equal numbers of the following:

a. Physicians licensed pursuant to chapter 334, RSMo;

b. Purchasers of health care services who live in the health maintenance organization's service area;

c. Enrollees of the health maintenance organization elected by the enrollees of such organization; and

d. Hospital executives, if a hospital is involved in the corporate ownership of the health maintenance organization;

(d) Provides for utilization review, as defined in section 374.500, RSMo, under the auspices of a physician medical director who practices medicine in the service area of the health maintenance organization, using review standards developed in consultation with physicians who treat the health maintenance organization's enrollees;

(e) Is actively involved in attempting to improve performance on indicators of health status in the community or communities in which the health maintenance organization is operating, including the health status of those not

enrolled in the health maintenance organization;

(f) Is accountable to the public for the cost, quality and access of health care treatment services and for the effect such services have on the health of the community or communities in which the health maintenance organization is operating on a whole;

(g) Establishes an advisory group or groups comprised of enrollees and representatives of community interests in the service area to make recommendations to the health maintenance organization regarding the policies and procedures of the health maintenance organization;

(h) Enrolls fewer than fifty thousand covered lives;

(3) "Covered benefit" or "benefit", a health care service to which an enrollee is entitled under the terms of a health benefit plan;

(4) "Director", the director of the department of insurance;

(5) "Emergency medical condition", the sudden and, at the time, unexpected onset of a health condition that manifests itself by symptoms of sufficient severity that would lead a prudent lay person, possessing an average knowledge of health and medicine, to believe that immediate medical care is required, which may include, but shall not be limited to:

(a) Placing the person's health in significant jeopardy;

(b) Serious impairment to a bodily function;

(c) Serious dysfunction of any bodily organ or part;

(d) Inadequately controlled pain; or

(e) With respect to a pregnant woman who is having contractions:

a. That there is inadequate time to effect a safe transfer to another hospital before delivery; or

b. That transfer to another hospital may pose a threat to the health or safety of the woman or unborn child;

(6) "Emergency services", health care items and services furnished or required to screen and stabilize an emergency medical condition, which may include, but shall not be limited to, health care services that are provided in a licensed hospital's emergency facility by an appropriate provider;

(7) "Enrollee", a policyholder, subscriber, covered person or other individual participating in a health benefit plan;

(8) "Evidence of coverage", any certificate, agreement, or contract issued to an enrollee setting out the coverage to which the enrollee is entitled;

(9) "Health care services", any services included in the furnishing to any individual of medical, **chiropractic** or dental care or hospitalization, or incident to the furnishing of such care or hospitalization, as well as the furnishing to any person of any and all other services for the purpose of preventing, alleviating, curing, or healing human illness, injury, or physical disability;

(10) "Health maintenance organization", any person which undertakes to provide or arrange for basic and supplemental health care services to enrollees on a prepaid basis, or which meets the requirements of section 1301 of the United States Public Health Service Act;

(11) "Health maintenance organization plan", any arrangement whereby any person undertakes to provide, arrange for, pay for, or reimburse any part of the cost of any health care services and at least part of such arrangement consists of providing and assuring the availability of basic health care services to enrollees, as distinguished from mere indemnification against the cost of such services, on a prepaid basis through insurance or otherwise, and as distinguished from the mere provision of service benefits under health service corporation programs;

(12) "Individual practice association", a partnership, corporation, association, or other legal entity which delivers or arranges for the delivery of health care services and which has entered into a services arrangement with persons who are licensed to practice medicine, osteopathy, dentistry, chiropractic, pharmacy, podiatry, optometry, or any other health profession and a majority of whom are licensed to practice medicine or osteopathy. Such an arrangement shall provide:

(a) That such persons shall provide their professional services in accordance with a compensation arrangement established by the entity; and

(b) To the extent feasible for the sharing by such persons of medical and other records, equipment, and professional, technical, and administrative staff;

(13) "Medical group/staff model", a partnership, association, or other group:

(a) Which is composed of health professionals licensed to practice medicine or osteopathy and of such other licensed health professionals (including dentists, chiropractors, pharmacists, optometrists, and podiatrists) as are necessary for the provisions of health services for which the group is responsible;

(b) A majority of the members of which are licensed to practice medicine or osteopathy; and

(c) The members of which (i) as their principal professional activity over fifty percent individually and as a group responsibility engaged in the coordinated practice of their profession for a health maintenance organization; (ii) pool their income from practice as members of the group and distribute it among themselves according to a prearranged salary or drawing account or other plan, or are salaried employees of the health maintenance organization; (iii) share medical and other records and substantial portions of major equipment and of professional, technical, and administrative staff; (iv) establish an arrangement whereby an enrollee's enrollment status is not known to the member of the group who provides health services to the enrollee;

(14) "Person", any partnership, association, or corporation;

(15) "Provider", any physician, hospital, or other person which is licensed or otherwise authorized in this state to furnish health care services;

(16) "Uncovered expenditures", the costs of health care services that are covered by a health maintenance organization, but that are not guaranteed, insured, or assumed by a person or organization other than the health maintenance organization, or those costs which a provider has not agreed to forgive enrollees if the provider is not paid by the health maintenance organization.

354.640. 1. All managed care organizations subject to the provisions of sections 354.400 to 354.636 shall provide chiropractic benefits to covered enrollees. A covered enrollee may utilize the services of a chiropractic physician as defined in chapter 331, RSMo, without discrimination relative to access, fees, deductibles, co-payments, benefit limits and practice parameters subject to the terms and conditions of the policy. The covered enrollee shall retain the right to choose chiropractic care on an elective, self-pay, fee-for-service basis. No entity regulated pursuant to this chapter shall prohibit a doctor of chiropractic from continuing care on such basis.

2. Nothing in this section shall be construed to limit the health plan's ability to credential providers or be deemed as an any willing provider provision.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Portwood, **House Amendment No. 12** was adopted.

Representative Foley offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 236, Page 4, Section 191.411, Line 16 of said page, by inserting after all of said line the following:

"196.367. Effective July 1, 2005, any manufacturer or distributor shall be exempted from the provisions of sections 196.365 to 196.445 if the manufacturer satisfies all applicable Food and Drug Administration regulations.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Foley, **House Amendment No. 13** was adopted.

Representative Luetkenhaus offered **House Amendment No. 14**.

House Amendment No. 14

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 236, by inserting at the appropriate locations the following:

"354.603. 1. A health carrier shall maintain a network that is sufficient in number and types of [providers] health care professionals to assure that all services to enrollees shall be accessible without unreasonable delay. In the case of emergency services, enrollees shall have access twenty-four hours per day, seven days per week. The health

carrier's medical director shall be responsible for the sufficiency and supervision of the health carrier's network. Sufficiency shall be determined by the director in accordance with the requirements of this section and by reference to any reasonable criteria, including but not limited to, provider-enrollee ratios by specialty, primary care provider-enrollee ratios, geographic accessibility, reasonable distance accessibility criteria for pharmacy and other services, waiting times for appointments with participating [providers] **health care professionals**, hours of operation, and the volume of technological and specialty services available to serve the needs of enrollees requiring technologically advanced or specialty care.

(1) In any case where the health carrier has an insufficient number or type of participating [providers] **health care professionals** to provide a covered benefit, the health carrier shall ensure that the enrollee obtains the covered benefit at no greater cost than if the benefit was obtained from a participating [provider] **health care professional**, or shall make other arrangements acceptable to the director.

(2) The health carrier shall establish and maintain adequate arrangements to ensure reasonable proximity of participating [providers] **health care professional**, including local pharmacists, to the business or personal residence of enrollees. In determining whether a health carrier has complied with this provision, the director shall give due consideration to the relative availability of health care [providers] **professionals** in the service area under, especially rural areas, consideration.

(3) A health carrier shall monitor, on an ongoing basis, the ability, clinical capacity[, financial capability] and legal authority of its [providers] **health care professionals** to furnish all contracted benefits to enrollees. **The provisions of this subdivision shall not be construed to require any health care professional to submit copies of such health care professional's income tax returns to a health carrier. A health carrier may require a health care professional to obtain audited financial statements if such health care professional received ten percent or more of the total medical expenditures made by the health carrier.**

(4) A health carrier shall make its entire network available to all enrollees unless a contract holder has agreed in writing to a different or reduced network.

2. [Beginning July 1, 1998,] A health carrier shall file with the director, in a manner and form defined by rule of the department of insurance, an access plan meeting the requirements of sections 354.600 to 354.636 for each of the managed care plans that the **health** carrier offers in this state. The health carrier may request the director to deem sections of the access plan as proprietary or competitive information that shall not be made public. For the purposes of this section, information is proprietary or competitive if revealing the information will cause the health carrier's competitors to obtain valuable business information. The health carrier shall provide such plans, absent any information deemed by the director to be proprietary, to any interested party upon request. The **health** carrier shall prepare an access plan prior to offering a new managed care plan, and shall update an existing access plan whenever it makes any change as defined by the director to an existing managed care plan. The director shall approve or disapprove the access plan, or any subsequent alterations to the access plan, within sixty days of filing. The access plan shall describe or contain at a minimum the following:

- (1) The health carrier's network;
- (2) The health carrier's procedures for making referrals within and outside its network;
- (3) The health carrier's process for monitoring and assuring on an ongoing basis the sufficiency of the network to meet the health care needs of enrollees of the managed care plan;
- (4) The health carrier's methods for assessing the health care needs of enrollees and their satisfaction with services;
- (5) The health carrier's method of informing enrollees of the plan's services and features, including but not limited to, the plan's grievance procedures, its process for choosing and changing [providers] **health care professionals**, and its procedures for providing and approving emergency and specialty care;
- (6) The health carrier's system for ensuring the coordination and continuity of care for enrollees referred to specialty physicians, for enrollees using ancillary services, including social services and other community resources, and for ensuring appropriate discharge planning;
- (7) The health carrier's process for enabling enrollees to change primary care professionals;
- (8) The health carrier's proposed plan for providing continuity of care in the event of contract termination between the health carrier and any of its participating [providers] **health care professionals**, in the event of a reduction in service area or in the event of the health carrier's insolvency or other inability to continue operations. The description shall explain how enrollees shall be notified of the contract termination, reduction in service area or the health carrier's insolvency or other modification or cessation of operations, and transferred to other [providers] **health care professionals** in a timely manner; and

(9) Any other information required by the director to determine compliance with the provisions of sections 354.600 to 354.636.

354.606. 1. A health carrier shall establish a mechanism by which the participating provider shall be notified on an ongoing basis of the specific covered health services for which the provider shall be responsible, including any limitations or conditions on services.

2. Every contract between a health carrier and a participating provider shall set forth a hold harmless provision specifying protection for enrollees. This requirement shall be met by including a provision substantially similar to the following:

"Provider agrees that in no event, including but not limited to nonpayment by the health carrier or intermediary, insolvency of the health carrier or intermediary, or breach of this agreement, shall the provider bill, charge, collect a deposit from, seek compensation, remuneration or reimbursement from, or have any recourse against an enrollee or a person, other than the health carrier or intermediary, acting on behalf of the enrollee for services provided pursuant to this agreement. This agreement shall not prohibit the provider from collecting coinsurance, deductibles or co-payments, as specifically provided in the evidence of coverage, or fees for uncovered services delivered on a fee-for-service basis to enrollees. This agreement shall not prohibit a provider, except for a health care professional who is employed full time on the staff of a health carrier and has agreed to provide service exclusively to that health carrier's enrollees and no others, and an enrollee from agreeing to continue services solely at the expense of the enrollee, as long as the provider has clearly informed the enrollee that the health carrier may not cover or continue to cover a specific service or services. Except as provided herein, this agreement does not prohibit the provider from pursuing any available legal remedy; including, but not limited to, collecting from any insurance carrier providing coverage to a covered person."

3. Every contract between a health carrier and a participating provider shall set forth that in the event of a health carrier's or intermediary's insolvency or other cessation of operations, covered services to enrollees shall continue through the period for which a premium has been paid to the health carrier on behalf of the enrollee or until the enrollee's discharge from an inpatient facility, whichever time is greater.

4. The contract provisions satisfying the requirements of subsections 2 and 3 of this section shall:

(1) Be construed in favor of the enrollee;

(2) Survive the termination of the contract regardless of the reason for termination, including the insolvency of the health carrier; and

(3) Supersede any oral or written contrary agreement between a provider and an enrollee or the representative of an enrollee if the contrary agreement is inconsistent with the hold harmless and continuation of covered services provisions required by subsections 2 and 3 of this section.

5. In no event shall a participating provider collect or attempt to collect from an enrollee any money owed to the provider by the health carrier nor shall a participating provider collect or attempt to collect from an enrollee any money in excess of the coinsurance, co-payments or deductibles. Failure of a health carrier to make timely payment of an amount owed to a provider in accordance with the provider's contract shall constitute an unfair claims settlement practice subject to sections 375.1000 to 375.1018, RSMo.

6. (1) A health carrier shall develop selection standards for participating primary care professionals and each participating health care professional specialty. Such standards shall be in writing and used in determining the selection of health care professionals by the health carrier, its intermediaries and any provider networks with which it contracts. Selection criteria shall not be established in a manner that will:

(a) Allow a health carrier to avoid a high-risk population by excluding a provider because such provider is located in a geographic area that contains a population presenting a risk of higher than average claims, losses or health services utilization; or

(b) Exclude a provider because such provider treats or specializes in treating a population presenting a risk of higher than average claims, losses or health services utilization.

(2) Paragraphs (a) and (b) of subdivision (1) of this subsection shall not be construed to prohibit a health carrier from declining to select a provider who fails to meet the other legitimate selection criteria of the health carrier developed in compliance with sections 354.600 to 354.636.

(3) The provisions of sections 354.600 to 354.636 shall not require a health carrier, its intermediaries or the provider networks with which it contracts, to employ specific providers or types of providers, or to contract with or retain more providers or types of providers than are necessary to maintain an adequate network.

7. A health carrier shall file its selection standards for participating providers with the director. A health carrier shall also file any subsequent changes to its selection standards with the director. The selection standards shall be made available to licensed health care providers.

8. A health carrier shall notify a participating provider of the provider's responsibilities with respect to the health carrier's applicable administrative policies and programs, including but not limited to payment terms, utilization review, quality assessment and improvement programs, credentialing, grievance procedures, data reporting requirements, confidentiality requirements and any applicable federal or state programs.

9. No contract between a health carrier and a provider for the delivery of health care service, entered into or renewed after August 28, 2001, shall require the mandatory use of a hospitalist. For purposes of this subsection, "hospitalist" means a physician who becomes a physician of record at a hospital for a patient of a participating provider and who may return the care of the patient to that participating provider at the end of hospitalization.

[9.] **10.** A health carrier shall not offer an inducement under the managed care plan to a provider to provide less than medically necessary services to an enrollee.

[10.] **11.** A health carrier shall not prohibit a participating provider from advocating in good faith on behalf of enrollees within the utilization review or grievance processes established by the health carrier or a person contracting with the health carrier.

[11.] **12.** A health carrier shall require a provider to make health records available to appropriate state and federal authorities involved in assessing the quality of care but shall not disclose individual identities, or investigating the grievances or complaints of enrollees, and to comply with the applicable state and federal laws related to the confidentiality of medical or health records.

[12.] **13.** The rights and responsibilities of a provider under a contract between a health carrier and a participating provider shall not be assigned or delegated by the provider without the prior written consent of the health carrier.

[13.] **14.** A health carrier shall be responsible for ensuring that a participating provider furnishes covered benefits to all enrollees without regard to the enrollee's enrollment in the plan as a private purchaser of the plan or as a participant in a publicly financed program of health care service.

[14.] **15.** A health carrier shall notify the participating providers of their obligations, if any, to collect applicable coinsurance, co-payments or deductibles from enrollees pursuant to the evidence of coverage, or of the providers' obligations, if any, to notify enrollees of their personal financial obligations for noncovered services.

[15.] **16.** A health carrier shall not penalize a provider because the provider, in good faith, reports to state or federal authorities any act or practice by the health carrier that may jeopardize patient health or welfare.

[16.] **17.** A health carrier shall establish a mechanism by which a participating provider may determine in a timely manner whether a person is covered by the carrier.

[17.] **18.** A health carrier shall not discriminate between health care professionals when selecting such professionals for enrollment in the network or when referring enrollees for health care services to be provided by such health care professional who is acting within the scope of his professional license.

[18.] **19.** A health carrier shall establish procedures for resolution of administrative, payment or other disputes between providers and the health carrier.

[19.] **20.** A contract between a health carrier and a provider shall not contain definitions or other provisions that conflict with the definitions or provisions contained in the managed care plan or sections 354.600 to 354.636.

376.383. 1. To the extent consistent with the Employee Retirement Income Security Act of 1974 (ERISA), 29 U.S.C. 1001, et seq., this section shall apply to any health [insurer] **carrier** as defined in section [376.806, any nonprofit health service plan and any health maintenance organization] **376.1350.**

2. Within [forty-five] **thirty** days after receipt of a claim **by a health carrier or a third party claims administrator contracted with said health carrier to receive or process the claim** for reimbursement [from a person entitled to reimbursement] **for a health care service provided in this state as defined in section 376.1350,** a health [insurer, nonprofit health service plan or health maintenance organization] **carrier** shall pay the claim in accordance with this section or send a notice of receipt and status of the claim that states:

(1) That the [insurer, nonprofit health service plan or health maintenance organization] **health carrier** refuses to reimburse all or part of the claim and the reason for the refusal; or

(2) That **a request for** additional information is necessary to determine if all or part of the claim will be reimbursed and what specific additional information is necessary[.] **to process the claim for payment. The health carrier must acknowledge receipt to the health care professional or entity that submitted the claim of all the requested additional information. Payment or denial of the claim shall constitute acknowledgment. Acknowledgment may be through electronic means.**

3. Within forty-five days after receipt of a claim by a health carrier or a third party claims administrator

contracted with said health carrier to receive or process the claim for reimbursement for a health care service provided in this state as defined in section 376.1350, a health carrier shall pay the claim in accordance with this section or send a notice of receipt and status of the claim that states:

- (1) That the health carrier refuses to reimburse all or part of the claim and the reason for refusal; or
- (2) That a final request for additional information is necessary to determine if all or part of the claim will be reimbursed and what specific additional information is necessary to process the claim for payment. The health carrier must acknowledge receipt to the health care professional or entity that submitted the claim of the requested additional information within five working days.

[3.] 4. If [an insurer, nonprofit health service plan or health maintenance organization] a health carrier fails to comply with subsection 2 or 3 of this section, the [insurer, nonprofit health service plan or health maintenance organization] health carrier shall pay interest on the amount of the claim that remains unpaid forty-five days after the claim is [filed] received by the health carrier or a third party claims administrator contracted with said health carrier to receive or process the claim at the monthly rate of one percent. The interest paid pursuant to this subsection shall be included in any late reimbursement without the necessity for the person that filed the original claim to make an additional claim for that interest. A carrier may combine interest payments and make payment once the aggregated amount reaches five dollars.

5. All claims shall be deemed complete claims upon receipt until such time as it is determined that additional information is required in order to pay the claim. If additional information is requested pursuant to subsection 2 or 3 of this section, the claim shall again be deemed complete upon receipt of all additional information requested. For the purpose of calculating the number of days pursuant to this section, the counting of days shall begin on the day the claim is received by the health carrier or a third party claims administrator contracted with said health carrier to receive or process the claim. The counting of days shall be suspended the day following the day the health carrier sends a request for additional information pursuant to this section and the counting of days shall resume once all additional information requested is received by the health carrier or a third party claims administrator contracted with said health carrier to receive or process the claim. All requests for additional information may be made electronically.

[4.] 6. Within [ten] sixty days after the day on which [all additional information is received] a claim is received by [an insurer, nonprofit health service plan or health maintenance organization] a health carrier or a third party claims administrator contracted with said health carrier to receive or process the claim, [it] said health carrier shall pay the claim in accordance with this section or send a written notice that:

- (1) States refusal to reimburse the claim or any part of the claim; and
- (2) Specifies each reason for denial.

[An insurer, nonprofit health service plan or health maintenance organization that fails to comply with this subsection shall pay interest on any amount of the claim that remains unpaid at the monthly rate of one percent.

5. A provider who is paid interest under this section shall pay the proportionate amount of said interest to the enrollee or insured to the extent and for the time period that the enrollee or insured had paid for the services and for which reimbursement was due to the insured or enrollee.

6.] 7. The failure of the health carrier to receive all requested information pursuant to subsection 2 or 3 of this section by the one hundred twentieth day after the initial receipt of the original claim, including any suspended days accrued pursuant to subsection 5 of this section, may be a proper ground for denying all or part of the claim.

8. If a health carrier fails to pay or deny a claim pursuant to the requirements of this section, the health carrier shall pay a penalty in the amount of ten dollars per day for each day each unpaid claim, interest or penalty remains unpaid. The penalty imposed by this subsection shall not exceed triple the amount of the unpaid claim. The penalty shall cease to accrue after thirty days, unless prior to such date, but after the penalty period commences, the provider sends notice by certified mail, return receipt requested, of the unpaid claim. Said notice shall identify the claim in question.

9. The interest and penalties prescribed by this section shall not apply to any claim which is the subject of an action filed in a court of competent jurisdiction or is appealed pursuant to sections 376.1350 to 376.1390, RSMo, or similar federal laws or regulations, or if a claim is under active investigation for fraud, as such term is defined in 42 CFR 447.45(b).

10. In any civil action filed pursuant to this section, the court may order the payment of reasonable attorney's fees and court costs. If such action is dismissed on the grounds that it was frivolous, malicious or failed to state a claim upon which relief may be granted, the court shall order reasonable attorney's fees and

court costs to the defendant.

11. This section shall become effective [April 1, [1999] **January 1, 2002.**

12. **Nothing in this section shall apply to workers' compensation claims filed pursuant to chapter 287, RSMo.**

376.384. 1. For purposes of this section, "health care professional" means the same as such term is defined in section 376.1350 and "health carrier" means the same as such term is defined in section 376.1350. Any health carrier shall:

(1) Permit health care professionals to file a claim for reimbursement for a health care service provided in this state as defined in section 376.1350 for a period of up to one hundred eighty days from the date of service;

(2) Not request a refund or offset against a claim more than one hundred eighty days after a carrier has paid a claim except in cases of fraud or material misrepresentation by the health care professional;

(3) The health carrier shall, upon request, provide any contracted health care professional with a fee schedule with the carrier's reimbursement rates for no less than thirty procedure codes for the most commonly performed services for which the health care professional is contracted to provide;

(4) Issue within one working day a confirmation of receipt of an electronically filed claim by a health care professional or entity that submitted the claim, unless the claim is paid during such time.

2. On or after January 1, 2003, all claims submitted electronically for reimbursement for a health care service provided in this state shall be submitted in a uniform format utilizing standard medical code sets. The uniform format and the standard medical code sets shall be promulgated by the department of insurance through rules consistent with but no more stringent than the federal administrative simplification standards adopted pursuant to the Health Insurance Portability and Accountability Act of 1996. Any claim submitted in a nonelectronic format after January 1, 2002, shall not be subject to the provisions of subsection 8 of section 376.383; however, interest shall accrue on claims filed in a nonelectronic format that are not paid or denied in accordance with section 376.383. A health carrier shall provide electronic filing after January 1, 2002.

3. Nothing in this section shall apply to workers' compensation claims filed pursuant to chapter 287, RSMo.

376.406. 1. All [individual and group health insurance policies providing coverage on an expense incurred basis, individual and group service or indemnity type contracts issued by a nonprofit corporation, and all self-insured group health benefit plans, of any type or description,] **health benefit plans which provide coverage for a family member of [the insured or subscriber] **an enrollee** shall, as to such family member's coverage, also provide that the health [insurance] benefits applicable for children shall be payable with respect to a newly born child of the [insured or subscriber] **enrollee** from the moment of birth.**

2. The coverage for newly born children shall consist of coverage of injury or sickness including the necessary care and treatment of medically diagnosed congenital defects and birth abnormalities.

3. If payment of a specific premium or subscription fee is required to provide coverage for a child, the [policy or contract] **health benefit plan may require that notification of birth of a newly born child and payment of the required premium or fees must be furnished to the [insurer or nonprofit service or indemnity corporation] **health carrier** within thirty-one days after the date of birth in order to have the coverage continue beyond such thirty-one day period. **If an application or other form of enrollment is required in order to continue coverage beyond the thirty-one-day period after the date of birth and the enrollee has notified the health carrier of the birth, either orally or in writing, the health carrier shall, upon notification, provide the enrollee with all forms and instructions necessary to enroll the newly born child and shall allow the enrollee an additional ten days from the date the forms and instructions are provided in which to enroll the newly born child.****

4. The requirements of this section shall apply to all [insurance policies and subscriber contracts] **health benefit plans delivered or issued for delivery in this state [more than one hundred twenty days after August 13, 1974] **on or after August 28, 2001.****

5. For the purposes of this section, any review, renewal, extension, or continuation of any [plan, policy, or contract] **health benefit plan or of any of the terms, premiums, or subscriptions of the [plan, policy, or contract] **health benefit plan** shall constitute a new delivery or issuance for delivery of the [plan, policy or contract] **health benefit plan.****

6. As used in this section, the terms "health benefit plan", "health carrier", and "enrollee" shall have the same meaning as defined in section 376.1350."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Harlan offered **House Substitute Amendment No. 1 for House Amendment No. 14.**

*House Substitute Amendment No. 1
for
House Amendment No. 14*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 236, Page 5, Section 198.071, Line 21 of said page, by inserting after all of said line the following:

"198.530. 1. If an enrollee in a managed care organization is also a resident in a long-term care facility licensed pursuant to chapter 198, or a continuing care retirement community, as defined in section 197.305, RSMo, such enrollee's managed care organization shall provide the enrollee with the option of receiving the covered service in the long-term care facility which serves as the enrollee's primary residence. For purposes of this section, "managed care organization" means any [organization that offers any health plan certified] **entity licensed** by the department of [health] **insurance that offers any health plans** designed to provide incentives to medical care providers to manage the cost and use of care associated with claims, including, but not limited to, a health maintenance organization [and preferred provider organization], **insurance company and health services corporation.** The resident enrollee's managed care organization shall reimburse the resident facility for those services which would otherwise be covered by the managed care organization if the following conditions apply:

- (1) The facility is willing and able to provide the services to the resident; and
- (2) The facility and those health care professionals delivering services to residents pursuant to this section meet the licensing and training standards as prescribed by law; and
- (3) The facility is certified through Medicare; and
- (4) The facility and those health care professionals delivering services to residents pursuant to this section agree to abide by the terms and conditions of the health carrier's contracts with similar providers, abide by patient protection standards and requirements imposed by state or federal law for plan enrollees and meet the quality standards established by the health carrier for similar providers.

2. The managed care organization shall reimburse the resident facility at a rate of reimbursement not less than the Medicare allowable rate pursuant to Medicare rules and regulations.

3. The services in subsection 1 of this section shall include, but are not limited to, skilled nursing care, rehabilitative and other therapy services, and postacute care, as needed. Nothing in this section shall limit the managed care organization from utilizing contracted providers to deliver the services in the enrollee's resident facility.

4. A resident facility shall not prohibit a health carrier's participating providers from providing covered benefits to an enrollee in the resident facility. A resident facility or health care professional shall not impose any charges on an enrollee for any service that is ancillary to, a component of, or in support of the services provided under this section when the services are provided by a health carrier's participating provider, or otherwise create a disincentive for the use of the health carrier's participating providers. Any violation of the requirements of this subsection by the resident facility shall be considered abuse or neglect of the resident enrollee."; and

Further amend said bill, Page 34, Section 208.819, Line 19 of said page, by inserting after all of said line the following:

"354.603. 1. A health carrier shall maintain a network that is sufficient in number and types of [providers] **health care professionals** to assure that all services to enrollees shall be accessible without unreasonable delay. In the case of emergency services, enrollees shall have access twenty-four hours per day, seven days per week. The health carrier's medical director shall be responsible for the sufficiency and supervision of the health carrier's network. Sufficiency shall be determined by the director in accordance with the requirements of this section and by reference to any reasonable criteria, including but not limited to, provider-enrollee ratios by specialty, primary care provider-enrollee ratios, geographic accessibility, reasonable distance accessibility criteria for pharmacy and other services, waiting times for appointments with participating [providers] **health care professionals**, hours of operation, and the volume of technological and specialty services available to serve the needs of enrollees requiring technologically advanced or specialty care.

- (1) In any case where the health carrier has an insufficient number or type of participating [providers] **health**

care professionals to provide a covered benefit, the health carrier shall ensure that the enrollee obtains the covered benefit at no greater cost than if the benefit was obtained from a participating [provider] **health care professional**, or shall make other arrangements acceptable to the director.

(2) The health carrier shall establish and maintain adequate arrangements to ensure reasonable proximity of participating [providers] **health care professional**, including local pharmacists, to the business or personal residence of enrollees. In determining whether a health carrier has complied with this provision, the director shall give due consideration to the relative availability of health care [providers] **professionals** in the service area under, especially rural areas, consideration.

(3) A health carrier shall monitor, on an ongoing basis, the ability, clinical capacity[, financial capability] and legal authority of its [providers] **health care professionals** to furnish all contracted benefits to enrollees. **The provisions of this subdivision shall not be construed to require any health care professional to submit copies of such health care professional's income tax returns to a health carrier. A health carrier may require a health care professional to obtain audited financial statements if such health care professional received ten percent or more of the total medical expenditures made by the health carrier.**

(4) A health carrier shall make its entire network available to all enrollees unless a contract holder has agreed in writing to a different or reduced network.

2. [Beginning July 1, 1998,] A health carrier shall file with the director, in a manner and form defined by rule of the department of insurance, an access plan meeting the requirements of sections 354.600 to 354.636 for each of the managed care plans that the **health** carrier offers in this state. The health carrier may request the director to deem sections of the access plan as proprietary or competitive information that shall not be made public. For the purposes of this section, information is proprietary or competitive if revealing the information will cause the health carrier's competitors to obtain valuable business information. The health carrier shall provide such plans, absent any information deemed by the director to be proprietary, to any interested party upon request. **The health** carrier shall prepare an access plan prior to offering a new managed care plan, and shall update an existing access plan whenever it makes any change as defined by the director to an existing managed care plan. The director shall approve or disapprove the access plan, or any subsequent alterations to the access plan, within sixty days of filing. The access plan shall describe or contain at a minimum the following:

- (1) The health carrier's network;
- (2) The health carrier's procedures for making referrals within and outside its network;
- (3) The health carrier's process for monitoring and assuring on an ongoing basis the sufficiency of the network to meet the health care needs of enrollees of the managed care plan;
- (4) The health carrier's methods for assessing the health care needs of enrollees and their satisfaction with services;
- (5) The health carrier's method of informing enrollees of the plan's services and features, including but not limited to, the plan's grievance procedures, its process for choosing and changing [providers] **health care professionals**, and its procedures for providing and approving emergency and specialty care;
- (6) The health carrier's system for ensuring the coordination and continuity of care for enrollees referred to specialty physicians, for enrollees using ancillary services, including social services and other community resources, and for ensuring appropriate discharge planning;
- (7) The health carrier's process for enabling enrollees to change primary care professionals;
- (8) The health carrier's proposed plan for providing continuity of care in the event of contract termination between the health carrier and any of its participating [providers] **health care professionals**, in the event of a reduction in service area or in the event of the health carrier's insolvency or other inability to continue operations. The description shall explain how enrollees shall be notified of the contract termination, reduction in service area or the health carrier's insolvency or other modification or cessation of operations, and transferred to other [providers] **health care professionals** in a timely manner; and
- (9) Any other information required by the director to determine compliance with the provisions of sections 354.600 to 354.636.

354.606. 1. A health carrier shall establish a mechanism by which the participating provider shall be notified on an ongoing basis of the specific covered health services for which the provider shall be responsible, including any limitations or conditions on services.

2. Every contract between a health carrier and a participating provider shall set forth a hold harmless provision specifying protection for enrollees. This requirement shall be met by including a provision substantially similar to the following:

"Provider agrees that in no event, including but not limited to nonpayment by the health carrier or intermediary, insolvency of the health carrier or intermediary, or breach of this agreement, shall the provider bill, charge, collect a deposit from, seek compensation, remuneration or reimbursement from, or have any recourse against an enrollee or a person, other than the health carrier or intermediary, acting on behalf of the enrollee for services provided pursuant to this agreement. This agreement shall not prohibit the provider from collecting coinsurance, deductibles or co-payments, as specifically provided in the evidence of coverage, or fees for uncovered services delivered on a fee-for-service basis to enrollees. This agreement shall not prohibit a provider, except for a health care professional who is employed full time on the staff of a health carrier and has agreed to provide service exclusively to that health carrier's enrollees and no others, and an enrollee from agreeing to continue services solely at the expense of the enrollee, as long as the provider has clearly informed the enrollee that the health carrier may not cover or continue to cover a specific service or services. Except as provided herein, this agreement does not prohibit the provider from pursuing any available legal remedy; including, but not limited to, collecting from any insurance carrier providing coverage to a covered person."

3. Every contract between a health carrier and a participating provider shall set forth that in the event of a health carrier's or intermediary's insolvency or other cessation of operations, covered services to enrollees shall continue through the period for which a premium has been paid to the health carrier on behalf of the enrollee or until the enrollee's discharge from an inpatient facility, whichever time is greater.

4. The contract provisions satisfying the requirements of subsections 2 and 3 of this section shall:

(1) Be construed in favor of the enrollee;

(2) Survive the termination of the contract regardless of the reason for termination, including the insolvency of the health carrier; and

(3) Supersede any oral or written contrary agreement between a provider and an enrollee or the representative of an enrollee if the contrary agreement is inconsistent with the hold harmless and continuation of covered services provisions required by subsections 2 and 3 of this section.

5. In no event shall a participating provider collect or attempt to collect from an enrollee any money owed to the provider by the health carrier nor shall a participating provider collect or attempt to collect from an enrollee any money in excess of the coinsurance, co-payments or deductibles. Failure of a health carrier to make timely payment of an amount owed to a provider in accordance with the provider's contract shall constitute an unfair claims settlement practice subject to sections 375.1000 to 375.1018, RSMo.

6. (1) A health carrier shall develop selection standards for participating primary care professionals and each participating health care professional specialty. Such standards shall be in writing and used in determining the selection of health care professionals by the health carrier, its intermediaries and any provider networks with which it contracts. Selection criteria shall not be established in a manner that will:

(a) Allow a health carrier to avoid a high-risk population by excluding a provider because such provider is located in a geographic area that contains a population presenting a risk of higher than average claims, losses or health services utilization; or

(b) Exclude a provider because such provider treats or specializes in treating a population presenting a risk of higher than average claims, losses or health services utilization.

(2) Paragraphs (a) and (b) of subdivision (1) of this subsection shall not be construed to prohibit a health carrier from declining to select a provider who fails to meet the other legitimate selection criteria of the health carrier developed in compliance with sections 354.600 to 354.636.

(3) The provisions of sections 354.600 to 354.636 shall not require a health carrier, its intermediaries or the provider networks with which it contracts, to employ specific providers or types of providers, or to contract with or retain more providers or types of providers than are necessary to maintain an adequate network.

7. A health carrier shall file its selection standards for participating providers with the director. A health carrier shall also file any subsequent changes to its selection standards with the director. The selection standards shall be made available to licensed health care providers.

8. A health carrier shall notify a participating provider of the provider's responsibilities with respect to the health carrier's applicable administrative policies and programs, including but not limited to payment terms, utilization review, quality assessment and improvement programs, credentialing, grievance procedures, data reporting requirements, confidentiality requirements and any applicable federal or state programs.

9. No contract between a health carrier and a provider for the delivery of health care service, entered into or renewed after August 28, 2001, shall require the mandatory use of a hospitalist. For purposes of this subsection, "hospitalist" means a physician who becomes a physician of record at a hospital for a patient of a participating provider and who may return the care of the patient to that participating provider at the end of

hospitalization.

[9.] **10.** A health carrier shall not offer an inducement under the managed care plan to a provider to provide less than medically necessary services to an enrollee.

[10.] **11.** A health carrier shall not prohibit a participating provider from advocating in good faith on behalf of enrollees within the utilization review or grievance processes established by the health carrier or a person contracting with the health carrier.

[11.] **12.** A health carrier shall require a provider to make health records available to appropriate state and federal authorities involved in assessing the quality of care but shall not disclose individual identities, or investigating the grievances or complaints of enrollees, and to comply with the applicable state and federal laws related to the confidentiality of medical or health records.

[12.] **13.** The rights and responsibilities of a provider under a contract between a health carrier and a participating provider shall not be assigned or delegated by the provider without the prior written consent of the health carrier.

[13.] **14.** A health carrier shall be responsible for ensuring that a participating provider furnishes covered benefits to all enrollees without regard to the enrollee's enrollment in the plan as a private purchaser of the plan or as a participant in a publicly financed program of health care service.

[14.] **15.** A health carrier shall notify the participating providers of their obligations, if any, to collect applicable coinsurance, co-payments or deductibles from enrollees pursuant to the evidence of coverage, or of the providers' obligations, if any, to notify enrollees of their personal financial obligations for noncovered services.

[15.] **16.** A health carrier shall not penalize a provider because the provider, in good faith, reports to state or federal authorities any act or practice by the health carrier that may jeopardize patient health or welfare.

[16.] **17.** A health carrier shall establish a mechanism by which a participating provider may determine in a timely manner whether a person is covered by the carrier.

[17.] **18.** A health carrier shall not discriminate between health care professionals when selecting such professionals for enrollment in the network or when referring enrollees for health care services to be provided by such health care professional who is acting within the scope of his professional license.

[18.] **19.** A health carrier shall establish procedures for resolution of administrative, payment or other disputes between providers and the health carrier.

[19.] **20.** A contract between a health carrier and a provider shall not contain definitions or other provisions that conflict with the definitions or provisions contained in the managed care plan or sections 354.600 to 354.636.

354.618. 1. A health carrier shall be required to offer as an additional health plan, an open referral health plan whenever it markets a gatekeeper group plan as an exclusive or full replacement health plan offering to a group contract holder:

(1) In the case of group health plans offered to employers of fifty or fewer employees, the decision to accept or reject the additional open referral plan offering shall be made by the group contract holder. For health plans marketed to employers of over fifty employees, the decision to accept or reject shall be made by the employee;

(2) Contracts currently in existence shall offer the additional open referral health plan at the next annual renewal after August 28, 1997; however, multiyear group contracts need not comply until the expiration of their current multiyear term unless the group contract holder elects to comply before that time;

(3) If an employer provides more than one health plan to its employees and at least one is an open referral plan, then all health benefit plans offered by such employer shall be exempt from the requirements of this section.

2. For the purposes of this [act] **section**, the following terms shall mean:

(1) "Open referral plan", a plan in which the enrollee is allowed to obtain treatment for covered benefits without a referral from a primary care physician from any person licensed to provide such treatment;

(2) "Gatekeeper group plan", a plan in which the enrollee is required to obtain a referral from a primary care professional in order to access specialty care.

3. Any health benefit plan provided pursuant to the Medicaid program shall be exempt from the requirements of this section.

4. [A health carrier shall have a procedure by which a female enrollee may seek the health care services of an obstetrician/gynecologist at least once a year without first obtaining prior approval from the enrollee's primary care provider if the benefits are covered under the enrollee's health benefit plan, and the obstetrician/gynecologist is a member of the health carrier's network.] **Each health carrier or health benefit plan that offers or issues health benefit plans providing obstetrical/gynecological benefits which are delivered, issued for delivery, continued or renewed in this state on or after January 1, 2002, shall provide enrollees with direct access to the services of a**

participating obstetrician, participating gynecologist or participating obstetrician/gynecologist of her choice within the provider network for covered services. The services covered by this subsection shall be limited to those services defined by the published recommendations of the accreditation council for graduate medical education for training an obstetrician, gynecologist or obstetrician/gynecologist, including but not limited to diagnosis, treatment and referral for such services. A health carrier shall not impose additional co-payments, coinsurance, or deductibles upon any enrollee who seeks or receives health care services pursuant to this subsection, unless similar additional co-payments, coinsurance, or deductibles are imposed for other types of health care services received within the provider network. Nothing in this subsection shall be construed to conflict with section 376.805, RSMo. In no event shall a health carrier be required to permit an enrollee to have health care services delivered by a nonparticipating obstetrician/gynecologist. An obstetrician/gynecologist who delivers health care services directly to an enrollee shall report such visit and health care services provided to the enrollee's primary care provider. [A health carrier may require an enrollee to obtain a referral from the primary care physician, if such enrollee requires more than one annual visit with an obstetrician/gynecologist.]

5. Except for good cause, a health carrier shall be prohibited either directly, or indirectly through intermediaries, from discriminating between eye care providers when selecting among providers of health services for enrollment in the network and when referring enrollees for health services provided within the scope of those professional licenses and when reimbursing amounts for covered services among persons duly licensed to provide such services. For the purposes of this section, an eye care provider may be either an optometrist licensed pursuant to chapter 336, RSMo, or a physician who specializes in [ophthamologic] **ophthalmologic** medicine, licensed pursuant to chapter 334, RSMo.

6. Nothing contained in this section shall be construed as to require a health carrier to pay for health care services not provided for in the terms of a health benefit plan.

7. Any health carrier, which is sponsored by a federally qualified health center and is presently in existence and which has been in existence for less than three years shall be exempt from this section for a period not to exceed two years from August 28, 1997.

8. A health carrier shall not be required to offer the direct access rider for a group contract holder's health benefit plan if the health benefit plan is being provided pursuant to the terms of a collective bargaining agreement with a labor union, in accordance with federal law and the labor union has declined such option on behalf of its members.

9. Nothing in this [act] **section** shall be construed to preempt the employer's right to select the health care provider pursuant to section 287.140, RSMo, in a case where an employee incurs a work-related injury covered by the provisions of chapter 287, RSMo.

10. Nothing contained in this [act] **section** shall apply to certified managed care organizations while providing medical treatment to injured employees entitled to receive health benefits [under] **pursuant to the provisions of** chapter 287, RSMo, pursuant to contractual arrangements with employers, or their insurers, [under] **pursuant to** section 287.135, RSMo.

376.383. 1. To the extent consistent with the Employee Retirement Income Security Act of 1974 (ERISA), 29 U.S.C. 1001, et seq., this section shall apply to any health [insurer] **carrier** as defined in section [376.806, any nonprofit health service plan and any health maintenance organization] **376.1350**.

2. Within [forty-five] **thirty** days after receipt of a claim **by a health carrier or a third party contracted with said health carrier to receive or process the claim** for reimbursement [from a person entitled to reimbursement] **for a health care service provided in this state as defined in section 376.1350**, a health [insurer, nonprofit health service plan or health maintenance organization] **carrier** shall pay the claim in accordance with this section or send a notice of receipt and status of the claim that states:

(1) That the [insurer, nonprofit health service plan or health maintenance organization] **health carrier** refuses to reimburse all or part of the claim and the reason for the refusal; or

(2) That **a request for** additional information is necessary to determine if all or part of the claim will be reimbursed and what specific additional information is necessary[.] **to process the entire claim for payment. The health carrier must acknowledge receipt to the health care professional or entity that submitted the claim of all the requested additional information or pay the claim. Acknowledgment may be through electronic means.**

3. Within forty-five days after receipt of a claim by a health carrier or a third party contracted with said health carrier to receive or process the claim for reimbursement for a health care service provided in this state as defined in section 376.1350, a health carrier shall pay the claim in accordance with this section or send a notice of receipt and status of the claim that states:

- (1) That the health carrier refuses to reimburse all or part of the claim and the reason for refusal; or
- (2) That a final request for additional information is necessary to determine if all or part of the claim will

be reimbursed and what specific additional information is necessary to process the entire claim for payment. The health carrier must acknowledge receipt to the health care professional or entity that submitted the claim of the requested additional information within five working days.

[3.] **4.** If [an insurer, nonprofit health service plan or health maintenance organization] **a health carrier** fails to comply with subsection 2 or 3 of this section, the [insurer, nonprofit health service plan or health maintenance organization] **health carrier** shall pay interest on the amount of the claim that remains unpaid forty-five days after the claim is [filed] **received by the health carrier or a third party contracted with said health carrier to receive or process the claim** at the monthly rate of one percent. The interest paid pursuant to this subsection shall be included in any late reimbursement without the necessity for the person that filed the original claim to make an additional claim for that interest. **A carrier may combine interest payments and make payment once the aggregated amount reaches five dollars.**

5. All claims shall be deemed complete claims upon receipt until such time as it is determined that additional information is required in order to pay the claim. If additional information is requested pursuant to subsection 2 or 3 of this section, the claim shall again be deemed complete upon receipt of all additional information requested. For the purpose of calculating the number of days pursuant to this section, the counting of days shall begin on the day the claim is received by the health carrier or a third party contracted with said health carrier to receive or process the claim. The counting of days shall be suspended the day following the day the health care professional receives a request for additional information pursuant to this section and the counting of days shall resume again once all the additional information requested is received by the health carrier or a third party contracted with said health carrier to receive or process the claim. All requests for additional information may be made electronically.

[4.] **6.** Within [ten] **sixty** days after the day on which [all additional information is received] **a claim is received** by [an insurer, nonprofit health service plan or health maintenance organization] **a health carrier or a third party contracted with said health carrier to receive or process the claim**, [it] **said health carrier** shall pay the claim in accordance with this section or send a written notice that:

- (1) States refusal to reimburse the claim or any part of the claim; and
- (2) Specifies each reason for denial.

[An insurer, nonprofit health service plan or health maintenance organization that fails to comply with this subsection shall pay interest on any amount of the claim that remains unpaid at the monthly rate of one percent.]

7. The failure of the health care professional to provide and the health carrier to receive all requested information pursuant to subsection 2 or 3 of this section by the one hundred twentieth day after the initial receipt of the original claim may be a proper ground for denying all or part of the claim.

8. A health carrier that fails to pay or deny a claim pursuant to the requirements of this section shall pay, in addition to interest, a penalty prescribed by this subsection. Beginning January 1, 2002, for a claim received by a health carrier or a third party contracted with said health carrier to receive or process the claim which is not paid or denied as required by this section, a penalty shall accrue in the amount of forty dollars per day for each day all or part of the claim, interest in excess of five dollars, or penalty remains unpaid. If such claim and interest are paid in their entirety prior to day sixty, then no penalty shall accrue.

9. The penalties prescribed by this section shall cease to accrue if, within thirty days after penalties begin to accrue, the health care professional fails to notify the health carrier that all or part of the claim, interest or penalty remains unpaid. Such notification shall reference the claim or claims in question.

[5. A provider who is paid interest under this section shall pay the proportionate amount of said interest to the enrollee or insured to the extent and for the time period that the enrollee or insured had paid for the services and for which reimbursement was due to the insured or enrollee.

6.] **10.** This section shall become effective [April 1, 1999] **January 1, 2002.**

11. Nothing in this section shall apply to workers' compensation claims filed pursuant to chapter 287, RSMo.

376.384. 1. For purposes of this section, "health care professional" means the same as such term is defined in section 376.1350 and "health carrier" means the same as such term is defined in section 376.1350. Any health carrier shall:

- (1) Permit health care professionals to file a claim for reimbursement for a health care service provided in this state as defined in section 376.1350 for a period of up to one hundred eighty days from the date of service;
- (2) Not request a refund or offset against a claim more than one hundred eighty days after a carrier has paid a claim except in cases of fraud or material misrepresentation by the health care professional;

(3) The health carrier shall, upon request, provide any contracted health care professional with a fee schedule with the carrier's reimbursement rates for no less than thirty procedure codes for the most commonly performed services for which the health care professional is contracted to provide;

(4) Issue within one working day a confirmation of receipt of an electronically filed claim by a health care professional or entity that submitted the claim, unless the claim is paid during such time.

2. On or after January 1, 2003, all claims submitted electronically for reimbursement for a health care service provided in this state shall be submitted in a uniform format utilizing standard medical code sets. The uniform format and the standard medical code sets shall be promulgated by the department of insurance through rules consistent with but no more stringent than the federal administrative simplification standards adopted pursuant to the Health Insurance Portability and Accountability Act of 1996. Any claim submitted in a nonelectronic format after January 1, 2002, shall not be subject to the provisions of subsection 8 of section 376.383; however, interest shall accrue on claims filed in a nonelectronic format that are not paid or denied in accordance with section 376.383. A health carrier shall provide electronic filing after January 1, 2002.

3. Nothing in this section shall apply to workers' compensation claims filed pursuant to chapter 287, RSMo.

376.406. 1. All [individual and group health insurance policies providing coverage on an expense incurred basis, individual and group service or indemnity type contracts issued by a nonprofit corporation, and all self-insured group health benefit plans, of any type or description,] **health benefit plans, as defined in section 376.1350**, which provide coverage for a family member of [the insured or subscriber] **an enrollee** shall, as to such family member's coverage, also provide that the health [insurance] benefits applicable for children shall be payable with respect to a newly born child of the [insured or subscriber] **enrollee** from the moment of birth.

2. The coverage for newly born children shall consist of coverage of injury or sickness including the necessary care and treatment of medically diagnosed congenital defects and birth abnormalities.

3. If payment of a specific premium or subscription fee is required to provide coverage for a child, the [policy or contract] **health benefit plan** may require that notification of birth of a newly born child and payment of the required premium or fees must be furnished to the [insurer or nonprofit service or indemnity corporation] **health carrier** within thirty-one days after the date of birth in order to have the coverage continue beyond such thirty-one day period. **If an application or other form of enrollment is required in order to continue coverage beyond the thirty-one-day period after the date of birth and the enrollee has notified the health carrier of the birth, either orally or in writing, the health carrier shall, upon notification, provide the enrollee with all forms and instructions necessary to enroll the newly born child and shall allow the enrollee an additional ten days from the date the forms and instructions are provided in which to enroll the newly born child.**

4. The requirements of this section shall apply to all [insurance policies and subscriber contracts] **health benefit plans** delivered or issued for delivery in this state [more than one hundred twenty days after August 13, 1974] **on or after August 28, 2001.**

5. For the purposes of this section, any review, renewal, extension, or continuation of any [plan, policy, or contract] **health benefit plan** or of any of the terms, premiums, or subscriptions of the [plan, policy, or contract] **health benefit plan** shall constitute a new delivery or issuance for delivery of the [plan, policy or contract] **health benefit plan.**

6. As used in this section, the terms "health benefit plan", "health carrier" and "enrollee" shall have the same meaning as defined in section 376.1350.

376.419. 1. As used in this section, the term "hold harmless clause" means a contractual arrangement whereby a health care provider assumes the sole liability inherent in the provision of health care services, thereby relieving an insurer from such liability; except that, nothing in this section shall be construed to apply to any clause in the contract prohibiting providers from balance billing the enrollee or his or her family for any amount in excess of the amount provided for in the contract between the provider and the carrier. For purposes of this section, "health care provider" or "provider" means a health care professional or facility.

2. Except to the extent preempted by the Employee Retirement Income Security Act of 1974 (ERISA), 29 U.S.C. 1001, et seq., this section shall apply to any health carrier, as defined in section 376.1350.

3. Any contract between a health care provider and a health carrier entered into after the effective date of this section shall include a clause that states that each party shall be responsible for any and all claims, liabilities, damages or judgments which may arise as a result of its own negligence or intentional wrongdoing. Each party signatory to the contract shall hold harmless and indemnify the other party against any claims, liabilities, damages or judgments which may be asserted against, imposed upon or incurred by the other party as a result of the first party's negligence or intentional wrongdoing.

376.893. 1. Within sixty days of legal separation or the entry of a decree of dissolution of marriage or prior to the expiration of a thirty- six month federal Consolidated Omnibus Budget Reconciliation Act (COBRA) continuation period covering a legally separated or divorced spouse, if such spouse has elected and maintained such COBRA coverage, a legally separated or divorced spouse eligible for continued coverage [under] **pursuant to** section 376.892 who seeks such coverage shall give the plan administrator written notice of the legal separation or dissolution. The notice shall include the mailing address of the legally separated or divorced spouse.

2. Within thirty days of the death of a certificate holder whose surviving spouse is eligible for continued coverage [under] **pursuant to** section 376.892 or prior to the expiration of a thirty-six month federal Consolidated Omnibus Budget Reconciliation Act (COBRA) continuation period covering such surviving spouse, if such spouse has elected and maintained such COBRA coverage, the group policyholder shall give the plan administrator written notice of the death and of the mailing address of the surviving spouse.

3. Within fourteen days of receipt of notice [under] **pursuant to** subsection 1 or 2 of this section, the plan administrator shall notify the legally separated, divorced or surviving spouse that the policy may be continued. The notice shall be mailed to the mailing address provided to the plan administrator and shall include:

- (1) A form for election to continue the coverage;
- (2) A statement of the amount of periodic premiums to be charged for the continuation of coverage and of the method and place of payment; [and]
- (3) Instructions for returning the election form by mail within sixty days after the date of mailing of the notice by the plan administrator; **and**

(4) Notice that if insurance is continued the insurer is required to provide both parents of a covered child with coverage information upon request regardless of whether the parent is the primary policyholder pursuant to section 376.895.

4. Failure of the legally separated, divorced or surviving spouse to exercise the election in accordance with subsection 3 of this section shall terminate the right to continuation of benefits.

5. If a plan administrator was properly notified pursuant to the provisions of subsection 1 or 2 of this section and fails to notify the legally separated, divorced or surviving spouse as required by subsection 3 of this section, such spouse's coverage shall continue in effect, and such spouse's obligation to make any premium payment for continuation coverage [under] **pursuant to** sections 376.891 to 376.894 shall be postponed for the period of time beginning on the date the spouse's coverage would otherwise terminate and ending thirty-one days after the date the plan administrator provides the required notice. Failure or delay by a plan administrator in providing the notice required by this section shall not reduce, eliminate or postpone the plan sponsor's obligation to pay premiums on behalf of such legally separated, divorced or surviving spouse to the plan administrator during such period.

6. The provisions of sections 376.891 to 376.894 apply only to employers with twenty or more employees and any policy, contract or plan with twenty or more certificate holders.

376.895. Any health carrier, as defined in section 376.1350, providing coverage for a child with parents who are legally separated or divorced shall provide upon request coverage information regarding such child to both parents regardless of whether the inquiring parent is the primary policyholder."; and

Further amend said bill, Page 38, Section 376.1250, Line 22 of said page, by inserting after all of said line the following:

"376.1350. For purposes of sections 376.1350 to 376.1390, the following terms mean:

(1) "Adverse determination", a determination by a health carrier or its designee utilization review organization that an admission, availability of care, continued stay or other health care service has been reviewed and, based upon the information provided, does not meet the health carrier's requirements for medical necessity, appropriateness, health care setting, level of care or effectiveness, and the payment for the requested service is therefore denied, reduced or terminated;

(2) "Ambulatory review", utilization review of health care services performed or provided in an outpatient setting;

(3) "Case management", a coordinated set of activities conducted for individual patient management of serious, complicated, protracted or other health conditions;

(4) "Certification" **or "certifies"**, a determination by a health carrier or its designee utilization review organization that an admission, availability of care, continued stay or other health care service has been reviewed and, based on the information provided, satisfies the health carrier's requirements for medical necessity, appropriateness,

health care setting, level of care and effectiveness, **and that the service is a covered benefit under the plan;**

(5) "Clinical peer", a physician or other health care professional who holds a nonrestricted license in a state of the United States and in the same or similar specialty as typically manages the medical condition, procedure or treatment under review;

(6) "Clinical review criteria", the written screening procedures, decision abstracts, clinical protocols and practice guidelines used by the health carrier to determine the necessity and appropriateness of health care services;

(7) "Concurrent review", utilization review conducted during a patient's hospital stay or course of treatment;

(8) "Covered benefit" or "benefit", a health care service that an enrollee is entitled under the terms of a health benefit plan;

(9) "Director", the director of the department of insurance;

(10) "Discharge planning", the formal process for determining, prior to discharge from a facility, the coordination and management of the care that a patient receives following discharge from a facility;

(11) "Drug", any substance prescribed by a licensed health care provider acting within the scope of the provider's license and that is intended for use in the diagnosis, mitigation, treatment or prevention of disease. The term includes only those substances that are approved by the FDA for at least one indication;

(12) "Emergency medical condition", the sudden and, at the time, unexpected onset of a health condition that manifests itself by symptoms of sufficient severity that would lead a prudent lay person, possessing an average knowledge of medicine and health, to believe that immediate medical care is required, which may include, but shall not be limited to:

(a) Placing the person's health in significant jeopardy;

(b) Serious impairment to a bodily function;

(c) Serious dysfunction of any bodily organ or part;

(d) Inadequately controlled pain; or

(e) With respect to a pregnant woman who is having contractions:

a. That there is inadequate time to effect a safe transfer to another hospital before delivery; or

b. That transfer to another hospital may pose a threat to the health or safety of the woman or unborn child;

(13) "Emergency service", a health care item or service furnished or required to evaluate and treat an emergency medical condition, which may include, but shall not be limited to, health care services that are provided in a licensed hospital's emergency facility by an appropriate provider;

(14) "Enrollee", a policyholder, subscriber, covered person or other individual participating in a health benefit plan;

(15) "FDA", the federal Food and Drug Administration;

(16) "Facility", an institution providing health care services or a health care setting, including but not limited to hospitals and other licensed inpatient centers, ambulatory surgical or treatment centers, skilled nursing centers, residential treatment centers, diagnostic, laboratory and imaging centers, and rehabilitation and other therapeutic health settings;

(17) "Grievance", a written complaint submitted by or on behalf of an enrollee regarding the:

(a) Availability, delivery or quality of health care services, including a complaint regarding an adverse determination made pursuant to utilization review;

(b) Claims payment, handling or reimbursement for health care services; or

(c) Matters pertaining to the contractual relationship between an enrollee and a health carrier;

(18) "Health benefit plan", a policy, contract, certificate or agreement entered into, offered or issued by a health carrier to provide, deliver, arrange for, pay for, or reimburse any of the costs of health care services;

(19) "Health care professional", a physician or other health care practitioner licensed, accredited or certified by the state of Missouri to perform specified health services consistent with state law;

(20) "Health care provider" or "provider", a health care professional or a facility;

(21) "Health care service", a service **or prescription medication** for the diagnosis, prevention, treatment, cure or relief of a health condition, illness, injury or disease;

(22) "Health carrier", an entity subject to the insurance laws and regulations of this state that contracts or offers to contract to provide, deliver, arrange for, pay for or reimburse any of the costs of health care services, including a sickness and accident insurance company, a health maintenance organization, a nonprofit hospital and health service corporation, or any other entity providing a plan of health insurance, health benefits or health services;

(23) "Health indemnity plan", a health benefit plan that is not a managed care plan;

(24) "Managed care plan", a health benefit plan that either requires an enrollee to use, or creates incentives,

including financial incentives, for an enrollee to use, health care providers managed, owned, under contract with or employed by the health carrier;

(25) "Participating provider", a provider who, under a contract with the health carrier or with its contractor or subcontractor, has agreed to provide health care services to enrollees with an expectation of receiving payment, other than coinsurance, co-payments or deductibles, directly or indirectly from the health carrier;

(26) "Peer-reviewed medical literature", a published scientific study in a journal or other publication in which original manuscripts have been published only after having been critically reviewed for scientific accuracy, validity and reliability by unbiased independent experts, and that has been determined by the International Committee of Medical Journal Editors to have met the uniform requirements for manuscripts submitted to biomedical journals or is published in a journal specified by the United States Department of Health and Human Services pursuant to section 1861(t)(2)(B) of the Social Security Act, as amended, as acceptable peer-reviewed medical literature. Peer-reviewed medical literature shall not include publications or supplements to publications that are sponsored to a significant extent by a pharmaceutical manufacturing company or health carrier;

(27) "Person", an individual, a corporation, a partnership, an association, a joint venture, a joint stock company, a trust, an unincorporated organization, any similar entity or any combination of the foregoing;

(28) "Prospective review", utilization review conducted prior to an admission or a course of treatment;

(29) "Retrospective review", utilization review of medical necessity that is conducted after services have been provided to a patient, but does not include the review of a claim that is limited to an evaluation of reimbursement levels, veracity of documentation, accuracy of coding or adjudication for payment;

(30) "Second opinion", an opportunity or requirement to obtain a clinical evaluation by a provider other than the one originally making a recommendation for a proposed health service to assess the clinical necessity and appropriateness of the initial proposed health service;

(31) "Stabilize", with respect to an emergency medical condition, that no material deterioration of the condition is likely to result or occur before an individual may be transferred;

(32) "Standard reference compendia":

(a) The American Hospital Formulary Service-Drug Information; or

(b) The United States Pharmacopoeia-Drug Information;

(33) "Utilization review", a set of formal techniques designed to monitor the use of, or evaluate the clinical necessity, appropriateness, efficacy, or efficiency of, health care services, procedures, or settings. Techniques may include ambulatory review, prospective review, second opinion, certification, concurrent review, case management, discharge planning or retrospective review. Utilization review shall not include elective requests for clarification of coverage;

(34) "Utilization review organization", a utilization review agent as defined in section 374.500, RSMo.

376.1361. 1. A utilization review program shall use documented clinical review criteria that are based on sound clinical evidence and are evaluated periodically to assure ongoing efficacy. A health carrier may develop its own clinical review criteria, or it may purchase or license clinical review criteria from qualified vendors. A health carrier shall make available its clinical review criteria upon request by either the director of the department of health or the director of the department of insurance.

2. Any medical director who administers the utilization review program or oversees the review decisions shall be a qualified health care professional licensed in the state of Missouri. A licensed clinical peer shall evaluate the clinical appropriateness of adverse determinations.

3. A health carrier shall issue utilization review decisions in a timely manner pursuant to the requirements of sections 376.1363, 376.1365 and 376.1367. A health carrier shall obtain all information required to make a utilization review decision, including pertinent clinical information. A health carrier shall have a process to ensure that utilization reviewers apply clinical review criteria consistently.

4. A health carrier's data systems shall be sufficient to support utilization review program activities and to generate management reports to enable the health carrier to monitor and manage health care services effectively.

5. If a health carrier delegates any utilization review activities to a utilization review organization, the health carrier shall maintain adequate oversight, which shall include:

(1) A written description of the utilization review organization's activities and responsibilities, including reporting requirements;

(2) Evidence of formal approval of the utilization review organization program by the health carrier; and

(3) A process by which the health carrier evaluates the performance of the utilization review organization.

6. The health carrier shall coordinate the utilization review program with other medical management activities

conducted by the carrier, such as quality assurance, credentialing, provider contracting, data reporting, grievance procedures, processes for accessing member satisfaction and risk management.

7. A health carrier shall provide enrollees and participating providers with timely access to its review staff by a toll-free number.

8. When conducting utilization review, the health carrier shall collect only the information necessary to certify the admission, procedure or treatment, length of stay, frequency and duration of services.

9. Compensation to persons providing utilization review services for a health carrier shall not contain direct or indirect incentives for such persons to make medically inappropriate review decisions. Compensation to any such persons may not be directly or indirectly based on the quantity or type of adverse determinations rendered.

10. A health carrier shall permit enrollees or a provider on behalf of an enrollee to appeal for the coverage of medically necessary pharmaceutical prescriptions and durable medical equipment as part of the health carriers' utilization review process.

11. (1) This subsection shall apply to:

(a) Any health benefit plan that is issued, amended, delivered or renewed on or after January 1, 1998, and provides coverage for drugs; or

(b) Any person making a determination regarding payment or reimbursement for a prescription drug pursuant to such plan.

(2) A health benefit plan that provides coverage for drugs shall provide coverage for any drug prescribed to treat an indication so long as the drug has been approved by the FDA for at least one indication, if the drug is recognized for treatment of the covered indication in one of the standard reference compendia or in substantially accepted peer-reviewed medical literature and deemed medically appropriate.

(3) This section shall not be construed to require coverage for a drug when the FDA has determined its use to be contraindicated for treatment of the current indication.

(4) A drug use that is covered pursuant to subsection 1 of this section shall not be denied coverage based on a "medical necessity" requirement except for a reason that is unrelated to the legal status of the drug use.

(5) Any drug or service furnished in a research trial, if the sponsor of the research trial furnishes such drug or service without charge to any participant in the research trial, shall not be subject to coverage pursuant to subsection 1 of this section.

(6) Nothing in this section shall require payment for nonformulary drugs, except that the state may exclude or otherwise restrict coverage of a covered outpatient drug from Medicaid programs as specified in the Social Security Act, Section 1927(d)(1)(B).

(7) Every health carrier shall notify the prescribing physician and enrollee when a nonformulary drug is authorized with conditions, such as an authorization for a limited period of time.

12. A carrier shall issue a confirmation number to an enrollee when the health carrier, acting through a participating provider or other authorized representative, [authorizes] **certifies** the provision of health care services.

13. If an authorized representative of a health carrier [authorizes] **certifies** the provision of health care services, the health carrier shall not subsequently retract its [authorization] **certification** after the health care services have been provided, or reduce payment for an item or service furnished in reliance on [approval] **such certification**, unless:

(1) Such [authorization] **certification** is based on a material misrepresentation or omission about the treated person's health condition or the cause of the health condition; or

(2) The health benefit plan terminates before the health care services are provided; [or]

(3) The covered person's coverage under the health benefit plan terminates before the health care services are provided; **or**

(4) The covered person's coverage under the health benefit plan has exceeded such person's annual or lifetime benefits limit.

376.1367. When conducting utilization review or making a benefit determination for emergency services:

(1) A health carrier shall cover emergency services necessary to screen and stabilize an enrollee and shall not require prior authorization of such services;

(2) Coverage of emergency services shall be subject to applicable co-payments, coinsurance and deductibles;

(3) When an enrollee receives an emergency service that requires immediate post evaluation or post stabilization services, a health carrier shall provide [an authorization] **a certification** decision within [sixty] **forty-five** minutes of receiving a request; if the [authorization] **certification** decision is not made within [thirty] **forty-five** minutes, such services shall be deemed approved."; and

Further amend said bill, Page 55, Section 3, Line 2 of said page, by inserting after all of said line the following:

"Section 4. 1. All managed care organizations, as defined in section 198.530, RSMo, shall allow the enrollee the right to select a long-term care facility licensed pursuant to chapter 198, RSMo, with the same religious orientation as demonstrated by the enrollee. If a religiously appropriate facility is not included in the managed care organization's provider network and one is available, the managed care organization shall provide the enrollee the option to receive care from an out-of-network long-term care facility licensed pursuant to chapter 198, RSMo, if the following conditions apply:

- (1) The facility is willing and able to provide the services to the resident; and**
- (2) The facility and those health care professionals delivering services to residents pursuant to this section meet the licensing and training standards as prescribed by law; and**
- (3) The facility is certified through Medicare; and**
- (4) The facility and those health care professionals delivering services to residents pursuant to this section agree to abide by the terms and conditions of the managed care organization's contracts with similar providers, abide by patient protection standards and requirements imposed by state or federal law for plan enrollees and meet the quality standards established by the managed care organization for similar providers.**

2. The managed care organization shall reimburse the facility at a rate of reimbursement consistent with the carrier's contract with the Health Care Financing Administration for long-term care services."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Luetkenhaus requested a division of the question on **House Substitute Amendment No. 1 for House Amendment No. 14.**

The division of the question was denied by the Chair.

On motion of Representative Harlan, **House Substitute Amendment No. 1 for House Amendment No. 14** was adopted by the following vote:

AYES: 083

Baker	Barry 100	Bartle	Behnen	Berkowitz
Berkstresser	Bland	Boucher	Bowman	Boykins
Bray 84	Britt	Byrd	Campbell	Carnahan
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crump	Cunningham	Curls	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Fraser	George	Graham	Green 15	Green 73
Griesheimer	Hanaway	Harding	Harlan	Haywood
Hilgemann	Holand	Hollingsworth	Holt	Johnson 61
Johnson 90	Jolly	Kelly 27	Kelly 36	Kennedy
Koller	Levin	Liese	Lowe	May 149
Mays 50	Monaco	Naeger	Nordwald	Ostmann
Overschmidt	Portwood	Ransdall	Reid	Reinhart
Relford	Ridgeway	Selby	Shelton	Shields
Shoemyer	Smith	St. Onge	Thompson	Townley
Troupe	Van Zandt	Walton	Williams	Willoughby
Wilson 25	Wilson 42	Wright		

NOES: 064

Ballard	Barnett	Barnitz	Bartelsmeyer	Bearden
Black	Boatright	Burcham	Burton	Champion
Crawford	Davis	Franklin	Gambaro	Gaskill

Gratz	Hagan-Harrell	Hampton	Hartzler	Hegeman
Henderson	Hendrickson	Hickey	Hohulin	Hunter
Jetton	Kelley 47	Kelly 144	King	Lawson
Luetkemeyer	Luetkenhaus	Marble	Marsh	Mayer
McKenna	Merideth	Miller	Moore	Murphy
Myers	O'Connor	O'Toole	Phillips	Purgason
Rector	Reynolds	Richardson	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Skaggs	Surface	Villa
Vogel	Wagner	Ward	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 013

Abel	Bonner	Brooks	Crowell	Froelker
Hoppe	Hosmer	Legan	Linton	Lograsso
Long	Treadway	Wiggins		

VACANCIES: 003

Representative Crump moved the previous question on the motion to adopt **HS HCS SCS SB 236, as amended.**

Which motion was adopted by the following vote:

AYES: 083

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Campbell	Carnahan	Clayton
Coleman	Copenhaver	Crump	Curls	Davis
Farnen	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Harlan
Haywood	Hickey	Hilgemann	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Kelly 27	Kelly 36	Kennedy	Koller	Lawson
Liese	Lowe	Luetkenhaus	Mays 50	McKenna
Merideth	Monaco	O'Connor	O'Toole	Overschmidt
Ransdall	Relford	Rizzo	Scheve	Seigfreid
Selby	Shelton	Shoemyer	Skaggs	Smith
Thompson	Treadway	Troupe	Van Zandt	Villa
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 070

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Gaskill	Griesheimer	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Hunter	Jetton	Kelley 47	Kelly 144
King	Legan	Levin	Luetkemeyer	Marble
Marsh	May 149	Mayer	Miller	Moore

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Murphy	Myers	Naeger	Nordwald	Ostmann
Phillips	Portwood	Purgason	Rector	Reid
Reinhart	Richardson	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Secrest	Shields
St. Onge	Surface	Townley	Vogel	Wright

PRESENT: 000

ABSENT WITH LEAVE: 007

Brooks	Froelker	Linton	Lograsso	Long
Reynolds	Wiggins			

VACANCIES: 003

On motion of Representative Ladd Baker, **HS HCS SCS SB 236, as amended**, was adopted.

On motion of Representative Ladd Baker, **HS HCS SCS SB 236, as amended**, was read the third time and passed by the following vote:

AYES: 134

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Behnen	Berkowitz	Black
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hosmer
Jetton	Johnson 61	Johnson 90	Jolly	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Lowe	Luetkenhaus
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Naeger	Nordwald	O'Connor	Ostmann	Overschmidt
Phillips	Portwood	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wright	Mr. Speaker	

NOES: 017

Bartelsmeyer	Bearden	Berkstresser	Boatright	Ford
Hartzler	Hohulin	Hunter	Kelley 47	Kelly 144
Lograsso	Luetkemeyer	Marble	Myers	O'Toole
Purgason	Roark			

PRESENT: 000

ABSENT WITH LEAVE: 009

Brooks	Froelker	Hoppe	Linton	Long
Seigfreid	Troupe	Wiggins	Wilson 42	

VACANCIES: 003

Speaker Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 145

Baker	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Bowman	Boykins	Bray 84	Britt	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Van Zandt	Villa	Vogel	Walton	Ward
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 002

Hohulin	Lograsso
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PRESENT: 000

ABSENT WITH LEAVE: 013

Abel	Boucher	Brooks	Ford	Froelker
Hoppe	Linton	Long	O'Toole	Troupe
Wagner	Wiggins	Williams		

VACANCIES: 003

Representative Smith resumed the Chair.

BILL CARRYING REQUEST MESSAGE

HCS SB 274, relating to county employees' retirement systems, was taken up by Representative Harlan.

Representative Harlan moved that the House refuse to recede from its position on **HCS SB 274** and grant the Senate a conference, and the conferees be allowed to exceed the differences on county employees.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like Committee from the Senate on the following bill:

HCS SB 274: Representatives Harlan, Harding, Lowe, Froelker and Portwood

Speaker Pro Tem Abel resumed the Chair.

THIRD READING OF SENATE BILL - INFORMAL

HCS SS SCS SB 369, relating to utility access to public rights-of-way, was taken up by Representative Burton.

Representative Burton offered **HS HCS SS SCS SB 369**.

Representative Burton offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 369, Page 20, Section 67.1846, Line 20, by striking the word "**grandfather**" and inserting in lieu thereof the word "**grandfathered**".

On motion of Representative Burton, **House Amendment No. 1** was adopted.

Representative Smith offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 369, Page 21, Section 67.1846, Line 4, by adding after the words “**franchise tax**” the following: “**or franchise fee**”.

On motion of Representative Smith, **House Amendment No. 2** was adopted.

Representative Davis offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 369, Page 4, Section 67.1830, Line 11 of said page, by inserting after the word “**costs**” the following: “**shall be subject to the provisions of applicable law and**”.

Representative Green (73) raised a point of order that **House Amendment No. 3** is not germane to the bill.

The Chair ruled the point of order not well taken.

Representative Davis moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

HCS SS SCS SB 369, with HS, as amended, pending, was laid over.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SS SCS SBs 476, 427 & 62 - Fiscal Review and Government Reform (Fiscal Note)

SS SCS SB 375 - Civil and Administrative Law

COMMITTEE REPORTS

Committee on Banks and Financial Institutions, Chairman Liese reporting:

Mr. Speaker: Your Committee on Banks and Financial Institutions, to which was referred **SCS SB 186**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Children, Families and Health, Chairman Barry reporting:

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **HCR 18**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE CONCURRENT RESOLUTION NO. 18

WHEREAS, the Missouri General Assembly supports the development of a Women's Health Platform that recognizes the serious inequities in the health prevention and treatment of women, and the necessity to eliminate these inequities to improve the health status of women in the state of Missouri; and

WHEREAS, state government can increase its support for women's health and can make a significant difference in improving the status of women's health; and

WHEREAS, women are metabolically, hormonally and physiologically different from men and have different patterns of health and disease, with some diseases occurring more commonly in women than in men; and

WHEREAS, women are more likely to suffer from chronic diseases, with more than one in five women having some form of cardiovascular disease and one in two women experiencing an osteoporosis-related fracture in her lifetime; and

WHEREAS, women are three times more likely to develop rheumatoid arthritis and two to three times more likely to suffer from depression; and

WHEREAS, women are less often referred for diagnostic testing and less often treated for heart disease as compared to men; and

WHEREAS, women, if they are smokers, are twenty to seventy percent more likely to develop lung cancer and ten times more likely than men to contract HIV during unprotected sex; and

WHEREAS, women are much more likely to provide health care to family members and make health care decisions, and spend two of every three health care dollars; and

WHEREAS, abundant evidence exists that women are under-treated compared to men and are under-represented in women's health studies; and

WHEREAS, while women's health care issues have received some national attention and access issues have produced some legislative activity by the United States Congress, there remains little change in vitally important preventive care and treatment issues; and

WHEREAS, in a recent survey of voters, eighty percent of women and sixty percent of men favored a Women's Health Care Platform that supports relevant care, relevant research and relevant education for women; and

WHEREAS, nine out of ten men and women agree that women have the right to access quality treatment and access to the latest technologies and appropriate diagnostic tests:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninetieth General Assembly, Second Regular Session, the Senate concurring therein, hereby encourage every state agency and state-chartered institution of learning or recipient of state grants or funding to take appropriate action to achieve improved and equal access for women to quality health care, including:

1. Providing women equal access to quality health care, including state-of-the-art medical advances and technology;
2. Increasing the number of women covered by comprehensive health care insurance, including primary and preventive health care, for all women;
3. Preventing serious health problems by timely diagnosis and treatment programs;

4. Promoting strategies to increase patient access to recommended diagnostic and screening tests, preventive health regimens and recommended treatments;
5. Encouraging unimpeded access to women's specialty health providers;
6. Creating and promoting public and private partnerships to create programs designed to improve the scope and quality of women's health care;
7. Improving communications between providers and patients;
8. Continuing to expand participation of women in clinical trials;
9. Increasing government and private research on women's health issues and the differences between men and women and how they impact quality health care;
10. Conducting more health outcomes research to demonstrate the value of women's health care interventions and preventive health measures in both the long and short term;
11. Expanding medical and nursing school curricula in the area of women's health and educating about gender biology;
12. Supporting public education campaigns to increase women's awareness about their unique health risks, how to negotiate the complexities of today's health care system, and how to demand and obtain the best care available;
13. Conducting public health campaigns via state and local departments of public health with private sector partners to focus on key women's preventive health issues;
14. Assisting the Office of Women's Health within state government to raise awareness of women's special health care needs and advocate initiatives to address them;
15. Fostering development and dissemination of publicly available information on the quality of health care and health outcomes that improve women's ability to choose the best women's health care plan; and
16. Expanding state screening programs targeted at lower-income women to include a full range of known risks; and

BE IT FURTHER RESOLVED that the members of the House of Representatives of the Ninetieth General Assembly, Second Regular Session, the Senate concurring therein, hereby commend the Women In Government organization for its leadership and enterprise in bringing to Missouri the appropriate urgency of need and meaningful steps that can be taken to attain the improved and equal access for women to quality health care, technologies and treatments, education of researchers about gender differences, and unimpeded access to women's health providers; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for every state agency, state-chartered institution of learning and recipient of state grants or funding related to health care.

Committee on Fiscal Review and Government Reform, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS SS SCS SJRs 1 & 4 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **SS No. 2 SCS SBs 22 & 106 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS SS SCS SB 226 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS SB 288 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS SB 392 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NOS. 205, 323 & 549**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate on Senate Committee Substitute for House Committee Substitute for House Bill Nos. 205, 323 & 549, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill Nos. 205, 323 & 549;
2. That the House recede from its position on House Committee Substitute for House Bill Nos. 205, 323 & 549;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 205, 323 & 549 be adopted.

FOR THE HOUSE:

/s/ Rep. Randall Relford
/s/ Rep. Frank Barnitz
/s/ Rep. Wayne Crump
/s/ Rep. Kenneth Legan
/s/ Rep. Rod Jetton

FOR THE SENATE:

/s/ Sen. Doyle Childers
/s/ Sen. Bill Foster
/s/ Sen. Morris Westfall
/s/ Sen. Sidney Johnson
/s/ Sen. Harold Caskey

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE SUBSTITUTE
FOR
HOUSE BILL NO. 421**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate on Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 421, with Senate Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 421, as amended;
2. That the House recede from its position on House Substitute for House Bill No.421;
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 421 be adopted.

FOR THE HOUSE:

/s/ Rep. Don Lograsso
/s/ Rep. Tom Dempsey
/s/ Rep. Thomas Hoppe
/s/ Rep. Bruce Holt
/s/ Rep. Chuck Graham

FOR THE SENATE:

/s/ Sen. Peter Kinder
/s/ Sen. Chuck Gross
/s/ Sen. John Loudon
/s/ Sen. Harry Wiggins
/s/ Sen. Ronnie DePasco

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HCS HB 738**, entitled:

An act to repeal sections 139.050, 139.052, 139.053, 148.064, 148.400, 301.600, 362.044, 362.105, 362.106, 362.119, 362.170, 362.270, 362.325, 362.335, 362.495, 362.935, 362.942, 367.100, 367.215, 367.500, 367.503, 367.506, 367.509, 367.512, 367.515, 367.518, 367.521, 367.524, 367.527, 367.530, 408.052, 408.140, 408.500 and 513.430, RSMo 2000, relating to financial services, and to enact in lieu thereof thirty-nine new sections relating to the same subject, with penalty provisions.

With Senate Amendment No. 1, Senate Amendment No. 2 and Senate Amendment No. 3

Senate Amendment No. 1

AMEND Senate Substitute for House Committee Substitute for House Bill No. 738, Page 42, Section 367.100, Line 5 of said page, by inserting after said line the following:

“The provisions of Section 367.100(1)(b) shall not be effective until January 1, 2002.”.

Senate Amendment No. 2

AMEND Senate Substitute for House Committee Substitute for House Bill No. 738, Page 70, Section 408.510, Lines 18-29, by deleting all of said lines; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute for House Committee Substitute for House Bill No. 738, Page 1, Section 139.050, Line 14, by inserting immediately before said line the following:

“135.230. 1. The exemption or credit established and allowed by section 135.220 and the credits allowed and established by subdivisions (1), (2), (3) and (4) of subsection 1 of section 135.225 shall be granted with respect to any new business facility located within an enterprise zone for a vested period not to exceed ten years following the date upon which the new business facility commences operation within the enterprise zone and such exemption shall be calculated, for each succeeding year of eligibility, in accordance with the formulas applied in the initial year in which the new business facility is certified as such, subject, however, to the limitation that all such credits allowed in sections 135.225 and 135.235 and the exemption allowed in section 135.220 shall be removed not later than fifteen years after the enterprise zone is designated as such. No credits shall be allowed pursuant to subdivision (1), (2), (3) or (4) of subsection 1 of section 135.225 or section 135.235 and no exemption shall be allowed pursuant to section 135.220 unless the number of new business facility employees engaged or maintained in employment at the new business facility for the taxable year for which the credit is claimed equals or exceeds two or the new business facility is a revenue-producing enterprise as defined in paragraph (d) of subdivision (6) of section 135.200. In order to qualify for either the exemption pursuant to section 135.220 or the credit pursuant to subdivision (4) of subsection 1 of section 135.225, or both, it shall be required that at least thirty percent of new business facility employees, as determined by subsection 4 of section 135.110, meet the criteria established in section 135.240 or are residents of an enterprise zone or some combination thereof, except taxpayers who establish a new business facility by operating a revenue-producing enterprise as defined in paragraph (d) of subdivision (6) of section 135.200 or any taxpayer that is an insurance company that established a new business facility satisfying the requirements of subdivision (8) of section 135.100 located within an enterprise zone after June 30, 1993, and before December 31, 1994, and that employs in excess of three hundred fifty new business facility employees at such facility each tax period for which the credits allowable pursuant to subdivisions (1) to (4) of subsection 1 of section 135.225 are claimed shall not be required to meet such requirement. A new business facility described as SIC 3751 shall be required to employ fifteen percent of such employees instead of the required thirty percent. For the purpose of satisfying the thirty-percent requirement, residents must have lived in the enterprise zone for a period of at least one full calendar month and must have been employed at the new business facility for at least one full calendar month, and persons qualifying because they meet the requirements of section 135.240 must have satisfied such requirement at the time they were employed by the new business facility and must have been employed at the new business facility for at least one full calendar month. The director may temporarily reduce or waive this

requirement for any business in an enterprise zone with ten or less full-time employees, and for businesses with eleven to twenty full-time employees this requirement may be temporarily reduced. No reduction or waiver may be granted for more than one tax period and shall not be renewable. The exemptions allowed in sections 135.215 and 135.220 and the credits allowed in sections 135.225 and 135.235 and the refund established and authorized in section 135.245 shall not be allowed to any "public utility", as such term is defined in section 386.020, RSMo. **For the purposes of achieving the fifteen percent employment requirement set forth in this subsection, a new business facility described as NAICS 336991 may count employees who were residents of the enterprise zone at the time they were employed by the new business facility and for at least ninety days thereafter, regardless of whether such employees continue to reside in the enterprise zone, so long as the employees remain employed by the new business facility and residents of the state of Missouri.**

2. Notwithstanding the provisions of subsection 1 of this section, motor carriers, barge lines or railroads engaged in transporting property for hire or any interexchange telecommunications company that establish a new business facility shall be eligible to qualify for the exemptions allowed in sections 135.215 and 135.220, and the credits allowed in sections 135.225 and 135.235 and the refund established and authorized in section 135.245, except that trucks, truck-trailers, truck semitrailers, rail or barge vehicles or other rolling stock for hire, track, switches, bridges, barges, tunnels, rail yards and spurs shall not constitute new business facility investment nor shall truck drivers or rail or barge vehicle operators constitute new business facility employees.

3. Notwithstanding any other provision of sections 135.200 to 135.256 to the contrary, motor carriers establishing a new business facility on or after January 1, 1993, but before January 1, 1995, may qualify for the tax credits available pursuant to sections 135.225 and 135.235 and the exemption provided in section 135.220, even if such new business facility has not satisfied the employee criteria, provided that such taxpayer employs an average of at least two hundred persons at such facility, exclusive of truck drivers and provided that such taxpayer maintains an average investment of at least ten million **dollars** at such facility, exclusive of rolling stock, during the tax period for which such credits and exemption are being claimed.

4. Any governing authority having jurisdiction of an area that has been designated an enterprise zone may petition the department to expand the boundaries of such existing enterprise zone. The director may approve such expansion if the director finds that:

(1) The area to be expanded meets the requirements prescribed in section 135.207 or 135.210, whichever is applicable;

(2) The area to be expanded is contiguous to the existing enterprise zone; **and**

(3) The number of expansions do not exceed three after August 28, 1994.

5. Notwithstanding the fifteen-year limitation as prescribed in subsection 1 of this section, any governing authority having jurisdiction of an area that has been designated as an enterprise zone by the director, except one designated pursuant to this subsection, may file a petition, as prescribed by the director, for redesignation of such area for an additional period not to exceed seven years following the fifteenth anniversary of the enterprise zone's initial designation date; provided:

(1) The petition is filed with the director within three years prior to the date the tax credits authorized in sections 135.225 and 135.235 and the exemption allowed in section 135.220 are required to be removed pursuant to subsection 1 of this section;

(2) The governing authority identifies and conforms the boundaries of the area to be designated a new enterprise zone to the political boundaries established by the latest decennial census, unless otherwise approved by the director;

(3) The area satisfies the requirements prescribed in subdivisions (3), (4) and (5) of section 135.205 according to the latest decennial census or other appropriate source as approved by the director;

(4) The governing authority satisfies the requirements prescribed in sections 135.210, 135.215 and 135.255;

(5) The director finds that the area is unlikely to support reasonable tax assessment or to experience reasonable economic growth without such designation; and

(6) The director's recommendation that the area be designated as an enterprise zone, is approved by the joint committee on economic development policy and planning, as otherwise required in subsection 3 of section 135.210.

6. Any taxpayer having established a new business facility in an enterprise zone except one designated pursuant to subsection 5 of this section, who did not earn the tax credits authorized in sections 135.225 and 135.235 and the exemption allowed in section 135.220 for the full ten-year period because of the fifteen-year limitation as prescribed in subsection 1 of this section, shall be granted such benefits for ten tax years, less the number of tax years the benefits were claimed or could have been claimed prior to the expiration of the original fifteen-year period, except that such tax benefits shall not be earned for more than seven tax periods during the ensuing seven-year period, provided the taxpayer

continues to operate the new business facility in an area that is designated an enterprise zone pursuant to subsection 5 of this section. Any taxpayer who establishes a new business facility subsequent to the commencement of the ensuing seven-year period, as authorized in subsection 5 of this section, may qualify for the tax credits authorized in sections 135.225 and 135.235, and the exemptions authorized in sections 135.215 and 135.220, pursuant to the same terms and conditions as prescribed in sections 135.100 to 135.256. The designation of any enterprise zone pursuant to subsection 5 of this section shall not be subject to the fifty enterprise zone limitation imposed in subsection 4 of section 135.210.”; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 453**, entitled:

An act to repeal sections 109.120, 109.241, 292.606, 319.129, 319.131, 319.132, 319.133, 347.740, 351.127, 355.023, 356.233, 359.653, 400.9-508, 417.018, 444.765, 444.767, 444.770, 444.772, 444.773, 444.774, 444.775, 444.777, 444.778, 444.782, 444.784, 444.786, 444.787, 444.788 and 444.789, RSMo 2000, relating to commerce, and to enact in lieu thereof thirty-four new sections relating to the same subject, with penalty provisions.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 8, Senate Amendment No. 9, Senate Amendment No. 10 and Senate Amendment No. 11

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 453, Page 55, Section 620.1580, Line 22 of said page, by striking "eleven" and inserting in lieu thereof "**twelve**"; and

Further amend said bill and section, Page 56, Line 9 of said page, by striking the word "and"; and

Further amend Line 10 of said page by inserting after "large" the following:

"**; and**

(6) One member shall be the secretary of state".

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 453, Page 55, Section 620.1580, Line 22, by removing the word "eleven" and inserting in lieu thereof the word "**twelve**"; and

Further amend said bill and section, Page 56, Line 9, by striking the word "and"; and

Further amend Line 10 by inserting after "large" the following:

"**; and**

(6) One member shall be from the Office of Technology".

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 453, Page 20, Section 319.132, Line 8 of said page, by inserting after "surcharge" the following:

"; providing however, the board shall not increase the surcharge from its present amount by more than ten dollars in any year".

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 453, Page 23, Section 400.9-508, Line 12 of said page, by inserting immediately after said line the following:

"414.407. 1. As used in this section, the following terms mean:

(1) "B-20", a blend of twenty percent by volume biodiesel fuel and eighty percent by volume petroleum-based diesel fuel;

(2) "Biodiesel", fuel as defined in ASTM Standard PS121;

(3) "EPAAct", the federal Energy Policy Act, 42 U.S.C. 13201, et seq.;

(4) "EPAAct credit", a credit issued pursuant to EPAAct;

(5) "Fund", the biodiesel fuel revolving fund;

(6) "Incremental cost", the difference in cost between biodiesel fuel and conventional petroleum-based diesel fuel at the time the biodiesel fuel is purchased.

2. The department, in cooperation with the department of agriculture, shall establish and administer an EPAAct credit banking and selling program to allow state agencies to use moneys generated by the sale of EPAAct credits to purchase biodiesel fuel for use in state vehicles. Each state agency shall provide the department with all vehicle fleet information necessary to determine the number of EPAAct credits generated by the agency. The department may sell credits in any manner pursuant to the provisions of EPAAct.

3. There is hereby created in the state treasury the "Biodiesel Fuel Revolving Fund", into which shall be deposited moneys received from the sale of EPAAct credits banked by state agencies on the effective date of this section and in future reporting years, any moneys appropriated to the fund by the general assembly, and any other moneys obtained or accepted by the department for deposit into the fund. The fund shall be managed to maximize benefits to the state in the purchase of biodiesel fuel and, when possible, to accrue those benefits to state agencies in proportion to the number of EPAAct credits generated by each respective agency.

4. Moneys deposited into the fund shall be used to pay for the incremental cost of biodiesel fuel with a minimum biodiesel concentration of B-20 for use in state vehicles and for administration of the fund. Not later than January 31 of each year, the department shall submit an annual report to the general assembly on the expenditures from the fund during the preceding fiscal year.

5. Notwithstanding the provisions of section 33.080, RSMo, no portion of the fund shall be transferred to the general revenue fund, and any appropriation made to the fund shall be transferred to the general revenue fund, and any appropriation made to the fund shall not lapse. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Interest and moneys earned on such investments shall be credited to the fund.

6. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void.

7. The department shall conduct a study of the use of alternative fuels in motor vehicles in the state and shall report its findings and recommendations to the general assembly no later than January 1, 2002. Such study shall include:

(1) An analysis of the current use of alternative fuels in public and private vehicle fleets in the state;

(2) An assessment of methods that the state may use to increase use of alternative fuels in vehicle fleets,

including the sale of credits generated pursuant to the federal Energy Policy Act, 42 U.S.C. 13201, et seq., to pay for the difference in cost between alternative fuels and conventional fuels;

(3) An assessment of the benefits or harm that increased use of alternative fuels may make to the state's economy and environment;

(4) Any other information that the department deems relevant."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 453, Page 15, Section 319.131, Lines 17-24, by striking the bold faced language from said lines.

Senate Amendment No. 6

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 453, Page 7, Section 319.129, Line 28, by inserting immediately before said line the following:

"319.109. The department shall establish requirements for the reporting of any releases and corrective action taken in response to a release from an underground storage tank, including the specific quantity of a regulated substance, which if released, requires reporting and corrective action. In so doing, the department shall use risk-based corrective standards which take into account the level of risk to public health and the environment associated with site-specific conditions and future land usage **in accordance with the American Society for Testing and Materials E 1739-95**"; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 8

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 453, Page 4, Section 292.606, Line 23, by inserting immediately before said line the following:

"196.367. Effective July 1, 2005, any manufacturer or distributor shall be exempted from the provisions of sections 196.365 to 196.445 if the manufacturer satisfies all applicable Food and Drug Administration regulations."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 9

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 453, Page 58, Section 643.220, Line 40 of said page, by inserting after all of said line the following:

"644.037. Where applicable, under Section 404 of the federal Clean Water Act and where the U.S. Army Corps of Engineers has determined that a nationwide permit may be utilized, the department shall certify without conditions such nationwide permit as it applies to impacts on [wetlands in this] **waters of the state**."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 10

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 453, Page 11, Section 319.129, Line 2 of said page, by inserting at the end of said line the following:

"Invoices for such services shall be presented to the board in sufficient detail to allow a thorough review of the costs of such services. The board shall approve all payments for services under this subsection."; and

Further amend said bill and section, Page 12 , Line 2 of said page, by inserting immediately after said line the following:

"16. The board shall annually commission an independent financial audit of the petroleum storage tank insurance fund. The board shall biennially commission an actuarial analysis of the petroleum storage tank insurance fund. The results of the financial audit and the actuarial analysis shall be made available to the public. The board may contract with third parties to carry out the requirements of this subsection."

Senate Amendment No. 11

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 453, Page 4, Section 109.241, Line 22, by inserting immediately after said line the following:

"135.230. 1. The exemption or credit established and allowed by section 135.220 and the credits allowed and established by subdivisions (1), (2), (3) and (4) of subsection 1 of section 135.225 shall be granted with respect to any new business facility located within an enterprise zone for a vested period not to exceed ten years following the date upon which the new business facility commences operation within the enterprise zone and such exemption shall be calculated, for each succeeding year of eligibility, in accordance with the formulas applied in the initial year in which the new business facility is certified as such, subject, however, to the limitation that all such credits allowed in sections 135.225 and 135.235 and the exemption allowed in section 135.220 shall be removed not later than fifteen years after the enterprise zone is designated as such. No credits shall be allowed pursuant to subdivision (1), (2), (3) or (4) of subsection 1 of section 135.225 or section 135.235 and no exemption shall be allowed pursuant to section 135.220 unless the number of new business facility employees engaged or maintained in employment at the new business facility for the taxable year for which the credit is claimed equals or exceeds two or the new business facility is a revenue-producing enterprise as defined in paragraph (d) of subdivision (6) of section 135.200. In order to qualify for either the exemption pursuant to section 135.220 or the credit pursuant to subdivision (4) of subsection 1 of section 135.225, or both, it shall be required that at least thirty percent of new business facility employees, as determined by subsection 4 of section 135.110, meet the criteria established in section 135.240 or are residents of an enterprise zone or some combination thereof, except taxpayers who establish a new business facility by operating a revenue-producing enterprise as defined in paragraph (d) of subdivision (6) of section 135.200 or any taxpayer that is an insurance company that established a new business facility satisfying the requirements of subdivision (8) of section 135.100 located within an enterprise zone after June 30, 1993, and before December 31, 1994, and that employs in excess of three hundred fifty new business facility employees at such facility each tax period for which the credits allowable pursuant to subdivisions (1) to (4) of subsection 1 of section 135.225 are claimed shall not be required to meet such requirement. A new business facility described as SIC 3751 shall be required to employ fifteen percent of such employees instead of the required thirty percent. For the purpose of satisfying the thirty-percent requirement, residents must have lived in the enterprise zone for a period of at least one full calendar month and must have been employed at the new business facility for at least one full calendar month, and persons qualifying because they meet the requirements of section 135.240 must have satisfied such requirement at the time they were employed by the new business facility and must have been employed at the new business facility for at least one full calendar month. The director may temporarily reduce or waive this requirement for any business in an enterprise zone with ten or less full-time employees, and for businesses with eleven to twenty full-time employees this requirement may be temporarily reduced. No reduction or waiver may be granted for more than one tax period and shall not be renewable. The exemptions allowed in sections 135.215 and 135.220 and the credits allowed in sections 135.225 and 135.235 and the refund established and authorized in section 135.245 shall not be allowed to any "public utility", as such term is defined in section 386.020, RSMo. **For the purposes of achieving the fifteen percent employment requirement set forth in this subsection, a new business facility**

described as NAICS 336991 may count employees who were residents of the enterprise zone at the time they were employed by the new business facility and for at least ninety days thereafter, regardless of whether such employees continue to reside in the enterprise zone, so long as the employees remain employed by the new business facility and residents of the state of Missouri.

2. Notwithstanding the provisions of subsection 1 of this section, motor carriers, barge lines or railroads engaged in transporting property for hire or any interexchange telecommunications company that establish a new business facility shall be eligible to qualify for the exemptions allowed in sections 135.215 and 135.220, and the credits allowed in sections 135.225 and 135.235 and the refund established and authorized in section 135.245, except that trucks, truck-trailers, truck semitrailers, rail or barge vehicles or other rolling stock for hire, track, switches, bridges, barges, tunnels, rail yards and spurs shall not constitute new business facility investment nor shall truck drivers or rail or barge vehicle operators constitute new business facility employees.

3. Notwithstanding any other provision of sections 135.200 to 135.256 to the contrary, motor carriers establishing a new business facility on or after January 1, 1993, but before January 1, 1995, may qualify for the tax credits available pursuant to sections 135.225 and 135.235 and the exemption provided in section 135.220, even if such new business facility has not satisfied the employee criteria, provided that such taxpayer employs an average of at least two hundred persons at such facility, exclusive of truck drivers and provided that such taxpayer maintains an average investment of at least ten million **dollars** at such facility, exclusive of rolling stock, during the tax period for which such credits and exemption are being claimed.

4. Any governing authority having jurisdiction of an area that has been designated an enterprise zone may petition the department to expand the boundaries of such existing enterprise zone. The director may approve such expansion if the director finds that:

(1) The area to be expanded meets the requirements prescribed in section 135.207 or 135.210, whichever is applicable;

(2) The area to be expanded is contiguous to the existing enterprise zone; **and**

(3) The number of expansions do not exceed three after August 28, 1994.

5. Notwithstanding the fifteen-year limitation as prescribed in subsection 1 of this section, any governing authority having jurisdiction of an area that has been designated as an enterprise zone by the director, except one designated pursuant to this subsection, may file a petition, as prescribed by the director, for redesignation of such area for an additional period not to exceed seven years following the fifteenth anniversary of the enterprise zone's initial designation date; provided:

(1) The petition is filed with the director within three years prior to the date the tax credits authorized in sections 135.225 and 135.235 and the exemption allowed in section 135.220 are required to be removed pursuant to subsection 1 of this section;

(2) The governing authority identifies and conforms the boundaries of the area to be designated a new enterprise zone to the political boundaries established by the latest decennial census, unless otherwise approved by the director;

(3) The area satisfies the requirements prescribed in subdivisions (3), (4) and (5) of section 135.205 according to the latest decennial census or other appropriate source as approved by the director;

(4) The governing authority satisfies the requirements prescribed in sections 135.210, 135.215 and 135.255;

(5) The director finds that the area is unlikely to support reasonable tax assessment or to experience reasonable economic growth without such designation; and

(6) The director's recommendation that the area be designated as an enterprise zone, is approved by the joint committee on economic development policy and planning, as otherwise required in subsection 3 of section 135.210.

6. Any taxpayer having established a new business facility in an enterprise zone except one designated pursuant to subsection 5 of this section, who did not earn the tax credits authorized in sections 135.225 and 135.235 and the exemption allowed in section 135.220 for the full ten-year period because of the fifteen-year limitation as prescribed in subsection 1 of this section, shall be granted such benefits for ten tax years, less the number of tax years the benefits were claimed or could have been claimed prior to the expiration of the original fifteen-year period, except that such tax benefits shall not be earned for more than seven tax periods during the ensuing seven-year period, provided the taxpayer continues to operate the new business facility in an area that is designated an enterprise zone pursuant to subsection 5 of this section. Any taxpayer who establishes a new business facility subsequent to the commencement of the ensuing seven-year period, as authorized in subsection 5 of this section, may qualify for the tax credits authorized in sections

135.225 and 135.235, and the exemptions authorized in sections 135.215 and 135.220, pursuant to the same terms and conditions as prescribed in sections 135.100 to 135.256. The designation of any enterprise zone pursuant to subsection 5 of this section shall not be subject to the fifty enterprise zone limitation imposed in subsection 4 of section 135.210."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 241**, entitled:

To repeal sections 456.012, 456.013, 456.183, 456.700, 456.710, 456.720, 456.730, 456.740, 456.750, 456.760, 456.770, 456.780, 456.790, 456.800, 456.810 and 456.820, RSMo 2000, relating to trusts and estates, and to enact in lieu thereof thirty-six new sections relating to the same subject.

With Senate Amendment No. 1

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 241, Page 1, Section A, Line 8, by inserting immediately after said line the following:

"145.1000. Other provisions of this chapter to the contrary notwithstanding, if the federal estate tax imposed pursuant to section 2011 of the Internal Revenue Code, as amended, is repealed, then no tax shall be imposed on the transfer of a decedent's estate in Missouri. The provisions of this section shall become effective on the same date as the effective date of the repeal of the federal estate tax."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 660**, entitled:

To repeal sections 105.269, 160.420, 169.070, 169.075, 169.270, 169.280, 169.291, 169.301, 169.315, 169.324, 169.410, 169.420, 169.430, 169.440, 169.450, 169.460, 169.462, 169.466, 169.471, 169.475, 169.476, 169.480, 169.490, 169.500, 169.510, 169.520, 169.540, 169.650 and 169.670, RSMo 2000, relating to certain public school retirement systems, and to enact in lieu thereof twenty-nine new sections relating to the same subject, with an emergency clause for certain sections.

With Senate Amendment No. 1

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 660, Page 3, Section 160.420, Line 37, by inserting immediately after said line the following:

"162.481. 1. Except as otherwise provided in this section, all elections of school directors in urban districts shall be held biennially at the same times and places as municipal elections.

2. In any urban district which includes all or the major part of a city which first obtained a population of more

than seventy-five thousand inhabitants by reason of the 1960 federal decennial census, elections of directors shall be held on municipal election days of even-numbered years. The directors of the prior district shall continue as directors of the urban district until their successors are elected as herein provided. On the first Tuesday in April, 1964, four directors shall be elected, two for terms of two years to succeed the two directors of the prior district who were elected in 1960 and two for terms of six years to succeed the two directors of the prior district who were elected in 1961. The successors of these directors shall be elected for terms of six years. On the first Tuesday in April, 1968, two directors shall be elected for terms to commence on November 5, 1968, and to terminate on the first Tuesday in April, 1974, when their successors shall be elected for terms of six years. No director shall serve more than two consecutive six-year terms after October 13, 1963.

3. **Except as otherwise provided in subsection 4 of this section**, hereafter when a seven-director district becomes an urban district, the directors of the prior seven-director district shall continue as directors of the urban district until the expiration of the terms for which they were elected and until their successors are elected as provided in this subsection. The first biennial school election for directors shall be held in the urban district at the time provided in subsection 1 which is on the date of or subsequent to the expiration of the terms of the directors of the prior district which are first to expire, and directors shall be elected to succeed the directors of the prior district whose terms have expired. If the terms of two directors only have expired, the directors elected at the first biennial school election in the urban district shall be elected for terms of six years. If the terms of four directors have expired, two directors shall be elected for terms of six years and two shall be elected for terms of four years. At the next succeeding biennial election held in the urban district, successors for the remaining directors of the prior seven-director district shall be elected. If only two directors are to be elected they shall be elected for terms of six years each. If four directors are to be elected, two shall be elected for terms of six years and two shall be elected for terms of two years. After seven directors of the urban district have been elected under this subsection, their successors shall be elected for terms of six years.

4. In any school district in any city with a population of one hundred thousand or more inhabitants which is located within a county of the first classification that adjoins no other county of the first classification, **or any school district which becomes an urban school district by reason of the 2000 federal decennial census**, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and the terms shall be for three years and until their successors are duly elected and qualified for all directors elected on and after August 28, 1998.”; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 9:30 a.m., Tuesday, May 15, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Seventy-second Day, Friday, May 11, 2001, pages 1943 and 1944, roll call, by showing Representative Ridgeway voting "aye" rather than "absent with leave".

Pages 1944 and 1945, roll call, by showing Representative Ridgeway voting "aye" rather than "absent with leave".

Pages 1945 and 1946, roll call, by showing Representative Ridgeway voting "aye" rather than "absent with leave".

Page 1948, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Pages 1950 and 1951, roll call, by showing Representative Kelly (144) voting "aye" rather than "absent with leave".

Pages 1951 and 1952, roll call, by showing Representatives Enz and Franklin voting "aye" rather than "absent with leave".

Pages 1952 and 1953, roll call, by showing Representatives Dolan, Franklin and Wagner voting "aye" rather than "absent with leave".

Pages 1960 and 1961, roll call, by showing Representatives Franklin and George voting "no" rather than "absent with leave".

Pages 1960 and 1961, roll call, by showing Representatives Luetkemeyer, Myers, Naeger and Surface voting "aye" rather than "absent with leave".

Pages 1961 and 1962, roll call, by showing Representatives Crowell, Kelley (47), Myers and Surface voting "aye" rather than "absent with leave".

Pages 1961 and 1962, roll call, by showing Representative George voting "no" rather than "absent with leave".

Pages 1963 and 1964, roll call, by showing Representatives George and Wagner voting "no" rather than "absent with leave".

Pages 1963 and 1964, roll call, by showing Representatives Bartle, Myers and Surface voting "aye" rather than "absent with leave".

Pages 1968 and 1969, roll call, by showing Representatives Bartle, Myers and Surface voting "aye" rather than "absent with leave".

Pages 1969 and 1970, roll call, by showing Representatives Bartle, Froelker, George, Myers and Surface voting "aye" rather than "absent with leave".

Pages 1970 and 1971, roll call, by showing Representatives Bartle, Froelker, Myers and Surface voting "aye" rather than "absent with leave".

Pages 1971 and 1972, roll call, by showing Representatives Bartle, Dolan, Froelker, Levin, Myers and Surface voting "aye" rather than "absent with leave".

COMMITTEE MEETING

FISCAL REVIEW AND GOVERNMENT REFORM

Tuesday, May 15, 2001. Hearing Room 3 upon morning adjournment.

Fiscal Review (Fiscal Note). AMENDED.

To be considered - SB 125, SB 387

HOUSE CALENDAR

SEVENTY-FOURTH DAY, TUESDAY, MAY 15, 2001

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 15 & 13 - Crawford

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 457, HA 2, as amended, tabled - Kreider
- 2 HCS HB 593 - Riback Wilson (25)
- 3 HCS HB 239 - Smith
- 4 HB 802 - Ransdall
- 5 HCS HB 374 - Fraser
- 6 HCS HB 635 - Barry
- 7 HCS HB 868 - Merideth
- 8 HCS HB 253 - Ross
- 9 HB 809, HCA 1 - Carnahan
- 10 HCS HB 340, 303 & 316 - Graham
- 11 HB 640 - Johnson (90)
- 12 HCS HB 723 - Mays (50)
- 13 HCS HB 117 - Riback Wilson (25)
- 14 HCS HB 307 - Wiggins
- 15 HCS HB 921 - Curls
- 16 HB 911 - Carnahan
- 17 HCS HB 511 - Johnson (90)
- 18 HB 63 - Reynolds
- 19 HCS HB 93 - Gaskill

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HCS HB 853 & 258 - Crump
- 3 HCS HB 186 & 172 - Troupe
- 4 HCS HB 888, 942 & 943 - Scheve
- 5 HCS HB 472 - Burton

- 6 HCS HB 293 - Kennedy
- 7 HCS HB 663 & 375 - Kennedy
- 8 HCS HB 170 - Froelker

HOUSE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING

HCR 18, (5-14-01) - Barry

HOUSE BILLS FOR THIRD READING

- 1 HB 527, (Fiscal Review 4-19-01) - Luetkenhaus
- 2 HB 366, E.C. - Champion
- 3 HS HB 286, E.C. - Smith
- 4 HS HB 715 - Foley

SENATE JOINT RESOLUTIONS FOR THIRD READING

- 1 HCS SS SCS SJR 1 & 4 - O'Toole
- 2 SS SJR 9 - Gambaro

SENATE BILLS FOR THIRD READING

- 1 HS HCS SB 125, as amended (Fiscal Review 5-10-01) - Hoppe
- 2 SB 500 - Rizzo
- 3 SB 370, HCA 1 - Smith
- 4 SCS SB 290 - Rizzo
- 5 HCS SCS SB 486 & SB 422 - Hoppe
- 6 HCS SS SB 244 - Koller
- 7 HCS SB 365 - Overschmidt
- 8 HCS SCS SB 591 - Hoppe
- 9 HCS SCS SB 617 - Rizzo
- 10 HCS SB 288, E.C. - Monaco
- 11 SCS SB 393, E.C. - Treadway
- 12 SCS SB 374 - Ransdall
- 13 HCS SS SCS SB 48 - Hollingsworth
- 14 SS#2 SCS SB 22 & 106, E.C. - Scheve
- 15 SS SCS SB 351, HCA 1 - Hosmer
- 16 HCS SCS SB 10 - Monaco
- 17 HCS SB 275 - Levin
- 18 SB 470, HCA 1 - O'Toole
- 19 SCS SB 387, HCA 1, E.C. (Fiscal Review 5-11-01) - Mays (50)
- 20 HCS SCS SB 186 - Liese

SENATE BILLS FOR THIRD READING - INFORMAL

- 1 SB 123 - Hampton
- 2 SB 416 - Wagner
- 3 HCS SCS SB 266 - Barry
- 4 HCS SS SCS SB 369, HS, as amended, pending - Burton
- 5 HCS SB 392 - Rizzo
- 6 HCS SS SCS SB 433 & 248 - Hoppe
- 7 HCS SS SCS SB 476, 427 & 62, (Fiscal Review 5-14-01) - Seigfreid
- 8 HCS SS SCS SB 226 - Foley

SENATE BILL FOR THIRD READING - CONSENT - INFORMAL

SB 556 - Hoppe

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 HB 955, SCA 1 - Green (73)
- 2 SCS HCR 24 - Boucher
- 3 SCS HB 157 - Hosmer
- 4 SS SCS HS HB 381, as amended - Hoppe
- 5 SCS HS HCS HB 107, as amended - Clayton
- 6 HB 621, SCA 1 & SA 1 - Gratz

BILLS IN CONFERENCE

- 1 HCS SB 462, as amended, E.C. - Legan
- 2 CCR HCS SS SB 193, as amended - Ward
- 3 HCS SB 610 - Hoppe
- 4 SCS HCS HB 302 & 38, as amended, E.C. - Hosmer
- 5 CCR SS SCS HS HB 421, as amended - Hoppe
- 6 HCS SB 319, as amended - Johnson (61)
- 7 HCS SB 304 - Monaco
- 8 CCR#2 HCS SCS SB 151 - Gaskill
- 9 CCR SCS HCS HB 205, 323 & 549 - Relford
- 10 HCS SB 274 - Harlan

BILL IN CONFERENCE - INFORMAL

CCS HS SS SCS SB 323 & 230, as amended - Koller

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

SEVENTY-FOURTH DAY, TUESDAY, MAY 15, 2001

Speaker Pro Tem Abel in the Chair.

Prayer by Father David Buescher.

Oh God, Your ways may be level and smooth, but this House, in its last week in session, is anything but serene. Give these men and women some of Your calmness and sanity. Bid Your angels aid our thought processes, and gather in the nooks and crannies, that the work of this Chamber moves forward to prompt and proper completion.

Let politics play the back seat to moral decision, that our representatives may do any voting based on their inner convictions. Hold this place and all present here in the palm of Your strong and gentle hands. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jamie Crane, Whitney Stipp, Kaylay Isaac, Amy Mundy, Sarah Occhipinto, Sarah Littleton, Melissa Sperry, Pleasants Robinson, Tim Michael, Dustin Veach, Anthony Egger, Korey Lewis, Jessica Church and Brian Schneier.

The Journal of the seventy-third day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2115	-	Representative Relford
House Resolution No. 2116	-	Representative Bearden
House Resolution No. 2117	-	Representatives Vogel and Gratz
House Resolution No. 2118		
through		
House Resolution No. 2122	-	Representative Riback Wilson (25)
House Resolution No. 2123	-	Representative Marble
House Resolution No. 2124	-	Representative Crawford
House Resolution No. 2125		
through		
House Resolution No. 2128	-	Representative Williams
House Resolution No. 2129	-	Representatives O'Toole, Harlan and Mays (50)
House Resolution No. 2130	-	Representative Green (15)
House Resolution No. 2131		
and		
House Resolution No. 2132	-	Representative Fraser

THIRD READING OF SENATE BILL - CONSENT - INFORMAL

SB 556, relating to liquor license for gaming boats, was taken up and placed back on the Informal Calendar.

THIRD READING OF SENATE BILL - INFORMAL

HCS SS SCS SB 369, with HS, as amended, pending, relating to utility access to public rights-of-way, was taken up by Representative Burton.

Representative Relford offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 369, Page 3, Section 67.1830, Line 20, by inserting after the words "**public right-of-way**" (before the comma) the following:

"**except in the case where the right-of-way user does not provide any direct services within the political subdivision and where the political subdivision may establish or has established a reasonable right-of-way user fee on a competitively neutral and nondiscriminatory basis**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Relford moved that **House Amendment No. 4** be adopted.

Which motion was defeated.

Representative Hosmer offered **House Amendment No. 5**.

Representative Burcham raised a point of order that **House Amendment No. 5** amends previously amended material and goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Shields offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 369, Page 5, Section 67.1830, Line 17, by inserting after the word "**noncompliance**", before the comma, the following: "**within the political subdivision as defined by the political subdivision**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Shields, **House Amendment No. 5** was adopted.

Representative Smith offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 369, Page 16, Section 67.1840, Line 18, by adding the following after said line:

“5. Each public utility right-of-way shall indicate on each customer bill the number of excavations made by the user within the political subdivisions in the past twelve months.”.

Representative Smith moved that **House Amendment No. 6** be adopted.

Which motion was defeated.

Representative Monaco offered **House Amendment No. 7**.

Representative Villa assumed the Chair.

Speaker Pro Tem Abel resumed the Chair.

House Amendment No. 7 was withdrawn.

Representative Monaco offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 369, Page 4, Section 67.1830, Lines 12 and 13, by deleting the following words: **“degradation of the public right of way”**; and

Further amend said bill, Page 6, Section 67.1830, Line 17, by adding after said line the following:

“(i) Establish street degradation fees to cover the reduction in the useful life of the right-of-way caused by each excavation if such fees are paid by all excavators of the right of way including the political subdivision and are dedicated to street replacement.”; and

Further amend said bill, Page 19, Section 67.1846, Line 10 after the period (.), by deleting the word **“Nothing”**; and

Further amend said bill, Page 19, Section 67.1846, Lines 11 and 12, by deleting said lines; and

Further amend said bill, Page 19, Section 67.1846, Line 13, by deleting the words **“degradation fee.”**.

Representative Burton offered **House Substitute Amendment No. 1 for House Amendment No. 7**.

*House Substitute Amendment No. 1
for
House Amendment No. 7*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 369, Page 6, Section 67.1830, Line 17, by adding after said line the following:

“(i) Establish street degradation fees to cover the reduction in the useful life of the right-of-way caused by each excavation if such fees are paid by all excavators of the right of way including the political subdivision and are dedicated to street replacement but any degradation fee must be in effect by May 1, 2001.”.

On motion of Representative Burton, **House Substitute Amendment No. 1 for House Amendment No. 7** was adopted by the following vote:

AYES: 102

Abel	Ballard	Barnett	Barry 100	Bartelsmeyer
Bearden	Berkstresser	Black	Bland	Boatright
Britt	Brooks	Burcham	Burton	Campbell
Champion	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Dolan
Enz	Foley	Ford	Froelker	Gambaro
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Harlan	Hartzler	Hegeman	Henderson
Hickey	Hilgemann	Hollingsworth	Holt	Hunter
Jetton	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kennedy	King	Lawson	Legan
Levin	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mays 50	McKenna	Miller	Moore	Myers
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Portwood	Purgason	Rector	Richardson	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Selby	Shields	St. Onge
Surface	Townley	Treadway	Troupe	Van Zandt
Vogel	Wagner	Walton	Willoughby	Wilson 42
Wright	Mr. Speaker			

NOES: 051

Baker	Barnitz	Bartle	Behnen	Berkowitz
Bonner	Boucher	Bowman	Boykins	Bray 84
Byrd	Carnahan	Cierpiot	Coleman	Davis
Dempsey	Fares	Farnen	Franklin	Fraser
Gaskill	Hagan-Harrell	Hampton	Hanaway	Harding
Haywood	Holand	Hosmer	Johnson 61	Kelly 36
Lograsso	Mayer	Merideth	Monaco	Naeger
Phillips	Ransdall	Reid	Reinhart	Relford
Reynolds	Ridgeway	Seigfreid	Shelton	Shoemyer
Skaggs	Smith	Thompson	Villa	Ward
Wilson 25				

PRESENT: 001

Hendrickson

ABSENT WITH LEAVE: 006

Hohulin	Hoppe	Koller	Murphy	Wiggins
Williams				

VACANCIES: 003

Representative Villa resumed the Chair.

Representative Legan offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 369, Page 17, Section 67.1842, Lines 21-24, by deleting all of said lines; and

Further amend Page 18, Section 67.1842, Lines 1 and 2, by deleting all of said lines; and

Further amend intersectional references accordingly.

Speaker Pro Tem Abel resumed the Chair.

On motion of Representative Legan, **House Amendment No. 8** was adopted.

Representative Hegeman offered **House Amendment No. 9.**

Representative Green (73) raised a point of order that **House Amendment No. 9** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Hosmer offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 369, Page 21, Section 67.1846, Line 9, by adding after said line the following:

“67.1848. The provisions of Sections 67.1830 to 67.1846 shall apply to all roads and highways under the jurisdiction of the Missouri Department of Transportation.”; and

Further amend said bill by amending the title and enacting clause accordingly.

Representative Burton raised a point of order that **House Amendment No. 9** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Hosmer moved that **House Amendment No. 9** be adopted.

Which motion was defeated.

Representative Scott offered **House Amendment No. 10.**

Representative Green (73) raised a point of order that **House Amendment No. 10** is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Monaco offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 369, Page 21, Section 67.1846, Line 9, by inserting after all of said line the following:

“Section 1. The provisions of sections 67.1830 to 67.1846 shall not apply to any county of the first classification with a charter form of government with a population of more than 600,000 but less than 700,000 inhabitants.”; and

Further amend the title, enacting clause and intersectional references accordingly.

Representative Monaco moved that **House Amendment No. 10** be adopted.

Which motion was defeated.

On motion of Representative Burton, **HS HCS SS SCS SB 369, as amended**, was adopted.

On motion of Representative Burton, **HS HCS SS SCS SB 369, as amended**, was read the third time and passed by the following vote:

AYES: 123

Abel	Ballard	Barnett	Barnitz	Barry 100
Bearden	Berkstresser	Bland	Boatright	Boykins
Britt	Burcham	Burton	Campbell	Carnahan
Champion	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Foley
Ford	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harlan	Hartzler
Hegeman	Henderson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mays 50	McKenna	Miller	Moore	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Portwood	Purgason	Rector	Reid
Reinhart	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Selby	Shelton	Shields	Shoemyer
Skaggs	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 42	Wright	Mr. Speaker		

NOES: 031

Bartelsmeyer	Bartle	Behnen	Berkowitz	Black
Bonner	Boucher	Bowman	Bray 84	Brooks
Byrd	Fares	Farnen	Franklin	Fraser
Harding	Haywood	Hoppe	Hosmer	Kelly 36
Mayer	Merideth	Monaco	Murphy	Phillips
Ransdall	Relford	Reynolds	Seigfreid	Smith
Wilson 25				

PRESENT: 002

Cierpiot Hendrickson

ABSENT WITH LEAVE: 004

Baker Hohulin Linton Wiggins

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

Speaker Kreider assumed the Chair.

Representative Johnson (90) moved that **House Resolution No. 2112** and **House Resolution No. 2113** be printed in the House Journal.

Which motion was adopted.

HOUSE RESOLUTIONS

HOUSE RESOLUTION NO. 2112

WHEREAS, the members of the Missouri House of Representatives occasionally pause in their diverse endeavors near the end of the long, arduous legislative session in order to recognize House employees whose dedication, devotion, and skills have helped to support the democratic processes by which the legislative branch of Show-Me State government functions; and

WHEREAS, on Tuesday, May 15, 2001, the House of Representatives will hold a House Employees Recognition Ceremony in the beautiful and impressive Chamber; and

WHEREAS, Vanessa Fisher, Legislative Assistant to the Honorable Susan Phillips, State Representative from the Thirty-second District, will receive many accolades and honors for Outstanding Customer Service; and

WHEREAS, an exceptional servant to the state of Missouri, Vanessa Fisher is helpful, patient, and always cheerful; and

WHEREAS, with well-deserved reputation as someone with whom it is pleasant to work, Vanessa Fisher always goes beyond the call of duty; and

WHEREAS, Vanessa Fisher has more than twenty years of experience as a Legislative Assistant who knows the ins and outs and her way around many diverse state agencies; and

WHEREAS, although not part of her official job description, Vanessa Fisher is always "on call" to assist other Legislative Assistants who have computer problems or need to work their way through unfamiliar procedures when the Information Systems Office is busy; and

WHEREAS, Vanessa Fisher has a heartfelt call to service and a reputation for courtesy to everyone:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, join unanimously to applaud the selection of Vanessa Fisher for an Outstanding Customer Service Recognition award and to convey to her this legislative body's heartiest appreciation for her ongoing legacy of work which is always well done; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution in honor of Vanessa Fisher, Legislative Assistant to Representative Susan Phillips.

HOUSE RESOLUTION NO. 2113

WHEREAS, the members of the Missouri House of Representatives occasionally pause in their diverse endeavors near the end of the long, arduous legislative session in order to recognize House employees whose dedication, devotion, and skills have helped to support the democratic processes by which the legislative branch of Show-Me State government functions; and

WHEREAS, on Tuesday, May 15, 2001, the House of Representatives will hold a House Employees Recognition Ceremony in the beautiful and impressive Chamber; and

WHEREAS, Sharon Bertels, Constituent Information Specialist in the House Publications Office, will receive many accolades and honors for Outstanding Customer Service; and

WHEREAS, exemplifying an employee who provides outstanding service to the House and to the state of Missouri, Sharon Bertels is known for possessing an enormous amount of patience and perseverance in dealing with ever-changing minds and ideas; and

WHEREAS, with a quiet and calm response to any verbal communication directed her way, Sharon Bertels always has a smile, polite demeanor, and spirit of kindness for others; and

WHEREAS, Sharon Bertels' personal initiative and motivation challenge her colleagues to always do their best; and

WHEREAS, helping out whenever and wherever she is needed, Sharon Bertels is willing to devote herself to extra long hours to get her assigned duties and responsibilities done correctly; and

WHEREAS, going out of her way to learn the complete process necessary to find methods to improve and save time and money, Sharon Bertels is willing to let her service to the House extend well beyond her job description:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, join unanimously to applaud the selection of Sharon Bertels for an Outstanding Customer Service Recognition award and to convey to her this legislative body's heartiest appreciation for her ongoing legacy of work which is always well done; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution in honor of Sharon Bertels, Constituent Information Specialist in the House Publications Office.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 262**, entitled:

An act to amend chapter 160, RSMo, by adding thereto one new section, relating to certain public school records.

With Senate Committee Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 1 to Senate Amendment No. 4 and Senate Amendment No. 4, as amended

Senate Committee Amendment No. 1

AMEND House Bill No. 262, Page 1, Section 160.067, Line 7, by inserting immediately before the word “No” the following: “**Except as otherwise provided by federal law,**”.

Senate Amendment No. 2

AMEND House Bill No. 262, Page 2, Section 160.067, Line 15, by inserting immediately after said line the following:

“162.481. 1. Except as otherwise provided in this section, all elections of school directors in urban districts shall be held biennially at the same times and places as municipal elections.

2. In any urban district which includes all or the major part of a city which first obtained a population of more than seventy-five thousand inhabitants by reason of the 1960 federal decennial census, elections of directors shall be held on municipal election days of even-numbered years. The directors of the prior district shall continue as directors of the urban district until their successors are elected as herein provided. On the first Tuesday in April, 1964, four directors shall be elected, two for terms of two years to succeed the two directors of the prior district who were elected in 1960 and two for terms of six years to succeed the two directors of the prior district who were elected in 1961. The successors of these directors shall be elected for terms of six years. On the first Tuesday in April, 1968, two directors shall be elected for terms to commence on November 5, 1968, and to terminate on the first Tuesday in April, 1974, when their successors shall be elected for terms of six years. No director shall serve more than two consecutive six-year terms after October 13, 1963.

3. **Except as otherwise provided in subsection 4 of this section**, hereafter when a seven-director district becomes an urban district, the directors of the prior seven-director district shall continue as directors of the urban district until the expiration of the terms for which they were elected and until their successors are elected as provided in this subsection. The first biennial school election for directors shall be held in the urban district at the time provided in subsection 1 which is on the date of or subsequent to the expiration of the terms of the directors of the prior district which are first to expire, and directors shall be elected to succeed the directors of the prior district whose terms have expired. If the terms of two directors only have expired, the directors elected at the first biennial school election in the urban district shall be elected for terms of six years. If the terms of four directors have expired, two directors shall be elected for terms of six years and two shall be elected for terms of four years. At the next succeeding biennial election held in the urban district, successors for the remaining directors of the prior seven-director district shall be elected. If only two directors are to be elected they shall be elected for terms of six years each. If four directors are to be elected, two shall be elected for terms of six years and two shall be elected for terms of two years. After seven directors of the urban district have been elected under this subsection, their successors shall be elected for terms of six years.

4. In any school district in any city with a population of one hundred thousand or more inhabitants which is located within a county of the first classification that adjoins no other county of the first classification, **or any school district which becomes an urban school district by reason of the 2000 federal decennial census**, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and the terms shall be for three years and until their successors are duly elected and qualified for all directors elected on and after August 28, 1998.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND House Bill No. 262, Page 2, Section 160.067, Line 15, by inserting immediately after said line the following:

“610.033. In addition to the restrictions on the release of education records provided by the federal Family Educational Rights and Privacy Act, an institution of higher education may, without a subpoena or court order, disclose to a parent or legal guardian of a student information regarding a student's violation of any federal, state or local law, or of any rule or policy of the institution, governing the use or possession of alcohol or a controlled substance, regardless of whether that information is contained in the student's education records, only if (a) the student is under the age of twenty-one at the time of disclosure; (b) the institution has determined that the student has committed a disciplinary violation with respect to such use or possession; and (c) either the student demonstrates that he or she is not financially dependent on his or her parent or legal guardian as defined in Section 152 of the federal Internal Revenue Code of 1954 or the student has signed and filed with the institution a consent form permitting such disclosure.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 1

to

Senate Amendment No. 4

AMEND Senate Amendment No. 4 to House Bill No. 262, Page 2, Section 451.040, Subsection 2, Line 7, by deleting the words: “upon the expiration of three days after the receipt of the application”; and

Further amend said line, by capitalizing the word **“the”** after the word “application” on said line.

Senate Amendment No. 4

AMEND House Bill No. 262, Page 1, In the Title, Lines 2 and 3, by striking both of said lines and inserting in lieu thereof the following:

“To repeal sections 451.022 and 451.040, RSMo 2000, relating to certain public records, and to enact in lieu thereof three new sections relating to the same subject.”; and

Further amend said bill and page, Section A, Lines 1 and 2, by striking all of said lines and inserting in lieu thereof the following:

“Section A. Sections 451.022 and 451.040, RSMo 2000, are repealed, and three new sections enacted in lieu thereof, to be known as sections 160.067, 451.022 and 451.040, to read as follows.”; and

Further amend said bill, Page 2, Section 160.067, Line 15, by inserting after said line the following:

“[451.022. 1. It is the public policy of this state to recognize marriage only between a man and a woman.

2. Any purported marriage not between a man and a woman is invalid.

3. No recorder shall issue a marriage license, except to a man and a woman.]

451.022. 1. It is the public policy of this state to recognize marriage only between a man and a woman.

2. Any purported marriage not between a man and a woman is invalid.

3. No recorder shall issue a marriage license, except to a man and a woman.

4. A marriage between persons of the same sex will not be recognized for any purpose in this state even when valid where contracted.

451.040. 1. Previous to any marriage in this state, a license for that purpose shall be obtained from the officer

authorized to issue the same, and no marriage shall present an application for the license, duly executed and signed in the presence of the recorder of deeds or their deputy. Each applicant for a license shall contain the Social Security number of the applicant, **provided that the applicant in fact has a Social Security number, or the applicant shall sign a statement provided by the recorder that the applicant does not have a Social Security number.** The Social Security number contained in an application for a marriage license shall be exempt from examination and copying pursuant to section 610.024, RSMo. Upon the expiration of three days after the receipt of the application the recorder of deeds shall issue the license, unless one of the parties withdraws the application. The license shall be void after thirty days from the date of issuance.

3. Provided, however, that such license may be issued on order of a circuit or associate circuit judge of the county in which the license is applied for, without waiting three days, such license being issued only for good cause shown and by reason of such unusual conditions as to make such marriage advisable.

4. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor.

5. Common-law marriages shall be null and void.

6. Provided, however, that no marriage shall be deemed or adjudged invalid, nor shall the validity be in any way affected for want of authority in any person so solemnizing the marriage pursuant to section 451.100, if consummated with the full belief on the part of the persons, so married, or either of them, that they were lawfully joined in marriage.”.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SB 72, as amended**, and requests that the House recede from its position and failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SCS SB 236, as amended**, and requests that the House recede from its position and failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 274**: Senators Caskey, Kenney, Foster, Jacob and Gross.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SB 460, as amended**, and requests that the House recede from its position and failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 22**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 23**.

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 319**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate, on House Committee Substitute for Senate Bill No. 319, with House Amendment Nos. 1 and 3, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 319, as amended;
2. That the Senate recede from its position on Senate Bill No. 319;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 319 be Truly Agreed To and Finally Passed.

FOR THE HOUSE:

/s/ Connie Johnson (61)
/s/ Randall Relford
/s/ Richard Franklin
/s/ Peter Myers
/s/ Charlie Shields

FOR THE SENATE:

/s/ Mary Bland
/s/ Steve Stoll
/s/ Roseann Bentley
/s/ Anita Yeckel
/s/ Bill Kenney

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NOS. 302 & 38**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate, on Senate Committee Substitute for House Committee Substitute for House Bill Nos. 302 & 38, with Senate Amendment No. 1 and Senate Amendment No. 3, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill Nos. 302 & 38, as amended;

2. That the House recede from its position on House Committee Substitute for House Bill Nos. 302 & 38;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 302 & 38 be adopted.

FOR THE HOUSE:

/s/ Rep. Craig Hosmer
/s/ Rep. Phillip Britt
/s/ Rep. Gary Kelly
/s/ Rep. Robert Mayer
/s/ Rep. Sam Gaskill

FOR THE SENATE:

/s/ Sen. Morris Westfall
/s/ Sen. Marvin Singleton
/s/ Sen. David Klarich
/s/ Sen. Ted House
/s/ Sen. Harold Caskey

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 274**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate, on House Committee Substitute for Senate Bill No. 274, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 274;
2. That the Senate recede from its position on Senate Bill No. 274;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 274 be Truly Agreed To and Finally Passed.

FOR THE HOUSE:

/s/ Tim Harlan
/s/ Meg Harding
/s/ Jenee' Lowe
/s/ James Froelker
/s/ Charles Portwood

FOR THE SENATE:

/s/ Harold Caskey
/s/ Bill Kenney
/s/ Bill Foster
/s/ Ken Jacob
/s/ Chuck Gross

On motion of Representative Crump, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Abel.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2133 - Representative Surface
House Resolution No. 2134 - Representative Legan
House Resolution No. 2135 - Representative Kelley (47)
House Resolution No. 2136
and
House Resolution No. 2137 - Representative Griesheimer
House Resolution No. 2138 - Representative Villa
House Resolution No. 2139 - Representatives Williams and Berkstresser
House Resolution No. 2140 - Representative Hanaway
House Resolution No. 2141 - Representative Johnson (61)
House Resolution No. 2142 - Representative Wilson (42)
House Resolution No. 2143 - Representative Coleman
House Resolution No. 2144
through
House Resolution No. 2147 - Representative Scott
House Resolution No. 2148 - Representative Secrest
House Resolution No. 2149 - Representative Copenhaver
House Resolution No. 2150 - Representative Copenhaver, et al
House Resolution No. 2151 - Representatives Copenhaver and Seigfreid
House Resolution No. 2152
through
House Resolution No. 2155 - Representative Boucher

COMMITTEE REPORT

Committee on Fiscal Review and Government Reform, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **SCS SB 387 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF SENATE BILL - CONSENT - INFORMAL

SB 556, relating to liquor license for gaming, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **SB 556** was truly agreed to and finally passed by the following vote:

AYES: 098

Abel	Baker	Barry 100	Behnen	Berkowitz
Berkstresser	Bland	Bonner	Boucher	Bowman
Britt	Burcham	Byrd	Campbell	Carnahan
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Dempsey	Dolan	Fares	Farnen
Foley	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Johnson 61	Johnson 90	Kelly 27	Kennedy	King
Lawson	Legan	Liese	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	McKenna	Merideth	Monaco
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Reinhart
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Scheve	Selby	Shelton	Shields
Surface	Thompson	Townley	Treadway	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 055

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Black	Boatright	Boykins	Brooks
Champion	Cooper	Crawford	Crowell	Cunningham
Enz	Ford	Franklin	Hampton	Hendrickson
Hosmer	Hunter	Jetton	Jolly	Kelley 47
Kelly 144	Kelly 36	Koller	Levin	Linton
Long	Marble	Marsh	May 149	Mayer
Miller	Moore	Murphy	Purgason	Ransdall
Rector	Reid	Relford	Roark	Schwab
Scott	Secrest	Seigfreid	Shoemyer	Skaggs
Smith	St. Onge	Troupe	Willoughby	Wright

PRESENT: 000

ABSENT WITH LEAVE: 007

Bray 84	Burton	Cierpiot	Hanaway	Mays 50
Wiggins	Williams			

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HOUSE BILLS WITH SENATE AMENDMENTS

SS SCS HB 453, as amended, relating to environmental commissions, was taken up by Representative Ransdall.

Representative Ransdall moved that the House refuse to adopt **SS SCS HB 453, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

HB 621, with Senate Committee Amendment No. 1 and Senate Amendment No. 1, relating to the penitentiary redevelopment commission, was taken up by Representative Gratz.

Representative Gratz moved that the House refuse to concur in **Senate Committee Amendment No. 1 and Senate Amendment No. 1** to **HB 621** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 241, as amended, relating to trusts, was taken up by Representative Smith.

Representative Smith moved that the House refuse to adopt **SCS HCS HB 241, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

BILLS CARRYING REQUEST MESSAGES

HS HCS SB 460, as amended, relating to sales/use tax, was taken up by Representative Kennedy.

Representative Kennedy moved that the House refuse to recede from its position on **HS HCS SB 460, as amended**, and grant the Senate a conference.

Which motion was adopted.

HS HCS SB 72, as amended, relating to electronic storage of records, was taken up by Representative Smith.

Representative Smith moved that the House refuse to recede from its position on **HS HCS SB 72, as amended**, and grant the Senate a conference.

Which motion was adopted.

HS HCS SCS SB 236, as amended, relating to public assistance programs, was taken up by Representative Ladd Baker.

Representative Ladd Baker moved that the House refuse to recede from its position on **HS HCS SCS SB 236, as amended**, and request the Senate take up and pass the bill.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

HS HCS SB 460: Representatives Kennedy, Hosmer, Smith, Hegeman and Dolan

HS HCS SB 72: Representatives Smith, Scheve, Foley, Richardson and Dempsey

THIRD READING OF SENATE BILL

SB 500, relating to job training, was taken up by Representative Rizzo.

On motion of Representative Rizzo, **SB 500** was truly agreed to and finally passed by the following vote:

AYES: 152

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Bartelsmeyer
Lograsso

Black
St. Onge

Cierpiot
Wiggins

Gaskill

Green 73

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

THIRD READING OF SENATE BILL - INFORMAL

HCS SCS SB 266, relating to the Department of Health programs, was taken up by Representative Barry.

Representative Barry offered **HS HCS SCS SB 266**.

Representative Barry offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 266, Page 4, Section 191.714, Lines 2 to 11, by deleting all of said lines and inserting in lieu thereof the following:

"5. An evaluation committee established pursuant to this section shall consist of at least five members but no more than ten members. At least half of the members of the committee shall be frontline health care workers at such facility from a variety of occupational classifications and departments, including but not limited to nurses, nurse aides, technicians, phlebotomists and physicians, who shall be selected by the facility to advise the employer on the implementation of the requirements of this section. In facilities where there are one or more representatives certified by the state board of mediation to represent frontline healthcare workers at such facility, the facility shall consult with such representatives as to the composition and membership of the committee. All members of the committee shall be trained in the proper method of utilizing product evaluation criteria prior to the commencement of any product evaluation. Committee members shall serve two-year terms, with the initial terms beginning thirty days after the formation of such committee and the subsequent terms beginning every two years thereafter. Vacancies on the committee shall be filled for the remainder of the term by the facility in the same manner as was used to appoint the vacating member. Members may serve consecutive terms. Members shall not be given additional compensation for their duties on such committee."

On motion of Representative Barry, **House Amendment No. 1** was adopted.

Speaker Kreider resumed the Chair.

Representative Smith offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 266, Pages 8-13, Section 191.940, by deleting all of said section and inserting in lieu thereof the following:

"191.940. 1. For the purposes of this section the following terms mean:

(1) "Disclose", to release, transfer, provide access to, or divulge in any other manner information outside the entity holding the information, except that disclosure shall not include any information divulged directly to

the individual to whom such information pertains;

(2) “Federal Privacy Rules”, the federal Health Insurance Portability and Accountability Act privacy rules promulgated by the United States Department of Health and Human Services, 45 CFR Parts 160 to 164;

(3) “Health Information”, any information or data except age or gender, whether oral or recorded in any form or medium, created by or derived from a health care provider or an individual that relates to:

(a) The past, present or future physical, mental or behavioral health or condition of an individual;

(b) The provision of health care to an individual; or

(c) Payment for the provision of health care to an individual;

(4) “Licensee”, all licensed insurers, producers and other persons licensed or required to be licensed, or authorized or required to be authorized, or registered or required to be registered pursuant to chapter 375, RSMo, a health maintenance organization holding or required to hold, a certificate of authority pursuant to chapter 354, RSMo, or any other entity or person subject to the supervision and regulation of the department of insurance;

(5) “nonpublic personal health information”, health information;

(a) That identifies an individual who is the subject of the information; or

(b) With respect to which there is a reasonable basis to believe that the information could be used to identify an individual;

(6) “Person”, without limitation, an individual, a foreign or domestic corporation whether for profit or not-for-profit, a partnership a limited liability company, an unincorporated society or association, two or more persons having a joint or common interest, a governmental agency or any other entity.

2. Any person who, in the ordinary course of business, practice of a profession or rendering of a service, creates, stores, receives or furnishes nonpublic personal health information shall not disclose by any means of communication such nonpublic personal health information except pursuant to a prior, written authorization of the person to whom such information pertains or such person’s authorized representative, if:

(1) The nonpublic personal health information is disclosed in exchange for consideration to an affiliate or other third party; or

(2) The purpose of the disclosure is:

(a) For the marketing of services or goods for personal, family or household purposes;

(b) To facilitate an employer’s employment-related decisions, including, but not limited to, hiring, termination, and the establishment of any other conditions of employment, except as necessary to provide health or other benefits to an existing employee;

(c) For use in connection with the evaluation of an existing or requested extension of credit for personal, family or household purposes; or

(d) Unrelated to the business, practice or service offered by the disclosing person or entity.

(3) Nothing in this section shall be deemed to prohibit any disclosure of nonpublic personal health information as is necessary to comply with any other state or federal law.

4. Any person other than a licensee who knowingly violates the provisions of this section shall be assessed an administrative penalty of not more than five hundred dollars for each violation of this section. An administrative penalty under this section may be assessed by a state agency responsible for regulating the person or by the attorney general.

5. In addition to the penalties provided in subsection 4 of this section, any person that violates this section shall be subject to civil action for damages or equitable relief.

6. To the extent a person other than a licensee is subject to and complies with all requirements of the federal Health Insurance Portability and Accountability Act privacy rules promulgated by the United States Department of Health and Human Services, 45 CFR Parts 160 to 164 (the “federal privacy rules”), such person shall be deemed to be in compliance with this section. Until April 14, 2003, a person other than a licensee that is subject to the federal privacy rules shall be deemed to be in compliance with this section upon demonstration of a good faith effort to comply with the requirements of the federal privacy rules.

7. Irrespective of whether a licensee is subject to the federal privacy rules, if a licensee complies with all requirements of the federal privacy rules except for the effective date provision, the licensee shall be deemed to be in compliance with this section. Until April 14, 2003, a licensee shall be deemed to be in compliance with this section upon demonstration of a good faith effort to comply with the requirements of the federal privacy rules.

8. If a licensee complies with the model regulation adopted on September 26, 2000, by the National Association of Insurance Commissioners entitled “Privacy of Consumer Financial and Health Information

Regulation”, the licensee shall be deemed to be in compliance with this section.

9. Notwithstanding the provisions of subsections 5, 6 and 7 of this section, no person or licensee may disclose nonpublic personal health information for marketing purposes contrary to paragraph (a) of subdivision (2) of subsection 2 of this section.

10. The provisions of this act do not apply to information from or to consumer reporting agencies as defined by the federal Fair Credit Reporting Act, 15 U.S.C. Sec. 1681 et seq., or debt collectors as defined by the federal Fair Debt Collection Practices Act, 15 U.S.C. Sec. 1692 et seq. to the extent these entities are engaged in activities regulated by these federal acts.

11. The provisions of this act do not apply to information disclosed in connection with a proposed or actual sale, merger, transfer, or exchange of all or a portion of a business or operating unit, including but not limited to the sale of a portfolio of loans, if the disclosure of nonpublic personal health information concerns solely consumers of the business or unit and the disclosure of the nonpublic personal health information is not the primary reason for the sale, merger, transfer or exchange.

12. The director of the department of insurance shall have the sole authority to enforce this section with respect to licensees including, without limitation, treating violations of this section by licensees as unfair practices pursuant to sections 375.930 to 375.948, RSMo.

13. There shall be established a “Commission on Health Information Privacy” to study the issue of the protection of the privacy of nonpublic personal health information. By January 1, 2003, the commission shall make a recommendation to the general assembly of what additional legislative measures should be enacted to protect the privacy of nonpublic health information, after which the commission shall expire.

(1) The members of the commission shall be named by the governor and shall be citizens and residents of the state. The commission shall consist of fifteen individuals: one representative from the health insurance industry; one representative from the life insurance industry; one representative from the property and casualty insurance industry; three representatives from consumer advocacy organizations; three representatives from health care provider organizations; one representative from the department of health; one representative from the department of insurance; and four at-large representatives with demonstrated interest or expertise in health information privacy issues.

(2) Members shall receive no remuneration for their services but shall be reimbursed for actual and reasonable expenses incurred by them in the performance of their duties.”.

On motion of Representative Smith, **House Amendment No. 2** was adopted.

Representative Carnahan offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 266, Page 23, Section 376.1199, Line 3, by inserting after all of said line the following:

"376.1290. 1. Each entity offering individual and group health insurance policies providing coverage on an expense-incurred basis, individual and group service or indemnity type contracts issued by a health services corporation, individual and group service contracts issued by a health maintenance organization, all self-insured group arrangements, to the extent not preempted by federal law, and all managed health care delivery entities of any type or description that are delivered, issued for delivery, continued or renewed in this state on or after January 1, 2002, shall offer coverage for testing pregnant women for lead poisoning and for all testing for lead poisoning authorized by sections 701.340 to 701.349, RSMo, or by rule of the department of health promulgated pursuant to sections 701.340 to 701.349, RSMo.

2. Health care services required by this section shall not be subject to any greater deductible or co-payment than any other health care service provided by the policy, contract or plan.

3. No entity enumerated in subsection 1 of this section shall reduce or eliminate coverage as a result of the requirements of this section.

4. Nothing in this section shall apply to accident-only, specified disease, hospital indemnity, Medicare supplement, long-term care or other limited benefit health insurance policies.

701.322. Upon request of a physician, health care facility or third-party insurer, the department may provide laboratory services for tests related to contagious or infectious diseases. The department may conduct laboratory testing of blood specimens for lead content on behalf of a physician, hospital, clinic, free clinic, municipality or private organization which cannot secure or provide such services through other sources. The department of health may charge a fee for laboratory services rendered [under] **pursuant to this section.** [Such] **Fees for tests related to contagious or infectious diseases** shall be deposited in a separate account in the Missouri public health services fund, created in section 192.900, RSMo, and funds in such account shall be used to provide laboratory testing services by the department.

Fees for laboratory testing of blood specimens for lead content shall be deposited in the childhood lead testing fund created in section 701.345, RSMo.

701.326. 1. The department of health shall establish and maintain a lead poisoning information reporting system which shall include a record of lead poisoning cases which occur in Missouri along with the information concerning these cases which is deemed necessary and appropriate to conduct comprehensive epidemiologic studies of lead poisoning in this state and to evaluate the appropriateness of lead abatement programs.

2. The director of the department of health shall promulgate rules and regulations specifying the level of lead poisoning which shall be reported and any accompanying information to be reported in each case. Such information may include the patient's name, **full residence** address, **and** diagnosis, **including the blood lead level.** **Such information may include** pathological findings, the stage of the disease, environmental and known occupational factors, method of treatment and other relevant data from medical histories. Reports of lead poisoning shall be filed with the director of the department of health within a period of time specified by the director. The department shall prescribe the form and manner in which the information shall be reported.

3. The attending health care professional of any patient with lead poisoning shall provide to the department of health the information required pursuant to this section.

4. When a case of lead poisoning is reported to the director, the director shall inform such local boards of health, public health agencies, and other persons and organizations as the director deems necessary; provided that, the name of any child contracting lead poisoning shall not be included unless the director determines that such inclusion is necessary to protect the health and well-being of the affected individual.

701.328. 1. The department of health shall protect the identity of the patient and physician involved in the reporting required by sections 701.318 to [701.330] **701.349.** Such identity shall not be revealed except that the identity of the patient shall be released only upon written consent of the patient. The identity of the physician shall be released only upon written consent of the physician.

2. The department may release without consent any information obtained pursuant to sections 701.318 to [701.330] **701.349,** including the identities of certain patients or physicians, when the information is necessary for the performance of duties by public employees within, or the legally designated agents of, any state or local agency, department or political subdivision, but only when such employees and agents need to know such information to perform their public duties.

3. The department shall use or publish reports based upon materials reported pursuant to sections 701.318 to [701.330] **701.349** to advance research, education, treatment and lead abatement. **The department shall geographically index the data from lead testing reports to determine the location of areas of high incidence of lead poisoning.** The department shall provide qualified researchers with data from the reported information upon the researcher's compliance with appropriate conditions as provided by rule and upon payment of a fee to cover the cost of processing the data.

701.340. 1. Beginning January 1, 2002, the department of health shall, subject to appropriations, implement a childhood lead testing program which requires every child less than six years of age to be tested for lead poisoning in accordance with the provisions of sections 701.340 to 701.349. In coordination with the department of health, every health care facility serving children less than six years of age, including but not limited to hospitals and clinics licensed pursuant to chapter 197, RSMo, shall take appropriate steps to ensure that their patients receive such lead poisoning testing.

2. The test for lead poisoning shall consist of a blood sample that shall be sent for analysis to a laboratory licensed pursuant to the federal Clinical Lab Improvement Act (CLIA). The department of health shall, by rule, determine the blood test protocol to be used.

3. Nothing in sections 701.340 to 701.349 shall be construed to require a child to undergo lead testing whose parent or guardian objects to the testing in a written statement that states the parent's or guardian's reason for refusing such testing.

701.342. 1. The department of health shall, using factors established by the department, including but not limited to the geographic index from data from testing reports, identify geographic areas in the state that are at high risk for lead poisoning. All children six months of age through six years of age who reside or spend more than ten hours a week in an area identified as high risk by the department shall be tested annually for lead poisoning.

2. Every child six months through six years of age not residing or spending more than ten hours a week in geographic areas identified as high risk by the department shall be assessed annually using a questionnaire to determine whether such child is at high risk for lead poisoning. The department, in collaboration with the department of social services, shall develop the questionnaire, which shall follow the recommendations of the federal Centers for Disease Control and Prevention. The department may modify the questionnaire to broaden the scope of the high-risk category. Local boards or commissions of health may add questions to the questionnaire.

3. Every child deemed to be at high risk for lead poisoning according to the questionnaire developed pursuant to subsection 2 of this section shall be tested using a blood sample.

4. Any child deemed to be at high risk for lead poisoning pursuant to this section who resides in housing currently undergoing renovations may be tested at least once every six months during the renovation and once after the completion of the renovation.

5. Any laboratory providing test results for lead poisoning pursuant to sections 701.340 to 701.349 shall notify the department of the test results of any child tested for lead poisoning as required in section 701.326. Any child who tests positive for lead poisoning shall receive follow-up testing in accordance with rules established by the department. The department shall, by rule, establish the methods and intervals of follow-up testing and treatment for such children.

6. When the department is notified of a case of lead poisoning, the department shall require the testing of all other children less than six years of age, and any other children or persons at risk, as determined by the director, who are residing or have recently resided in the household of the lead poisoned child.

701.343. The department of health shall have the following duties regarding the childhood lead testing program:

(1) By January 1, 2002, the department shall develop an educational mailing to be sent to every physician licensed by and practicing in this state informing such physician of the childhood lead testing program and the responsibilities of physicians pursuant to such program;

(2) The department of health shall, by January 1, 2002, develop guidelines, educational materials and a questionnaire to be used by physicians to determine whether pregnant women are at high risk and should be tested for lead poisoning;

(3) The department shall apply for, take all steps necessary to qualify for and accept any federal funds made available or allotted pursuant to any federal act or program for state lead poisoning prevention programs;

(4) The director of the department of health or the director's designee may, subject to appropriations, contract with a public agency or a university, or collaborate with any agencies, individuals or groups to provide necessary services, develop educational programs, scientific research and organization, and interpret data from lead testing reports;

(5) The department shall promulgate such rules as may be necessary; and

(6) Beginning January 1, 2003, and every January first thereafter, the department of health shall submit a report evaluating the childhood lead testing program as set forth in sections 701.340 to 701.349 to the governor and the following committees of the Missouri legislature: senate appropriations committee, senate public health and welfare committee, house appropriations - health and mental health committee and house public health committee.

701.344. 1. In geographic areas determined to be of high risk for lead poisoning as set forth in section 701.342, every child care facility, as defined in section 210.201, RSMo, and every child care facility affiliated with a school system, a business organization or a nonprofit organization shall, within thirty days of enrolling a child, require the child's parent or guardian to provide evidence of lead poisoning testing in the form of a statement from the health care professional that administered the test or provide a written statement that states the parent's or guardian's reason for refusing such testing. If there is no evidence of testing, the person in charge of the facility shall provide the parent or guardian with information about lead poisoning and locations in the area where the child can be tested. When a parent or guardian cannot obtain such testing, the person in charge of the facility may arrange for the child to be tested by a local health officer with the consent of the child's parent

or guardian. At the beginning of each year of enrollment in such facility, the parent or guardian shall provide proof of testing in accordance with the provisions of sections 701.340 to 701.349 and any rules promulgated thereunder.

2. No child shall be denied access to education or child care because of failure to comply with the provisions of sections 701.340 to 701.349.

701.345. 1. There is hereby created in the state treasury the "Childhood Lead Testing Fund". The state treasurer shall deposit to the credit of the fund all moneys which may be appropriated to it by the general assembly and also any gifts, contributions, grants, bequests or other aid received from federal, private or other sources related to lead testing, education and screening. The general assembly may appropriate moneys to the fund for the support of the childhood lead testing program established in sections 701.340 to 701.349. The moneys in the fund shall be used to fund the administration of childhood lead programs, the administration of blood tests to uninsured children, educational materials and analysis of lead blood test reports and case management.

2. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the fund shall not revert to the credit of the general revenue fund at the end of the biennium.

701.346. The department of health shall promulgate rules to implement the provisions of sections 701.340 to 701.349. No rule or portion of a rule promulgated under the authority of sections 701.340 to 701.349 shall become effective unless it has been promulgated pursuant to chapter 536, RSMo.

701.348. Nothing in sections 701.340 to 701.349 shall prohibit a political subdivision of this state or a local board of health from enacting and enforcing ordinances, rules or laws for the prevention, detection and control of lead poisoning which provide the same or more stringent provisions as sections 701.340 to 701.349, or the rules promulgated thereunder.

701.349. If any provisions of sections 701.340 to 701.349, or the application thereof, to any persons or circumstances is held invalid, such validity shall not affect other provisions or applications of sections 701.340 to 701.349 that can be given effect without the invalid provision or application, and to this end the provisions of sections 701.340 to 701.349 are declared to be severable."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Carnahan, **House Amendment No. 3** was adopted.

Representative Selby offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 266, Page 23, Section 376.1199, Line 3 of said page, by inserting after all of said line the following:

"632.080. 1. Any clinic, physician's office, mental hospital or facility administering electroconvulsive therapy, psychosurgery, prefrontal sonic sound treatment or any other convulsive or coma-producing therapy administered to treat mental illness or a physician administering the therapy on an outpatient basis shall submit to the department of health quarterly reports relating to the administration of the therapy in the clinic, office, hospital or facility or by the physician.

2. The report shall state for each quarter:

(1) The number of patients who received the therapy, including:

- (a) The number of persons voluntarily receiving mental health services who consented to the therapy;
- (b) The number of involuntary patients who consented to the therapy; and
- (c) The number of involuntary patients for whom a guardian of such patient consented to the therapy;

(2) The age, sex and race of the person receiving the therapy;

(3) The source of the treatment payment;

(4) The average number of nonelectroconvulsive treatments;

(5) The average number of electroconvulsive treatments administered for each complete series of treatments, but not including maintenance treatments;

- (6) The average number of maintenance electroconvulsive treatments administered per month;
- (7) The number of fractures, reported memory losses, incidents of apnea and cardiac arrests without death;
- (8) Autopsy findings if death occurred within fourteen days after the date of the administration of therapy; and
- (9) Any other information required by the department.

3. Any person who violates the provisions of this section is guilty of a class A misdemeanor.

632.082. The department of health shall use the information received pursuant to section 632.080 to analyze, audit and monitor the use of electroconvulsive therapy, psychosurgery, prefrontal sonic sound treatment or any other convulsive or coma-producing therapy administered to treat mental illness.

632.084. 1. The change in law made by sections 632.080 to 632.084 applies only to an offense committed on or after August 28, 2001. For purposes of this section, an offense is committed before August 28, 2001, if any element of the offense occurs before such date.

2. An offense committed before August 28, 2001, is covered by the law in effect when the offense was committed and the former law is continued in effect for that purpose."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Monaco raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Selby, **House Amendment No. 4** was adopted.

Representative Crowell offered **House Amendment No. 5**.

Representative Gambaro raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Berkowitz offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 266, by inserting at the appropriate location the following:

"191.975. 1. This section shall be known and may be cited as the "Adoption Awareness Law".

2. To raise public awareness and to educate the public, the department of social services, with the assistance of the department of health, shall be responsible for:

- (1) Collecting and distributing resource materials to educate the public about foster care and adoption;
- (2) Developing and distributing educational materials, including but not limited to videos, brochures and other media as part of a comprehensive public relations campaign about the positive option of adoption and foster care. The materials shall include, but not be limited to, information about:
 - (a) The benefits of adoption and foster care;
 - (b) Adoption and foster care procedures;
 - (c) Means of financing the cost of adoption and foster care, including but not limited to adoption subsidies, foster care payments and special needs adoption tax credits;
 - (d) Options for birth parents in choosing adoptive parents;

(e) Protection for and rights of birth parents and adoptive parents prior to and following the adoption;
 (f) Location of adoption and foster care agencies;
 (g) Information regarding various state health and social service programs for pregnant women and children, including but not limited to medical assistance programs and temporary assistance for needy families (TANF); and

(h) Referrals to appropriate counseling services, including but not be limited to counseling services for parents who are considering retaining custody of their children, placing their children for adoption, or becoming foster or adoptive parents; but excluding any referrals for abortion or to abortion facilities;

(3) Making such educational materials available through state and local public health clinics, public hospitals, family planning clinics, abortion facilities as defined in section 188.015, RSMo, maternity homes as defined in section 135.600, RSMo, child-placing agencies licensed pursuant to sections 210.481 to 210.536, RSMo, attorneys whose practice involves private adoptions, in vitro fertilization clinics and private physicians for distribution to their patients who request such educational materials. Such materials shall also be available to the public through the department of social services' Internet web site; and

(4) Establishing a toll-free telephone number for information on adoption and foster care.

3. The provisions of this section shall be subject to appropriations.

4. The department of social services shall promulgate rules for the implementation of this section in accordance with chapter 536, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Byrd raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Berkowitz, **House Amendment No. 5** was adopted by the following vote:

AYES: 138

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Black
Bland	Boatright	Bonner	Bowman	Boykins
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott

Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Walton	Ward	Willoughby
Wilson 42	Wright	Mr. Speaker		

NOES: 008

Bray 84	Fraser	Harlan	Hollingsworth	Mays 50
Relford	Williams	Wilson 25		

PRESENT: 002

Hohulin Johnson 61

ABSENT WITH LEAVE: 012

Baker	Ballard	Berkstresser	Boucher	Franklin
Green 73	Holand	Kelly 27	Long	O'Toole
Van Zandt	Wiggins			

VACANCIES: 003

Representative Kennedy offered **House Amendment No. 6**.

Representative Carnahan raised a point of order that **House Amendment No. 6** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Portwood offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 266, by inserting at the appropriate location the following:

“Section 4. If a health carrier as defined in section 376.1350 RSMo, or any subsidiary of such entity contracts with any licensed health care professional for any fee below the usual, customary and reasonable rate of reimbursement, such health insurance carrier as defined in section 376.1350 RSMo, or any subsidiary of such entity shall be prohibited from charging such health care professionals additional administrative or claim processing fees.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Portwood, **House Amendment No. 6** was adopted.

Representative Foley offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 266, by adding one new section in the appropriate location:

“196.367. Effective July 1, 2005, any manufacturer or distributor shall be exempted from the provisions of sections 196.365 to 196.445 if the manufacturer satisfies all applicable Food and Drug Administration regulations.”; and

Further amend the title and enacting clause accordingly.

On motion of Representative Foley, **House Amendment No. 7** was adopted.

Representative Hohulin offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 266, Pages 1-5, Section 191.714, by deleting said section and amending the title and enacting clause accordingly.

Representative Monaco raised a point of order that **House Amendment No. 8** amends previously amended material.

The Chair ruled the point of order not well taken.

Representative Hohulin moved that **House Amendment No. 8** be adopted.

Which motion was defeated.

Representative Riback Wilson (25) offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 266, Page 13, Section 192.729, Line 24, by inserting after said line all of the following:

“198.531. 1. The division of aging, in collaboration with qualified Missouri schools and universities, shall establish an aging-in-place pilot program at a maximum of four selected sites throughout the state which will provide a continuum of care for elders who need long-term care. [One aging- in-place pilot program shall be at a thirty-five bed facility in a county of the first classification without a charter form of government with a population of at least ninety thousand but not more than one hundred thousand and a county of the first classification with a population of at least forty-two thousand but less than forty-five thousand and a county of the third classification without a township form of government with a population of at least sixteen thousand nine hundred but less than seventeen thousand.] For purposes of this section, "qualified Missouri schools and universities" means any Missouri school or university which has a school of nursing, a graduate nursing program, or any other similar program or specialized expertise in the areas of aging, long-term care or health services for the elderly.

2. The pilot program shall:

- (1) Deliver a full range of physical and mental health services to residents in the least restrictive environment of choice to reduce the necessity of relocating such residents to other locations as their health care needs change;
- (2) Base licensure on services provided rather than on facility type; and
- (3) Be established in selected urban, rural and regional sites throughout the state.

3. The directors of the division of aging and division of medical services shall apply for all federal waivers necessary to provide Medicaid reimbursement for health care services received through the aging-in-place pilot program.

4. The division of aging shall monitor the pilot program and report to the general assembly on the effectiveness of such program, including quality of care, resident satisfaction and cost-effectiveness to include the cost equivalent of unpaid or volunteer labor.

5. Developments authorized by this section shall be exempt from the provisions of sections 197.300 to 197.367, RSMo, and shall be licensed by the division of aging.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Riback Wilson (25), **House Amendment No. 9** was adopted.

Representative Cooper offered **House Amendment No. 10.**

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 266, Page 1, Section A, Line 13, by inserting after said line all of the following:

"191.660. 1. If a corrections officer, emergency services employee, health care provider or employee of a health care provider, law enforcement employee or juvenile correctional facility employee comes in contact with or otherwise is exposed to transmission of body fluids from one or more other persons while performing duties within the scope of such employee's duties as an employee, the employee or head of the employing agency or entity may petition a court of competent jurisdiction for an emergency order requiring such other person or persons to submit to infectious disease testing within twenty-four hours of the exposure.

2. The petition in subsection 1 of this section shall include an allegation that the person or persons sought to be tested have been requested to submit voluntarily to infectious disease tests and have refused such tests. When any such application is received, the court shall hold a hearing and shall issue its order thereon immediately to ensure that such testing can occur within twenty-four hours of the exposure if the court finds that:

(1) There is probable cause to believe that the employee involved has come in contact with or otherwise has been exposed to transmission of the body fluids of the person or persons sought to be tested; and

(2) The person or persons sought to be tested have been requested to submit to the tests and have refused, unless the court makes a further finding that exigent circumstances exist which, in the court's judgment, would excuse the applicant from making such a request.

3. If an infectious disease test ordered pursuant to this section results in a negative reaction, the court shall order the person tested to submit to another infectious disease test six months from the date the first test was administered.

4. The results of any infectious disease test ordered pursuant to this section shall be disclosed to the court which ordered the test, the employee and the person tested. If an infectious disease test ordered pursuant to this section results in a positive reaction, the results shall be reported to the employee.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Hollingsworth assumed the Chair.

Representative Kennedy offered **House Substitute Amendment No. 1 for House Amendment No. 10.**

*House Substitute Amendment No. 1
for
House Amendment No. 10*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 266, by inserting in the appropriate location the following:

"191.660. 1. If a corrections officer, emergency services employee, health care provider or employee of a health care provider, law enforcement employee or juvenile correctional facility employee comes in contact with or otherwise is exposed to transmission of body fluids from one or more other persons while performing duties within the scope of such employee's duties as an employee, the employee or head of the employing agency or entity may petition a court of competent jurisdiction for an emergency order requiring such other person or persons to submit to infectious disease testing within twenty-four hours of the exposure.

2. The petition in subsection 1 of this section shall include an allegation that the person or persons sought to be tested have been requested to submit voluntarily to infectious disease tests and have refused such tests. When any such application is received, the court shall hold a hearing and shall issue its order thereon immediately to ensure that such testing can occur within twenty-four hours of the exposure if the court finds that:

(1) There is probable cause to believe that the employee involved has come in contact with or otherwise has been exposed to transmission of the body fluids of the person or persons sought to be tested; and

(2) The person or persons sought to be tested have been requested to submit to the tests and have refused, unless the court makes a further finding that exigent circumstances exist which, in the court's judgment, would excuse the applicant from making such a request.

3. If an infectious disease test ordered pursuant to this section results in a negative reaction, the court shall order the person tested to submit to another infectious disease test six months from the date the first test was administered.

4. The results of any infectious disease test ordered pursuant to this section shall be disclosed to the employee and the person tested. If an infectious disease test ordered pursuant to this section results in a positive reaction, the results shall be reported to the employee.

5. Any court costs or testing costs incurred pursuant to this section shall be borne by the petitioner."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Kennedy moved that **House Substitute Amendment No. 1 for House Amendment No. 10** be adopted.

Which motion was defeated by the following vote:

AYES: 028

Barnitz	Barry 100	Berkowitz	Bowman	Boykins
Brooks	Copenhaver	Curls	Davis	Farnen
Franklin	Hagan-Harrell	Hendrickson	Hickey	Hilgemann
Hollingsworth	Kennedy	Lawson	Lowe	O'Connor
Relford	Rizzo	Scheve	Skaggs	Villa
Walton	Williams	Wilson 25		

NOES: 116

Abel	Ballard	Barnett	Bartelsmeyer	Bartle
Bearden	Behnen	Black	Bland	Boatright
Bonner	Boucher	Britt	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Crawford	Crowell

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Crump	Cunningham	Dempsey	Dolan	Enz
Fares	Ford	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Griesheimer	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hohulin	Holand
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Legan	Levin
Liese	Linton	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Moore	Murphy	Myers
Naeger	Nordwald	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Reynolds	Richardson	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Smith
St. Onge	Surface	Thompson	Townley	Van Zandt
Vogel	Wagner	Willoughby	Wilson 42	Wright
Mr. Speaker				

PRESENT: 001

Ward

ABSENT WITH LEAVE: 015

Baker	Berkstresser	Bray 84	Foley	Green 73
Harlan	Johnson 61	Lograsso	Long	Monaco
O'Toole	Ostmann	Treadway	Troupe	Wiggins

VACANCIES: 003

On motion of Representative Cooper, **House Amendment No. 10** was adopted by the following vote:

AYES: 133

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Britt	Burcham
Burton	Byrd	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Froelker	Gambaro	Gaskill	Graham	Gratz
Griesheimer	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	McKenna	Merideth
Miller	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway

Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Villa	Vogel	Wagner	Walton	Ward
Willoughby	Wright	Mr. Speaker		

NOES: 016

Bray 84	Campbell	Carnahan	Franklin	Fraser
George	Green 15	Harlan	Hickey	Kelly 27
Lowe	Mays 50	Van Zandt	Williams	Wilson 25
Wilson 42				

PRESENT: 002

Brooks	Hilgemann
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ABSENT WITH LEAVE: 009

Baker	Ford	Green 73	Hagan-Harrell	Long
Monaco	Ostmann	Troupe	Wiggins	

VACANCIES: 003

Representative Graham offered **House Amendment No. 11.**

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 266, Page 13, Section 192.729, Line 24, by inserting after said line the following:

"194.210. As used in sections 194.210 to [194.290] **194.307**, the following words and terms mean:

(1) **"Anatomical donation" or "anatomical donor", a human body part donation or a human body part donor;**

(2) **"Bank or storage facility", a facility licensed, accredited, or approved [under] pursuant to the laws of any state for storage of human bodies or parts thereof;**

[(2)] (3) **"Decedent", a deceased individual and includes a stillborn infant or fetus;**

(4) **"Donee":**

(a) **Any hospital, surgeon, or physician, for medical or dental education, research, advancement of medical or dental science, therapy, or transplantation; or**

(b) **Any accredited medical or dental school, college or university or the state anatomical board for education, research, advancement of medical or dental science, or therapy; or**

(c) **Any bank, storage facility or OPO, for medical or dental education, research, advancement of medical or dental science, therapy, or transplantation; or**

(d) **Any specified individual for therapy or transplantation needed by such individual;**

[(3)] (5) **"Donor", an individual who makes a gift of all or part of his or her body;**

(6) **"Fund", the organ donor program fund established in section 194.297;**

[(4)] (7) **"Hospital", a hospital licensed, accredited, or approved [under] pursuant to the laws of any state and includes a hospital operated by the United States government, a state, or a subdivision thereof, although not required to be licensed [under] pursuant to state laws;**

(8) **"OPO", the federally certified organ procurement organizations for the state of Missouri;**

[(5)] (9) **"Part", organs, tissues, eyes, bones, arteries, blood, other fluids and any other portions of a human body;**

[(6)] (10) **"Person", an individual, corporation, government or governmental subdivision or agency, business trust, estate, trust, partnership or association, or any other legal entity;**

[(7)] (11) **"Physician" or "surgeon", a physician or surgeon licensed or authorized to practice [under] pursuant**

to the laws of any state;

[(8)] **(12)** "State" includes any state, district, commonwealth, territory, insular possession, and any other area subject to the legislative authority of the United States of America.

194.220. 1. Any individual of sound mind who is at least eighteen years of age may give all or any part of his **or her** body for any purpose specified in section 194.230, the gift to take effect upon death. **Any individual who is a minor and at least sixteen years of age may effectuate a gift for any purpose specified in section 194.230, provided parental or guardian consent is deemed given. Parental or guardian consent shall be noted on the minor's donor card, application for the donor's instruction permit or driver's license, or other document of gift.** An express gift that is not revoked by the donor before death is irrevocable, and the donee shall be authorized to accept the gift without obtaining the consent of any other person.

2. Any of the following persons, in order of priority stated, when persons in prior classes are not available at the time of death, and in the absence of actual knowledge of a gift by the decedent [under] **pursuant to** subsection 1 of this section or actual notice of contrary indications by the decedent [or of opposition by a member of the same or a prior class], may give all or any part of the decedent's body for any purpose specified in section 194.230:

(1) An attorney in fact under a durable power of attorney that expressly refers to making a gift of all or part of the principal's body [under] **pursuant to** the uniform anatomical gift act;

(2) The spouse;

(3) An adult son or daughter;

(4) Either parent;

(5) An adult brother or sister;

(6) A guardian of the person of the decedent at the time of his **or her** death;

(7) Any other person authorized or under obligation to dispose of the body.

3. If the donee has actual notice of contrary indications by the decedent [or that a gift by a member of a class is opposed by a member of the same or a prior class], the donee shall not accept the gift. The persons authorized by subsection 2 of this section may make the gift after or immediately before death.

4. A gift of all or part of a body authorizes any examination necessary to assure medical acceptability of the gift for the purposes intended.

5. The rights of the donee created by the gift are paramount to the rights of others except as provided by subsection 4 of section 194.270.

194.230. The following persons may become donees of gifts of bodies or parts thereof for the purposes stated:

(1) Any hospital, surgeon, or physician, for medical or dental education, research, advancement of medical or dental science, therapy, or transplantation; or

(2) Any accredited medical or dental school, college or university or the state anatomical board for education, research, advancement of medical or dental science, or therapy; or

(3) Any bank [or], storage facility **or OPO**, for medical or dental education, research, advancement of medical or dental science, therapy, or transplantation; or

(4) Any specified individual for therapy or transplantation needed by [him] **such individual**.

194.233. 1. [The chief executive officer of each hospital in this state shall designate one or more trained persons to request anatomical gifts which persons shall not be connected with determination of death. The hospital official may designate a representative of an organ or tissue procurement organization to request consent.

2. When there is a patient who is a suitable candidate for organ or tissue donation based on hospital accepted criteria the designee shall request consent to a donation from the persons authorized to give consent as specified in subdivision (1), (2), (3), (4), (5) or (6) of subsection 2 of section 194.220. The request shall be made in the order of priority stated in subsection 2 of section 194.220. When the hospital cannot, from available information, ascertain that the patient has next-of-kin authorized to give consent as specified in subdivision (2), (3), (4), (5) or (6) of subsection 2 of section 194.220, then the hospital shall notify and request consent to a donation from a member of the class described in subdivision (7) of subsection 2 of section 194.220. Such notification to a member of the class described in subdivision (7) of subsection 2 of section 194.220 shall occur before death where practicable.

3. No request shall be required if the hospital designee has actual notice of a gift by the decedent under subsection 1 of section 194.220 or actual notice of contrary indications by the decedent.

4. Consent shall be obtained by the methods specified in section 194.240.

5. Where a donation is requested, the designee shall verify such request in the patient's medical record. Such verification of request for organ donation shall include a statement to the effect that a request for consent to an anatomical gift has been made, and shall further indicate thereupon whether or not consent was granted, the name of

the person granting or refusing the consent, and his or her relationship to the decedent.

6. Upon the approval of the designated next of kin or other individual, as set forth in subsection 2 of section 194.220, the hospital shall then notify an organ or tissue procurement organization and cooperate in the procurement of the anatomical gift or gifts pursuant to applicable provisions of sections 194.210 to 194.290.

7. No hospital shall have an obligation to retrieve the organ or tissue donated pursuant to this section.] **At or near the time of death of any patient in a hospital, the attending physician or hospital designee shall make contact with the OPO to determine the suitability for organ, tissue and eye donation for any purpose specified pursuant to sections 194.210 to 194.307. Such contact and the disposition shall be noted in the patient's medical record.**

2. The person designated by the hospital to contact the OPO shall have the following information available:

- (1) The patient's name and identifier number;**
- (2) The patient's age;**
- (3) Anticipated cause of death;**
- (4) Past medical history; and**
- (5) Other pertinent medical information.**

3. The OPO, in consultation with the patient's attending physician, or such physician's designee or the hospital's designee, shall determine suitability for donation. Such determination shall be made prior to the initiation of any request of the persons identified pursuant to section 194.220 for anatomical donation.

4. If the OPO determines that donation is not appropriate based on established medical criteria, such determination shall be noted by hospital personnel in the patient's record and no further action shall be necessary.

5. If the OPO determines that the patient is a suitable candidate for anatomical donation, a request shall be initiated by informing the appropriate persons of the option to donate organs, tissue or eyes. The request for anatomical donation shall be made by a representative of the OPO in consultation with the attending physician or the hospital designee. In those cases where the attending physician desires to approach the family to discuss organ or tissue donation, he or she may do so when accompanied by a representative of the OPO. The person making the request shall ask persons pursuant to section 194.220, whether the deceased had a validly executed donor card, will, other document or gift, driver's license or identification card evidencing an anatomical gift. If there is no such evidence of an anatomical gift, the person designated pursuant to section 194.220 shall be informed in accordance with sections 194.210 to 194.307 of the option to donate organs, tissue or eyes.

6. Within one year of the effective date of this section, each hospital in the state shall develop and implement a protocol for referring potential anatomical donors as provided in this section. The protocol shall require that, at or near the time of death of any patient, the hospital shall contact by telephone the OPO to determine suitability for anatomical donation of the potential donor. The protocol shall encourage discretion and sensitivity to family circumstances and beliefs in all discussions regarding donations of organs, tissue or eyes.

7. If the hospital staff advises the OPO that the hospital staff has received actual notice that the decedent did not wish to be an anatomical donor, the gift of all or any part of the decedent's body shall not be requested.

8. Death medical record reviews shall be performed in each hospital for the sole purpose of determining anatomical donor potential at the hospital. The hospital may perform the medical record review or may designate the OPO to conduct the review. If the hospital chooses to conduct its own review, it shall do so in accordance with clinical specifications and guidelines established by the OPO. If the hospital conducts the review, the OPO shall provide the necessary training to hospital personnel conducting the review. The hospital shall report the results of the review to the OPO no later than forty-five days following the completion of the review. If the hospital designates the OPO to conduct the review, the OPO shall provide the hospital with written assurance that the OPO shall maintain the confidentiality of patient identifying information.

194.240. 1. A gift of all or part of the body [under] **pursuant to** subsection 1 of section 194.220 may be made by will. The gift becomes effective upon the death of the testator without waiting for probate. If the will is not probated, or if it is declared invalid for testamentary purposes, the gift, to the extent that it has been acted upon in good faith, is nevertheless valid and effective.

2. A gift of all or part of the body [under] **pursuant to** subsection 1 of section 194.220 may also be made by document other than a will. The gift becomes effective upon the death of the donor. The document, which may be a card designed to be carried on the person, must be signed by the donor in the presence of two witnesses who must sign

the document in [his] **the donor's** presence or before a notary or other official authorized to administer oaths generally. If the donor cannot sign, the document may be signed for [him] **the donor** at [his] **the donor's** direction and in [his] **the donor's** presence in the presence of two witnesses who must sign the document in [his] **the donor's** presence. Delivery of the document of gift during the donor's lifetime is not necessary to make the gift valid.

3. The gift may be made to a specified donee or without specifying a donee. If the latter, the gift may be accepted by a physician as donee upon or following death. If the gift is made to a specified donee who is not available at the time and place of death or if the gift cannot be implemented, a physician upon or following death, in the absence of any expressed indication that the donor desired otherwise, may accept the gift as donee. The physician who becomes a donee [under] **pursuant to** this subsection shall not participate in the procedures for removing or transplanting a part.

4. Notwithstanding the provisions of subsection 2 of section 194.270, the donor may designate in his **or her** will, card, or other document of gift the surgeon or physician to carry out the appropriate procedures. In the absence of a designation or if the designee is not available, the donee or other person authorized to accept the gift may employ or authorize any surgeon or physician to carry out the appropriate procedures. For the purpose of removing an eye or part thereof, any medical technician employed by a hospital, physician or eye bank and acting under supervision may perform the appropriate procedures. Any medical technician authorized to perform such procedure shall successfully complete the course prescribed in section 194.295 for embalmers.

5. Any gift by a person designated in subsection 2 of section 194.220 shall be made by a document signed by him **or her** or made by his **or her** telegraphic, recorded telephonic, or other recorded message.

6. A gift of part of the body [under] **pursuant to** subsection 1 of section 194.220 may also be made by a statement on a form which shall be provided on the reverse side of all Missouri motor vehicle licenses issued pursuant to chapter 302, RSMo. The statement to be effective shall be signed by the owner of the license in the presence of two witnesses, who shall sign the statement in the presence of the donor. Use of the form is prima facie evidence that the owner of the license intended to make the anatomical gift, and there shall be no civil or criminal liability for removal of any part of the body indicated on the form by a licensed physician or surgeon, **or donee**. The gift becomes effective upon the death of the donor. Delivery of the license during the donor's lifetime is not necessary to make the gift valid. The gift shall [become invalidated upon expiration, cancellation, revocation, or suspension of the license, and the gift must] be renewed upon renewal of each license. Pertinent medical information which may affect the quality of the gift may be included in the statement of gift.

7. Any person eighteen years of age or older, or any person under the age of eighteen with parental consent who indicates the desire to make an organ donation through any method prescribed in this section may also contact the department of health when completing such form, so that the information may be included in the registry maintained by the department pursuant to subsection 1 of section 194.304. Failure to contact the department of health shall not be construed to challenge the validity of the organ donation.

8. Organ procurement organizations and tissue banks may employ **procurement coordinators and enucleators who may not be physicians or surgeons** to assist in the [procurement] **recovery** of cadaveric organs and tissue for transplant or research. A **or enucleator** coordinator who assists in the procurement of cadaveric organs or tissue for transplantation or research must do so under the direction and supervision of a physician or surgeon. With the exception of organ procurement surgery, this supervision may be indirect supervision. For purposes of this subsection, the term "indirect supervision" means that a physician or surgeon is responsible for the medical actions of the coordinator, that the coordinator is acting under protocols expressly approved by a physician or surgeon, and that a physician or surgeon is available, in person or by telephone, to provide medical direction, consultation and advice in cases of organ and tissue donation and procurement.

9. The department of health shall collect information and publish an annual report which shall include the number of organ and tissue donations made in the state, the number of organ or tissue donations received by citizens of the state of Missouri, the number of organ or tissue donations transported outside the state boundaries and the cost of such organ or tissue donations.

194.243. 1. Beginning no later than January 1, 2001, the division of motor vehicle and driver licensing shall modify the driver's license and identification card application process and renewal system to:

(1) Obtain information from individuals over the age of eighteen regarding such individual's consent to anatomical donation; and

(2) Allow persons under the age of eighteen to register as donors with parental consent. The division shall include an inquiry on the application and renewal form to read as follows:

"Do you wish to have the organ donor designation printed on your driver's license?"

If an individual indicates his or her consent to anatomical donation, such consent shall be noted on the front of the individual's driver's license or identification card with the word "Organ Donor" and recorded in the individual's computer record with the division of motor vehicle and driver licensing. 2. The OPO shall be given access to the donor information in subsection 1 of this section twenty-four hours a day through the division's database. Notwithstanding any other law to the contrary, the division is authorized to provide the OPO with the foregoing donor information. The OPO shall not be assessed a fee or other charges for such access.

3. The donor designation on the driver's license or identification card shall be deemed sufficient to satisfy all requirements for consent to organ and tissue donation.

4. Any person may request that his or her consent to anatomical donation by validly executed donor card, will, other document or gift be included in such person's computer record with the division of motor vehicle and driver licensing. The division may promulgate rules and regulations to implement the provisions of this subsection. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

194.245. Notwithstanding any other law to the contrary, if a validly executed donor card, advance health care directive, will, other document or gift, driver's license or identification card evidencing an anatomical gift exists, consent at the time of death shall not be necessary to render the gift valid.

194.249. The department of revenue shall provide a space on the face of the state individual income tax return for the 2000 tax year and each year thereafter whereby an individual may voluntarily designate a contribution of any amount desired to the organ donor program fund established in section 194.297. The amount designated by an individual on the state income tax return form shall be deducted from the tax refund to which the individual is entitled or added to the individual's payment and shall not constitute a charge against the income tax revenues due the state.

194.266. 1. The following persons may make a reasonable search for a document of gift or other information identifying the bearer as an organ donor or as an individual who has refused to make an anatomical gift:

(1) A law enforcement officer, firefighter, paramedic or other official emergency rescuer finding an individual who the searcher believes is near death; and

(2) A hospital, upon the admission of an individual at or near the time of death, if there is not immediately available any other source of such information.

2. Any law enforcement officer or other person listed in subsection 1 of this section may conduct an administrative search of the individual's driver's license record with the division of motor vehicle and driver's licensing to determine if the individual's authorization for organ donation or refusal of organ donation.

3. A physical search pursuant to subsection 1 of this section may be conducted at or near the time of death or hospital admission, and shall be limited to those personal effects of the individual where a driver's license may be reasonably stored. Any information, document, tangible objects or other items discovered during the search shall be used solely for the purpose of ascertaining the individual's identity, notifying the individual's next of kin, and determining whether the individual intends to make an anatomical gift. In no event shall any such discovered material be admissible in any subsequent criminal or civil proceeding, unless obtained pursuant to a lawful search on other grounds.

194.293. A hospital or physician who acts in good faith in accord with the terms of sections 194.210 to 194.307 shall not be liable for damages in any civil action or subject to prosecution in any criminal proceeding for such act.

194.297. There is established in the state treasury the "Organ Donor Program Fund", which shall consist of all moneys deposited by the director of revenue pursuant to **section 194.249 and** subsection 2 of section 302.171, RSMo, and any other moneys donated or appropriated to the fund. The state treasurer shall administer the fund, and the moneys in the fund shall be used solely, upon appropriation, by the department of health, in consultation with the organ donation advisory committee, for implementation of organ donation awareness programs in the manner prescribed in [subsection 2 of section 194.300] **section 194.302**. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the organ donor program fund at the end of any biennium shall not be transferred to the credit of the general revenue fund. There shall be no money appropriated from general revenue to administer the fund in the event the fund cannot sustain itself.

194.300. 1. There is established within the department of health the "Organ Donation Advisory Committee", which shall consist of the following members appointed by the governor with the advice and consent of the senate:

- (1) [Four representatives of organ and tissue procurement organizations;
 - (2)] **Two current representatives from each federally certified OPO;**
 - (2) **One current representative from an eye bank;**
 - (3) Four members representative of organ recipients, families of organ recipients, organ donors and families of organ donors;
 - [(3)] (4) One health care representative from [a hospital located in Missouri; and] **the Missouri Hospital Association;**
 - [(4)] (5) One representative of the department of health; **and**
 - (6) **One representative of the department of revenue.**
2. Members of the advisory committee shall receive no compensation for their services, but may be reimbursed for the reasonable and necessary expenses incurred in the performance of their duties out of appropriations made for that purpose. Members shall serve for five year terms and shall serve at the pleasure of the governor."; and

Further amend said bill, Page 17, Section 199.200, Line 16, by inserting after said line the following:

"302.171. 1. Application for a license shall be made upon an approved form furnished by the director. Every application shall state the full name, Social Security number, age, height, weight, color of eyes, sex, residence, mailing address of the applicant, and the classification for which the applicant has been licensed, and, if so, when and by what state, and whether or not such license has ever been suspended, revoked, or disqualified, and, if revoked, suspended or disqualified, the date and reason for such suspension, revocation or disqualification and whether the applicant is making a [one-dollar] **two-dollar** donation to promote an organ donation program as prescribed in subsection 2 of this section. The application shall also contain such information as the director may require to enable the director to determine the applicant's qualification for driving a motor vehicle; and shall state whether or not the applicant has been convicted in this or any other state for violating the laws of this or any other state or any ordinance of any municipality, relating to driving without a license, careless driving, or driving while intoxicated, or failing to stop after an accident and disclosing the applicant's identity, or driving a motor vehicle without the owner's consent. The application shall contain a certification by the applicant as to the truth of the facts stated therein. Every person who applies for a license to operate a motor vehicle who is less than twenty-one years of age shall be provided with educational materials relating to the hazards of driving while intoxicated, including information on penalties imposed by law for violation of the intoxication-related offenses of the state. Beginning January 1, 2001, if the applicant is less than eighteen years of age, the applicant must comply with all requirements for the issuance of an intermediate driver's license pursuant to section 302.178.

2. An applicant for a license may make a donation of [one dollar] **two dollars** to promote an organ donor program. The director of revenue shall collect the donations and deposit all such donations in the state treasury to the credit of the organ donor program fund established in sections 194.297 to 194.304, RSMo. Moneys in the organ donor program fund shall be used solely for the purposes established in sections 194.297 to 194.304, RSMo, except that the department of revenue shall retain no more than one percent for its administrative costs. The donation prescribed in this subsection is voluntary and may be refused by the applicant for the license at the time of issuance or renewal of the license. The director shall make available an informational booklet or other informational sources on the importance of organ donations to applicants for licensure as designed by the organ donation advisory committee established in sections 194.297 to 194.304, RSMo. The director shall inquire of each applicant at the time the licensee presents the completed application to the director whether the applicant is interested in making the one-dollar donation prescribed in this subsection and whether the applicant is interested in making an organ donation and shall also specifically inform the licensee of the ability to make an organ donation by completing the form on the reverse of the license that the applicant will receive in the manner prescribed by subsection 6 of section 194.240, RSMo. The director shall notify the department of health of information obtained from applicants who indicate to the director that they are interested in making organ donations, and the department of health shall enter the complete name, address, date of birth, race, gender and a unique personal identifier in the registry established in subsection 1 of section 194.304, RSMo.

3. An applicant for a license may make a donation of one dollar to promote a blindness education, screening and treatment program. The director of revenue shall collect the donations and deposit all such donations in the state treasury to the credit of the blindness education, screening and treatment program fund established in section 192.935, RSMo. Moneys in the blindness education, screening and treatment program fund shall be used solely for the purposes established in section 192.935, RSMo, except that the department of revenue shall retain no more than one percent for its administrative costs. The donation prescribed in this subsection is voluntary and may be refused by the applicant

for the license at the time of issuance or renewal of the license. The director shall inquire of each applicant at the time the licensee presents the completed application to the director whether the applicant is interested in making the one-dollar donation prescribed in this subsection.

302.181. 1. The license issued pursuant to the provisions of sections 302.010 to 302.340 shall be in such form as the director shall prescribe, but the license shall be a card made of plastic or other comparable material. All licenses shall be manufactured of materials and processes that will prohibit, as nearly as possible, the ability to reproduce, alter, counterfeit, forge or duplicate any license without ready detection. All licenses shall bear the licensee's Social Security number, if the licensee has one, and if not, a notarized affidavit must be signed by the licensee stating that the licensee does not possess a Social Security number, or, if applicable, a certified statement must be submitted as provided in subsection 4 of this section. The license shall also bear the expiration date of the license, the classification of the license, the name, date of birth, residence address including the county of residence or a code number corresponding to such county established by the department, and brief description and colored photograph of the licensee, and a facsimile of the signature of the licensee. The director shall provide by administrative rule the procedure and format for a licensee to indicate on the back of the license together with the designation for an anatomical gift as provided in section 194.240, RSMo, the name and address of the person designated pursuant to sections 404.800 to 404.865, RSMo, as the licensee's attorney in fact for the purposes of a durable power of attorney for health care decisions. No license shall be valid until it has been so signed by the licensee. If any portion of the license is prepared by a private firm, any contract with such firm shall be made in accordance with the competitive purchasing procedures as established by the state director of the division of purchasing. For all licenses issued or renewed after March 1, 1992, the applicant's Social Security number shall serve as the applicant's license number. Where the licensee has no Social Security number, or where the licensee is issued a license without a Social Security number in accordance with subsection 4 of this section, the director shall issue a license number for the licensee and such number shall also include an indicator showing that the number is not a Social Security number.

2. All film involved in the production of photographs for licenses shall become the property of the department of revenue.

3. The license issued shall be carried at all times by the holder thereof while driving a motor vehicle, and shall be displayed upon demand of any officer of the highway patrol, or any police officer or peace officer, or any other duly authorized person, for inspection when demand is made therefor. Failure of any operator of a motor vehicle to exhibit his or her license to any duly authorized officer shall be presumptive evidence that such person is not a duly licensed operator.

4. The director of revenue shall issue a commercial or noncommercial driver's license without a Social Security number to an applicant therefor, who is otherwise qualified to be licensed, upon presentation to the director of a certified statement that the applicant objects to the display of the Social Security number on the license. The director shall assign an identification number, that is not based on a Social Security number, to the applicant which shall be displayed on the license in lieu of the Social Security number.

5. The director of revenue shall issue a license without the photograph to an applicant therefor, who is otherwise qualified to be licensed, upon presentation to the director of a statement on forms prescribed and made available by the department of revenue which states that the applicant is a member of a specified religious denomination which prohibits photographs of members as being contrary to its religious tenets. The license shall state thereon that no photograph is required because of the religious affiliation of the licensee. The director of revenue shall establish guidelines and furnish to each circuit court such forms as the director deems necessary to comply with this subsection. The circuit court shall not charge or receive any fee or court cost for the performance of any duty or act pursuant to this subsection.

6. The department of revenue may issue a temporary license without the photograph to out-of-state applicants and members of the armed forces, except that where such temporary license is issued it shall be valid only until the applicant shall have had time to appear and have his or her picture taken and a license with his or her photograph issued.

7. The department of revenue shall issue upon request a nondriver's license card containing essentially the same information as the driver's license upon payment of six dollars if the applicant is under the age of sixty-five. An applicant who is sixty-five years of age or older may purchase a nondriver's license card without a photograph for one dollar or a nondriver's license card with a photograph for six dollars. All nondriver's licenses shall expire on the applicant's birthday in the sixth year after issuance. A person who has passed his or her seventieth birthday shall upon application be issued a nonexpiring nondriver's license card. The nondriver's license card shall be used for identification purposes only and shall not be valid as a license. **The director shall provide by administrative rule the procedure and format for an applicant to indicate a designation for an anatomical gift as provided in section 194.240, RSMo, on the back of the nondriver's license card.**

8. No rule or portion of a rule promulgated pursuant to the authority of this chapter shall become effective unless it is promulgated pursuant to the provisions of chapter 536, RSMo."; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Graham, **House Amendment No. 11** was adopted.

Speaker Kreider resumed the Chair.

Representative Crump moved the previous question on the motion to adopt **HS HCS SCS SB 266, as amended**.

Which motion was adopted by the following vote:

AYES: 086

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Haywood	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Kelly 27	Kelly 36	Kennedy	Koller
Lawson	Liese	Lowe	Luetkenhaus	Mays 50
McKenna	Merideth	Monaco	O'Connor	O'Toole
Overschmidt	Ransdall	Relford	Reynolds	Rizzo
Scheve	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Villa	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 072

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Enz
Fares	Froelker	Gaskill	Griesheimer	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Hunter	Jetton	Kelley 47	Kelly 144
King	Levin	Linton	Lograsso	Long
Luetkemeyer	Marble	Marsh	May 149	Mayer
Miller	Moore	Murphy	Myers	Naeger
Nordwald	Ostmann	Phillips	Portwood	Purgason
Rector	Reid	Reinhart	Richardson	Ridgeway
Roark	Robirds	Ross	Schwab	Scott
Secrest	Shields	St. Onge	Surface	Townley
Vogel	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 002

Dolan Legan

VACANCIES: 003

On motion of Representative Barry, **HS HCS SCS SB 266, as amended**, was adopted.

On motion of Representative Barry, **HS HCS SCS SB 266, as amended**, was read the third time and passed by the following vote:

AYES: 152

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Dempsey	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Levin
Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 007

Davis	Dolan	Green 73	Jetton	Kennedy
Lograsso	Ross			

VACANCIES: 003

Speaker Kreider declared the bill passed.

Representative Smith assumed the Chair.

Speaker Kreider resumed the Chair.

BILL IN CONFERENCE

CCR SS SCS HS HB 421, as amended, relating to intoxication torts, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **CCR SS SCS HS HB 421, as amended**, was adopted by the following vote:

AYES: 128

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Bowman	Burcham	Burton	Byrd
Campbell	Champion	Cierpiot	Coleman	Cooper
Crawford	Crowell	Crump	Cunningham	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Ford	Fraser	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Hartzler	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Holt	Hoppe	Hunter	Jetton
Kelley 47	Kelly 144	Kelly 27	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Moore	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	St. Onge
Surface	Thompson	Townley	Treadway	Van Zandt
Villa	Vogel	Wagner	Ward	Wiggins
Wilson 25	Wright	Mr. Speaker		

NOES: 029

Boucher	Boykins	Bray 84	Britt	Brooks
Carnahan	Clayton	Copenhaver	Curls	Foley
Franklin	Froelker	Harding	Harlan	Haywood
Hollingsworth	Hosmer	Johnson 61	Johnson 90	Jolly
Kelly 36	Monaco	Murphy	Relford	Skaggs
Smith	Walton	Willoughby	Wilson 42	

PRESENT: 000

ABSENT WITH LEAVE: 003

Long Troupe Williams

VACANCIES: 003

On motion of Representative Hoppe, **CCS SS SCS HS HB 421**, was read the third time and passed by the following vote:

AYES: 130

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Bowman	Burcham	Burton	Byrd	Campbell
Champion	Cierpiot	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Ford	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Holt	Hoppe
Hunter	Jetton	Kelley 47	Kelly 144	Kelly 27
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Moore	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	St. Onge	Surface	Thompson	Townley
Treadway	Van Zandt	Villa	Vogel	Wagner
Ward	Wiggins	Williams	Wright	Mr. Speaker

NOES: 026

Boucher	Boykins	Bray 84	Britt	Brooks
Carnahan	Clayton	Foley	Harding	Harlan
Haywood	Hollingsworth	Hosmer	Johnson 61	Johnson 90
Jolly	Kelly 36	Monaco	Murphy	Relford
Skaggs	Smith	Walton	Willoughby	Wilson 25
Wilson 42				

PRESENT: 000

ABSENT WITH LEAVE: 004

Baker Franklin Long Troupe

VACANCIES: 003

Speaker Kreider declared the bill passed.

BILL IN CONFERENCE - INFORMAL

CCS HS SS SCS SBs 323 & 230, relating to political subdivisions, was taken up by Representative Koller.

On motion of Representative Koller, **CCS HS SS SCS SBs 323 & 230** was truly agreed to and finally passed by the following vote:

AYES: 112

Abel	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkowitz	Berkstresser	Black	Bland
Bonner	Boucher	Bowman	Bray 84	Britt
Burton	Campbell	Carnahan	Champion	Coleman
Cooper	Copenhaver	Crawford	Crump	Curls
Davis	Dempsey	Dolan	Fares	Farnen
Foley	Ford	Fraser	Froelker	Gambaro
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 90	Jolly	Kelley 47	Kelly 27
Kennedy	King	Koller	Lawson	Liese
Lowe	Luetkemeyer	Luetkenhaus	Marble	May 149
Mays 50	Miller	Monaco	Moore	Myers
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Ransdall	Relford	Reynolds	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Surface	Thompson	Townley	Treadway	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 037

Ballard	Barnitz	Boatright	Burcham	Byrd
Cierpiot	Clayton	Crowell	Cunningham	Enz
Gaskill	Hanaway	Hendrickson	Hohulin	Hunter
Kelly 144	Legan	Levin	Linton	Lograsso
Marsh	Mayer	Merideth	Murphy	Naeger
Phillips	Portwood	Purgason	Rector	Reid
Reinhart	Richardson	Ridgeway	Roark	Secrest
Shoemyer	St. Onge			

PRESENT: 003

Boykins	Brooks	Johnson 61
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ABSENT WITH LEAVE: 008

Baker	Barry 100	Franklin	Jetton	Kelly 36
Long	McKenna	Troupe		

VACANCIES: 003

Speaker Kreider declared the bill passed.

HOUSE BILL WITH SENATE AMENDMENTS

SS HCS HB 738, as amended, relating to small loans, was taken up by Representative Liese.

On motion of Representative Liese, **SS HCS HB 738, as amended**, was adopted by the following vote:

AYES: 151

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hunter	Jetton	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Ward
Wiggins	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 002

Johnson 61 Walton

ABSENT WITH LEAVE: 007

Baker	Dempsey	Ford	Green 73	Hosmer
Long	Williams			

VACANCIES: 003

On motion of Representative Liese, **SS HCS HB 738, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 149

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hunter
Jetton	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Van Zandt	Villa	Vogel
Wagner	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 001

O'Toole

PRESENT: 002

Johnson 61 Walton

ABSENT WITH LEAVE: 008

Baker	Boykins	Franklin	Green 73	Henderson
Hosmer	Long	Troupe		

VACANCIES: 003

Speaker Kreider declared the bill passed.

THIRD READING OF SENATE BILLS

SCS SB 290, relating to retirement systems, was taken up by Representative Rizzo.

Representative Rizzo offered **HS SCS SB 290**.

Representative Kelly (27) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for Senate Committee Substitute for Senate Bill No. 290, Section 87.371, Page 92, Line 14 of said page, by inserting immediately thereafter the following:

“87.615 **1.** Any firefighter who has retired or who retires and was not or is not a member of the retirement system governed by sections 70.600 to 70.755, RSMo, and any beneficiary of any such firefighter shall, upon application to any city with a population of at least seventy thousand located in a county of the first classification without a charter form of government, be made, constitutionally appointed, and employed by the city as a special consultant on the problems of retirement and upon request of the city council, shall give opinions and be available to give opinions in writing or orally in response to requests of the city council. As compensation for the services required by this section, the city may directly compensate the retired firefighter or beneficiary thereof in an amount established by ordinance of the city. Such amount of additional compensation may be paid directly by the city to each qualified retiree or beneficiary and shall not be considered employer contributions to the local government retirement system nor benefits paid therefrom.

2. Notwithstanding any other law to the contrary, beginning August 29, 2001, any beneficiary of a firefighter who had retired or who retires and was not or is not a member of the retirement system governed by sections 70.600 to 70.755, RSMo, shall upon application to any city with a population of at least seventy thousand located in a county of the first classification without a charter form of government, be made, constitutionally appointed, and employed by the city as a special consultant on the problems of retirement and upon request of the city council, shall give opinions and be available to give opinions in writing or orally in response to request of the city council. As compensation for the services required by this section, the city may directly compensate the beneficiary thereof by continuing the death benefit payment upon remarriage of the beneficiary. Such amount of compensation may be paid directly by the city to each qualifying special consultant and shall not be considered employer contributions to the local government employees retirement system nor benefits paid therefrom.”.

On motion of Representative Kelly (27), **House Amendment No. 1** was adopted.

Representative Ward offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for Senate Committee Substitute for Senate Bill No. 290, Page 1, In the Title, Lines 12 to 13 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"87.371, RSMo 2000, relating to public safety personnel, and to enact in lieu"; and

Further amend said bill, Page 92, Section 87.371, Line 14 of said page, by inserting after all of said line the following:

"571.030. **1.** A person commits the crime of unlawful use of weapons if he or she knowingly:

(1) Carries concealed upon or about his or her person a knife, a firearm, a blackjack or any other weapon readily capable of lethal use; or

(2) Sets a spring gun; or

(3) Discharges or shoots a firearm into a dwelling house, a railroad train, boat, aircraft, or motor vehicle as defined in section 302.010, RSMo, or any building or structure used for the assembling of people; or

(4) Exhibits, in the presence of one or more persons, any weapon readily capable of lethal use in an angry or

threatening manner; or

(5) Possesses or discharges a firearm or projectile weapon while intoxicated; or

(6) Discharges a firearm within one hundred yards of any occupied schoolhouse, courthouse, or church building;

or

(7) Discharges or shoots a firearm at a mark, at any object, or at random, on, along or across a public highway or discharges or shoots a firearm into any outbuilding; or

(8) Carries a firearm or any other weapon readily capable of lethal use into any church or place where people have assembled for worship, or into any election precinct on any election day, or into any building owned or occupied by any agency of the federal government, state government, or political subdivision thereof, or into any public assemblage of persons met for any lawful purpose; or

(9) Discharges or shoots a firearm at or from a motor vehicle, as defined in section 301.010, RSMo, while within any city, town, or village, and discharges or shoots a firearm at any person, or at any other motor vehicle, or at any building or habitable structure, unless the person was lawfully acting in self-defense; or

(10) Carries a firearm, whether loaded or unloaded, or any other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any function or activity sponsored or sanctioned by school officials or the district school board.

2. Subdivisions (1), (3), (4), (6), (7), (8), (9) and (10) of subsection 1 of this section shall not apply to or affect any of the following:

(1) All state, county and municipal law enforcement officers possessing the duty and power of arrest for violation of the general criminal laws of the state or for violation of ordinances of counties or municipalities of the state, or any person summoned by such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime;

(3) Members of the armed forces or national guard while performing their official duty;

(4) Those persons vested by article V, section 1 of the Constitution of Missouri with the judicial power of the state and those persons vested by article III of the Constitution of the United States with the judicial power of the United States, the members of the federal judiciary;

(5) Any person whose bona fide duty is to execute process, civil or criminal;

(6) Any federal probation officer;

(7) Any state probation or parole officer, including supervisors and members of the board of probation and parole; [and]

(8) Any corporate security advisor meeting the definition and fulfilling the requirements of the regulations established by the board of police commissioners under section 84.340, RSMo; and

(9) Any person holding a valid permit to carry a concealed weapon pursuant to section 571.090, RSMo.

3. Subdivisions (1), (5), (8) and (10) of subsection 1 of this section do not apply when the actor is transporting such weapons in a nonfunctioning state or in an unloaded state when ammunition is not readily accessible or when such weapons are not readily accessible. Subdivision (1) of subsection 1 of this section does not apply when the actor is also in possession of an exposed firearm or projectile weapon for the lawful pursuit of game, or is in his dwelling unit or upon business premises over which the actor has possession, authority or control, or is traveling in a continuous journey peaceably through this state. Subdivision (10) of subsection 1 of this section does not apply if the firearm is otherwise lawfully possessed by a person while traversing school premises for the purposes of transporting a student to or from school, or possessed by an adult for the purposes of facilitation of a school-sanctioned firearm-related event.

4. Nothing in this section shall make it unlawful for a student to actually participate in school-sanctioned gun safety courses, student military or ROTC courses, or other school-sponsored firearm-related events, provided the student does not carry a firearm or other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any function or activity sponsored or sanctioned by school officials or the district school board.

5. Unlawful use of weapons is a class D felony unless committed pursuant to subdivision (5), (6), (7) or (8) of subsection 1 of this section, in which cases it is a class B misdemeanor, or subdivision (10) of subsection 1 of this section, in which case it is a class A misdemeanor if the firearm is unloaded and a class D felony if the firearm is loaded, or subdivision (9) of subsection 1 of this section, in which case it is a class B felony, except that if the violation of subdivision (9) of subsection 1 of this section results in injury or death to another person, it is a class A felony.

6. Violations of subdivision (9) of subsection 1 of this section shall be punished as follows:

(1) For the first violation a person shall be sentenced to the maximum authorized term of imprisonment for a

class B felony;

(2) For any violation by a prior offender as defined in section 558.016, RSMo, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation or conditional release for a term of ten years;

(3) For any violation by a persistent offender as defined in section 558.016, RSMo, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation, or conditional release;

(4) For any violation which results in injury or death to another person, a person shall be sentenced to an authorized disposition for a class A felony.

7. Any person knowingly aiding or abetting any other person in the violation of subdivision (9) of subsection 1 of this section shall be subject to the same penalty as that prescribed by this section for violations by other persons.

571.090. 1. A permit to acquire a concealable firearm shall be issued by the sheriff of the county in which the applicant resides, if all of the statements in the application are true, and the applicant:

(1) Is at least twenty-one years of age, a citizen of the United States and has resided in this state for at least six months;

(2) Has not pled guilty to or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer or gas gun;

(3) Is not a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer or gas gun;

(4) Has not been discharged under dishonorable conditions from the United States armed forces;

(5) Is not publicly known to be habitually in an intoxicated or drugged condition; and

(6) Is not currently adjudged mentally incompetent and has not been committed to a mental health facility, as defined in section 632.005, RSMo, or a similar institution located in another state.

2. **A permit to carry a concealable firearm shall be issued or renewed for a period of one year by the sheriff of the county in which the applicant resides, if the applicant satisfies all the requirements of subsection 1 of this section, and if the applicant is also an off-duty peace officer or a retired peace officer having completed a minimum of fifteen years of vested service and terminating service in good standing and who is currently certified as a peace officer pursuant to chapter 590, RSMo. A permit to carry a concealable firearm shall be issued by the sheriff of the county in which the applicant resides if the applicant is a retired peace officer of another state who meets all other requirements of this section and who has obtained Missouri peace officer certification as provided by chapter 590, RSMo. All costs associated with obtaining or renewing a permit to carry a concealable weapon, including but not limited to the cost of background checks and certifications and continuing education shall be borne by the applicant.**

3. Applications shall be made to the sheriff of the county in which the applicant resides. An application shall be filed in writing, signed and verified by the applicant, and shall state only the following: the name, Social Security number, occupation, age, height, color of eyes and hair, residence and business addresses of the applicant, the reason for desiring the permit, and whether the applicant complies with each of the requirements specified in subsection 1 of this section. **The applicant shall also submit documentation signed by a licensed physician and no less than thirty days old that the applicant is in good physical and mental health.**

[3.] 4. Before a permit is issued **or renewed**, the sheriff shall make only such inquiries as he **or she** deems necessary into the accuracy of the statements made in the application, **but must conduct a criminal background check**. The sheriff may require that the applicant display a Missouri operator's license or other suitable identification. The sheriff shall issue **or renew** the permit within a period not to exceed seven days after submission of the properly completed application excluding Saturdays, Sundays or legal holidays. The sheriff may refuse to issue **or renew** the permit if he **or she** determines that any of the requirements specified in subsection 1 of this section have not been met, or if he **or she** has reason to believe that the applicant has rendered a false statement regarding any of the provisions in subsection 1 of this section. If the application is approved, the sheriff shall issue **or renew** a permit and a copy thereof to the applicant. **A permit shall be automatically and immediately revoked if the holder violates any of the requirements to obtain a permit, fails to maintain certification as a peace officer, or if the holder's peace officer certification is revoked or suspended pursuant to section 590.135, RSMo, or if any of the causes for**

revocation or suspension itemized at subsection 2 of section 590.135, RSMo, occur.

[4.] **5.** The permit shall recite the date of issuance, that it is invalid after thirty days, the name and address of the person to whom granted, the nature of the transaction, and a physical description of the applicant. The applicant shall sign the permit in the presence of the sheriff.

[5.] **6.** If the permit is used, the person who receives the permit from the applicant shall return it to the sheriff within thirty days after its expiration, with a notation thereon showing the date and manner of disposition of the firearm and a description of the firearm including the make, model and serial number. The sheriff shall keep a record of all applications for permits, his **or her** action thereon, and shall preserve all returned permits.

[6.] **7.** No person shall in any manner transfer, alter or change a permit, or make a false notation thereon, or obtain a permit upon any false representation, or use, or attempt to use a permit issued to another.

[7.] **8.** For the processing of the permit, the sheriff in each county and the city of St. Louis shall charge a fee not to exceed [ten] **one hundred dollars for an initial one-year permit, and a fee not to exceed fifty dollars to renew an existing permit for another year,** which shall be paid into the [treasury of the county or city to the credit of] **county crime reduction fund, if such is established by the county; otherwise into** the general revenue fund.

[8.] **9.** In any case when the sheriff refuses to issue, **renew,** or to act on an application for a permit, such refusal shall be in writing setting forth the reasons for such refusal. Such written refusal shall explain the denied applicant's right to appeal and, with a copy of the completed application, shall be given to the denied applicant within a period not to exceed seven days after submission of the properly completed application excluding Saturdays, Sundays or legal holidays. The denied applicant shall have the right to appeal the denial within ten days of receiving written notice of the denial. Such appeals shall be heard in small claims court as defined in section 482.300, RSMo, and the provisions of sections 482.300, 482.310 and 482.335, RSMo, shall apply to such appeals.

[9.] **10.** A denial of or refusal to act on an application for permit may be appealed by filing with the clerk of the small claims court a copy of the sheriff's written refusal and a form substantially similar to the appeal form provided in this section. Appeal forms shall be provided by the clerk of the small claims court free of charge to any person:

SMALL CLAIMS COURT

In the Circuit Court of Missouri

Case Number

....., Denied Applicant)

)

vs.

)

)

....., Sheriff

)

Return Date

DENIAL OF PERMIT APPEAL

The denied applicant states that his properly completed application for a permit to [acquire] **carry** a firearm with a barrel of less than sixteen inches was denied by the sheriff of County, Missouri, without just cause. The denied applicant affirms that all of the statements in the application are true.

.....

Denied Applicant

[10.] **11.** The notice of appeal in a denial of permit appeal shall be made to the sheriff in a manner and form determined by the small claims court judge.

[11.] **12.** If at the hearing the person shows he is entitled to the requested permit, the court shall issue an appropriate order to cause the issuance of the permit. Costs shall not be assessed against the sheriff in any case.

[12.] **13.** Any person aggrieved by any final judgment rendered by a small claims court in a denial of permit appeal may have a trial de novo as provided in sections 512.180 to 512.320, RSMo.

[13.] **14.** Violation of any provision of this section is a class A misdemeanor."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Ward moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative O'Toole offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Substitute for Senate Committee Substitute for Senate Bill No. 290, Page 92, Section 87.371, Line 14, by inserting after all of said line on said page the following:

“Section 1. Notwithstanding the provisions of sections 610.010 to 610.035, RSMo, to the contrary, any retirement plan as defined in section 105.660, RSMo, located in a city not within a county, providing retirement benefits for general employees shall provide, upon request by any retiree organization, sufficient information enabling such organization to contact retired members.”; and

Further amend the title, enacting clause, and intersectional references accordingly.

On motion of Representative O'Toole, **House Amendment No. 3** was adopted.

Representative Byrd offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Substitute for Senate Committee Substitute for Senate Bill No. 290, Page 67, Section 86.671, Line 11, by deleting all of Section 86.671.

Representative Byrd moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 043

Bearden	Behnen	Black	Brooks	Burcham
Byrd	Cooper	Crowell	Cunningham	Dempsey
Dolan	Fares	Froelker	Hanaway	Henderson
Hendrickson	Hohulin	Holt	Hunter	Jetton
King	Levin	Lograsso	Luetkemeyer	May 149
Mayer	Monaco	Murphy	Myers	Ostmann
Phillips	Portwood	Purgason	Reinhart	Richardson
Ridgeway	Roark	Schwab	Scott	Secrest
St. Onge	Townley	Wright		

NOES: 102

Abel	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Berkowitz	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Burton	Carnahan	Champion	Clayton	Coleman
Copenhaver	Crawford	Crump	Curls	Davis
Farnen	Foley	Franklin	Fraser	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Harding
Harlan	Hartzler	Haywood	Hegeman	Hickey
Hilgemann	Holand	Hollingsworth	Hoppe	Hosmer

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Johnson 61	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	Koller	Lawson	Liese
Lowe	Luetkenhaus	Marble	Marsh	Mays 50
McKenna	Merideth	Miller	Moore	Nordwald
O'Connor	O'Toole	Overschmidt	Ransdall	Rector
Reid	Relford	Reynolds	Rizzo	Robirds
Ross	Scheve	Seigfreid	Selby	Shelton
Shields	Shoemyer	Smith	Surface	Thompson
Treadway	Villa	Vogel	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

PRESENT: 002

Johnson 90 Troupe

ABSENT WITH LEAVE: 013

Baker	Barry 100	Berkstresser	Campbell	Cierpiot
Enz	Ford	Legan	Linton	Long
Naeger	Skaggs	Van Zandt		

VACANCIES: 003

Representative Jetton offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Substitute for Senate Committee Substitute for Senate Bill No. 290, Page 92, Section 87.371, Line 14, by inserting after all of said line the following:

“Section 1. For the purposes of pension and relief systems in this act, any reference to the term “spouse” only recognizes marriage between a man and a woman. A marriage between persons of the same sex shall not be recognized for any purpose in this state, even when valid where contracted”; and

Further amend the title, enacting clause, and intersectional references accordingly.

Representative Jetton moved that **House Amendment No. 5** be adopted.

Which motion was defeated.

On motion of Representative Rizzo, **HS SCS SB 290, as amended**, was adopted.

On motion of Representative Rizzo, **HS SCS SB 290, as amended**, was read the third time and passed by the following vote:

AYES: 142

Abel	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Carnahan	Champion	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell

Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Ford
Franklin	Fraser	Froelker	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Nordwald	O'Connor	O'Toole
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 003

Byrd	Ostmann	Roark
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PRESENT: 000

ABSENT WITH LEAVE: 015

Baker	Barry 100	Campbell	Cierpiot	Foley
Gambaro	Green 73	Harlan	Hosmer	Lograsso
Long	Naeger	Relford	Van Zandt	Wagner

VACANCIES: 003

Speaker Kreider declared the bill passed.

HCS SCS SB 486 & SB 422, relating to medical transport services, was placed on the Informal Calendar.

HCS SS SB 244, relating to motor vehicles and equipment, was taken up by Representative Koller.

Representative Koller offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 244, Page 1, Section A, Line 3, by inserting after all of said line the following:

"226.003. Notwithstanding any other provision of law or rule to the contrary, the department of transportation is hereby prohibited from contracting with private entities or vendors to operate truck stops,

fueling stations, convenience stores or restaurants on or near interstate public rest areas. The department shall examine and research the Vermont and Utah state programs, which have phased out interstate public rest areas and instead have implemented a public/private partnership with designated interstate rest exits. Nothing in this section shall prohibit the department from maintaining existing interstate public rest areas or constructing new interstate public rest areas consistent with this section."; and

Further amend said bill, Pages 2 and 3, Section 302.286, Lines 1 to 23, by deleting all of said lines and inserting in lieu thereof the following:

"302.286. 1. No person shall drive a motor vehicle so as to cause it to leave the premises of an establishment at which motor fuel offered for retail sale was dispensed into the fuel tank of such motor vehicle unless payment or authorized charge for motor fuel dispensed has been made. A person found guilty or pleading guilty to stealing pursuant to section 570.030, RSMo, wherein the court found evidence of the theft of motor fuel as described in subdivision (5) of subsection 2 of section 570.030, RSMo, shall have his or her driver's license suspended by the court, beginning on the date of the court's order of conviction.

2. The person shall submit all of his or her operator's and chauffeur's licenses to the court upon conviction and the court shall forward all such driver's licenses and the order of suspension of driving privileges to the department of revenue for administration of such order.

3. Suspension of a driver's license pursuant to this section shall be made as follows:

(1) For the first offense, suspension shall be for sixty days, provided that persons may apply for hardship licenses pursuant to section 302.309 at any time following the first sixty days of such suspension;

(2) For the second offense, suspension shall be for ninety days, provided that persons may apply for hardship licenses pursuant to section 302.309 at any time following the first thirty days of such suspension; and

(3) For the third or any subsequent offense, suspension shall be for one hundred eighty days, provided that persons may apply for hardship licenses pursuant to section 302.309 at any time following the first ninety days of such suspension.

4. At the expiration of the suspension period, and upon payment of a reinstatement fee of twenty-five dollars, the director shall terminate the suspension and shall return the person's driver's license. The reinstatement fee shall be in addition to any other fees required by law, and shall be deposited in the state treasury to the credit of the state highway department fund, pursuant to section 302.228."; and

Further amend said bill, Page 4, Section 304.580, Line 36, by inserting after all of said line the following:

"307.375. 1. The owner of every bus used to transport children to or from school in addition to any other inspection required by law shall submit the vehicle to an official inspection station, and obtain a certificate of inspection, sticker, seal or other device annually, but the inspection of the vehicle shall not be made more than sixty days prior to operating the vehicle during the school year. The inspection shall, in addition to the inspection of the mechanism and equipment required for all motor vehicles under the provisions of sections 307.350 to 307.390, include an inspection to ascertain that the following items are correctly fitted, adjusted, and in good working condition:

(1) All mirrors, including crossview, inside, and outside;

(2) The front and rear warning flashers;

(3) The stop signal arm;

(4) The crossing control arm on public school buses required to have them pursuant to section 304.050, RSMo;

(5) The rear bumper to determine that it is flush with the bus so that hitching of rides cannot occur;

(6) The exhaust tailpipe [to determine that it does not protrude from the bus] shall be flush with or may extend not more than two inches beyond the perimeter of the body or bumper;

(7) The emergency doors and exits to determine them to be unlocked and easily opened as required;

(8) The lettering and signing on the front, side[,] and rear of the bus;

(9) The service door;

(10) The step treads;

(11) The aisle mats or aisle runners;

(12) The emergency equipment which shall include as a minimum, a first aid kit, flares or fuses, and a fire extinguisher;

(13) The seats, including a determination that they are securely fastened to the floor;

- (14) The emergency door buzzer;
- (15) All hand hold grips;
- (16) The interior glazing of the bus.

2. In addition to the inspection required by subsection 1 **of this section**, the Missouri state highway patrol shall conduct an inspection after February first of each school year of all vehicles required to be marked as school buses under section 304.050, RSMo. This inspection shall be conducted by the Missouri highway patrol in cooperation with the department of elementary and secondary education and shall include, as a minimum, items in subsection 1 **of this section** and the following:

- (1) The driver seat belts;
- (2) The heating and defrosting systems;
- (3) The reflectors;
- (4) The bus steps;
- (5) The aisles.

3. If, upon inspection, conditions which violate the standards in subsection 2 **of this section** are found, the owner or operator shall have them corrected in ten days and notify the superintendent of the Missouri state highway patrol or those persons authorized by the superintendent. If the defects or unsafe conditions found constitute an immediate danger, the bus shall not be used until corrections are made and the superintendent of the Missouri state highway patrol or those persons authorized by the superintendent are notified.

4. The Missouri highway patrol may inspect any school bus at any time and if such inspection reveals a deficiency affecting the safe operation of the bus, the provisions of subsection 3 **of this section** shall be applicable."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Smith resumed the Chair.

On motion of Representative Koller, **House Amendment No. 1** was adopted.

Representative O'Connor offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 244, Page 2, Section 301.260, Line 36, by inserting after all of said line the following:

"302.173. 1. Any applicant for a license, who does not possess a valid license issued pursuant to the laws of this state **or any other state** shall be examined as herein provided. Any person who has failed to renew such person's license on or before the date of its expiration or within six months thereafter must take the complete examination. Any active member of the armed forces, their adult dependents or any active member of the peace corps may apply for a renewal license without examination of any kind, unless otherwise required by sections 302.700 to 302.780, provided the renewal application shows that the previous license had not been suspended or revoked. Any person honorably discharged from the armed forces of the United States who held a valid license prior to being inducted may apply for a renewal license within sixty days after such person's honorable discharge without submitting to any examination of such person's ability to safely operate a motor vehicle over the highways of this state unless otherwise required by sections 302.700 to 302.780, other than the vision test provided in section 302.175, unless the facts set out in the renewal application or record of convictions on the expiring license, or the records of the director show that there is good cause to authorize the director to require the applicant to submit to the complete examination. No applicant for a renewal license shall be required to submit to any examination of his or her ability to safely operate a motor vehicle over the highways of this state unless otherwise required by sections 302.700 to 302.780 or regulations promulgated thereunder, other than a test of the applicant's ability to understand highway signs regulating, warning or directing traffic and the vision test provided in section 302.175, unless the facts set out in the renewal application or record of convictions on the expiring license, or the records of the director show that there is good cause to authorize the director to require the applicant to submit to the complete examination. The examination shall be made available in each county.

Reasonable notice of the time and place of the examination shall be given the applicant by the person or officer designated to conduct it. The complete examination shall include a test of the applicant's natural or corrected vision as prescribed in section 302.175, the applicant's ability to understand highway signs regulating, warning or directing traffic, the applicant's practical knowledge of the traffic laws of this state, and an actual demonstration of ability to exercise due care in the operation of a motor vehicle of the classification for which the license is sought. When an applicant for a license has a valid license from a state which has requirements for issuance of a license comparable to the Missouri requirements, the director may waive the requirement of actual demonstration of ability to exercise due care in the operation of a motor vehicle. If the director has reasonable grounds to believe that an applicant is suffering from some known physical or mental ailment which ordinarily would interfere with the applicant's fitness to operate a motor vehicle safely upon the highways, the director may require that the examination include a physical or mental examination by a licensed physician of the applicant's choice, at the applicant's expense, to determine the fact. The director shall prescribe regulations to ensure uniformity in the examinations and in the grading thereof and shall prescribe and furnish all forms to the members of the highway patrol and to other persons authorized to conduct examinations as may be necessary to enable the officer or person to properly conduct the examination. The records of the examination shall be forwarded to the director who shall not issue any license hereunder if in the director's opinion the applicant is not qualified to operate a motor vehicle safely upon the highways of this state.

2. The director of revenue shall delegate the power to conduct the examinations required for a license or permit to any member of the highway patrol or any person employed by the highway patrol. The powers delegated to any examiner may be revoked at any time by the director of revenue upon notice.

3. Notwithstanding the requirements of subsections 1 and 2 of this section, the successful completion of a motorcycle rider training course approved pursuant to sections 302.133 to 302.138 shall constitute an actual demonstration of the person's ability to exercise due care in the operation of a motorcycle or motortricycle, and no further driving test shall be required to obtain a motorcycle or motortricycle license or endorsement."; and

Further amend said bill, Page 4, Section 304.580, Line 36, by inserting after all of said line the following:

"307.173. 1. Except as provided in subsections 2 and 6 of this section, no person shall operate any motor vehicle registered in this state on any public highway or street of this state with any manufactured vision-reducing material applied to any portion of the motor vehicle's windshield, sidewings, or windows located immediately to the left and right of the driver which reduces visibility from within or without the motor vehicle. This section shall not prohibit labels, stickers, decalcomania, or informational signs on motor vehicles or the application of tinted or solar screening material to recreational vehicles as defined in section 700.010, RSMo, provided that such material does not interfere with the driver's normal view of the road. This section shall not prohibit factory installed tinted glass, the equivalent replacement thereof or tinting material applied to the upper portion of the motor vehicle's windshield which is normally tinted by the manufacturer of motor vehicle safety glass.

2. [A permit to] **Any person may** operate a motor vehicle with [a front sidewing vent or window] **side and rear windows** that [has] **have** a sun screening device, in conjunction with safety glazing material, that has a light transmission of thirty-five percent or more plus or minus three percent and a luminous reflectance of thirty-five percent or less plus or minus three percent [may be issued by the department of public safety to a person having a physical disorder requiring the use of such vision-reducing material. If, according to the permittee's physician, the physical disorder requires the use of a sun screening device which permits less light transmission and luminous reflectance than allowed under the requirements of this subsection, the limits of this subsection may be altered for that permittee in accordance with the physician's prescription. The director of the department of public safety shall promulgate rules and regulations for the issuance of the permit. The permit shall allow operation of the vehicle by immediate family members who are husband, wife and sons or daughters who reside in the household].

3. A motor vehicle in violation of this section shall not be approved during any motor vehicle safety inspection required pursuant to sections 307.350 to 307.390.

4. [No rule or portion of a rule promulgated under the authority of this chapter shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.] **Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority**

and any rule proposed or adopted after August 28, 2001, shall be invalid and void.

5. Any person who violates the provisions of this section is guilty of a class C misdemeanor.

6. Any vehicle licensed with a historical license plate shall be exempt from the requirements of this section.";
and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative O'Connor, **House Amendment No. 2** was adopted.

Representative Ward offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 244, Page 2, Section 301.260, Line 36, by inserting after all of said line the following:

"302.020. 1. Unless otherwise provided for by law, it shall be unlawful for any person, except those expressly exempted by section 302.080, to:

(1) Operate any vehicle upon any highway in this state unless the person has a valid license;
(2) Operate a motorcycle or motortricycle upon any highway of this state unless such person has a valid license that shows the person has successfully passed an examination for the operation of a motorcycle or motortricycle as prescribed by the director. The director may indicate such upon a valid license issued to such person, or shall issue a license restricting the applicant to the operation of a motorcycle or motortricycle if the actual demonstration, required by section 302.173, is conducted on such vehicle;

(3) Authorize or knowingly permit a motorcycle or motortricycle owned by such person or under such person's control to be driven upon any highway by any person whose license does not indicate that the person has passed the examination for the operation of a motorcycle or motortricycle or has been issued an instruction permit therefor;

(4) Operate a motor vehicle with an instruction permit or license issued to another person.

2. Every person operating or riding as a passenger on any motorcycle or motortricycle, as defined in section 301.010, RSMo, upon any highway of this state shall wear protective headgear **and protective eyewear** at all times the vehicle is in motion. The protective headgear **and eyewear** shall meet reasonable standards and specifications established by the director.

3. Notwithstanding the provisions of section 302.340 any person convicted of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a class A misdemeanor. Any person convicted a third or subsequent time of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a class D felony. Notwithstanding the provisions of section 302.340, violation of subdivisions (3) and (4) of subsection 1 of this section is a class C misdemeanor and the penalty for failure to wear protective headgear **and eyewear** as required by subsection 2 of this section is an infraction for which a fine not to exceed twenty-five dollars may be imposed. Notwithstanding all other provisions of law and court rules to the contrary, no court costs shall be imposed upon any person due to such violation. No points shall be assessed pursuant to section 302.302 for a failure to wear such protective headgear **and eyewear**.";
and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Gambaro raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Ward moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 013

Boucher	Bowman	Brooks	Burton	Crump
Haywood	Henderson	Johnson 61	Skaggs	Surface
Walton	Ward	Wilson 42		

NOES: 120

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Berkstresser	Black
Bland	Boatright	Bonner	Boykins	Bray 84
Britt	Burcham	Byrd	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Cunningham	Curls	Davis
Enz	Fares	Farnen	Franklin	Fraser
Froelker	Gambaro	Gaskill	Graham	Gratz
Green 15	Griesheimer	Hampton	Hanaway	Harding
Hartzler	Hegeman	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Holt	Hosmer	Hunter
Jetton	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	Koller	Lawson
Levin	Liese	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	Mayer
Mays 50	Merideth	Miller	Moore	Murphy
Myers	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Shoemyer	St. Onge	Thompson	Townley
Treadway	Troupe	Villa	Vogel	Wiggins
Williams	Willoughby	Wilson 25	Wright	Mr. Speaker

PRESENT: 001

Purgason

ABSENT WITH LEAVE: 026

Baker	Behnen	Berkowitz	Campbell	Dempsey
Dolan	Foley	Ford	George	Green 73
Hagan-Harrell	Harlan	Hollingsworth	Hoppe	King
Legan	Linton	May 149	McKenna	Monaco
Naeger	Richardson	Secrest	Smith	Van Zandt
Wagner				

VACANCIES: 003

Representative Selby offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 244, Page 5, Section 431.181, Line 15, by inserting after all of said line the following:

"Section 1. Notwithstanding any other law to the contrary, blue dot taillights shall be allowed on any motor vehicle manufactured prior to 1960."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Selby, **House Amendment No. 4** was adopted.

Representative Kelly (27) offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 244, Page 2, Section 301.260, Line 36, by inserting after all of said line the following:

"302.173. 1. Any applicant for a license, who does not possess a valid license issued pursuant to the laws of this state shall be examined as herein provided. Any person who has failed to renew such person's license on or before the date of its expiration or within six months thereafter must take the complete examination. Any active member of the armed forces, their adult dependents or any active member of the peace corps may apply for a renewal license without examination of any kind, unless otherwise required by sections 302.700 to 302.780, provided the renewal application shows that the previous license had not been suspended or revoked. Any person honorably discharged from the armed forces of the United States who held a valid license prior to being inducted may apply for a renewal license within sixty days after such person's honorable discharge without submitting to any examination of such person's ability to safely operate a motor vehicle over the highways of this state unless otherwise required by sections 302.700 to 302.780, other than the vision test provided in section 302.175, unless the facts set out in the renewal application or record of convictions on the expiring license, or the records of the director show that there is good cause to authorize the director to require the applicant to submit to the complete examination. No applicant for a renewal license shall be required to submit to any examination of his or her ability to safely operate a motor vehicle over the highways of this state unless otherwise required by sections 302.700 to 302.780 or regulations promulgated thereunder, other than a test of the applicant's ability to understand highway signs regulating, warning or directing traffic and the vision test provided in section 302.175, unless the facts set out in the renewal application or record of convictions on the expiring license, or the records of the director show that there is good cause to authorize the director to require the applicant to submit to the complete examination. The examination shall be made available in each county. Reasonable notice of the time and place of the examination shall be given the applicant by the person or officer designated to conduct it. The complete examination shall include a test of the applicant's natural or corrected vision as prescribed in section 302.175, the applicant's ability to understand highway signs regulating, warning or directing traffic, the applicant's practical knowledge of the traffic laws of this state, and an actual demonstration of ability to exercise due care in the operation of a motor vehicle of the classification for which the license is sought. When an applicant for a license has a valid license from [a state which has requirements for issuance of a license comparable to the Missouri requirements,] **another state which is currently in good standing in that state,** the director [may] **shall** waive the [requirement] **requirements** of [actual demonstration of ability to exercise due care in the operation of a motor vehicle] **this section including the vision test requirements set forth in section 302.175.** If the director has reasonable grounds to believe that an applicant is suffering from some known physical or mental ailment which ordinarily would interfere with the applicant's fitness to operate a motor vehicle safely upon the highways, the director may require that the examination include a physical or mental examination by a licensed physician of the applicant's choice, at the applicant's expense, to determine the fact. The director shall prescribe regulations to ensure uniformity in the examinations and in the grading thereof and shall prescribe and furnish all forms to the members of the highway patrol and to other persons authorized to conduct examinations as may be necessary to enable the officer or person to properly conduct the examination. The records of the examination shall be forwarded to the director who shall not issue any license

hereunder if in the director's opinion the applicant is not qualified to operate a motor vehicle safely upon the highways of this state.

2. The director of revenue shall delegate the power to conduct the examinations required for a license or permit to any member of the highway patrol or any person employed by the highway patrol. The powers delegated to any examiner may be revoked at any time by the director of revenue upon notice.

3. Notwithstanding the requirements of subsections 1 and 2 of this section, the successful completion of a motorcycle rider training course approved pursuant to sections 302.133 to 302.138 shall constitute an actual demonstration of the person's ability to exercise due care in the operation of a motorcycle or motortricycle, and no further driving test shall be required to obtain a motorcycle or motortricycle license or endorsement."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Kelly (27), **House Amendment No. 5** was adopted.

Representative Koller offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 244, Page 5, Section 431.181, Line 1, by inserting immediately after all of said line the following:

"Section 1. A towing company, as defined in Section 304.001, RSMo, shall grant access to insurance personnel for the purposes of inspection, appraisal and photographs of property at no charge and without requiring any surety."; and

Further amend said bill by amending the title and enacting clause accordingly.

On motion of Representative Koller, **House Amendment No. 6** was adopted.

Representative Long offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 244, Page 4, Section 304.580, Line 36, by inserting after said line the following:

"307.020. As used in sections 307.020 to 307.120, [unless the context requires another or different construction] **the following terms mean:**

(1) "Approved" [means], approved by the director of revenue and when applied to lamps and other illuminating devices means that such lamps and devices must be in good working order;

(2) "Auxiliary lamp" [means], an additional lighting device on a motor vehicle used primarily to supplement the headlamps in providing general illumination ahead of a vehicle;

(3) "Headlamp" [means], a major lighting device capable of providing general illumination ahead of a vehicle;

(4) "Mounting height" [means], the distance from the center of the lamp to the surface on which the vehicle stands;

(5) "Multiple-beam headlamps" [means], headlamps or similar devices arranged so as to permit the driver of the vehicle to use one of two or more distributions of light on the road;

(6) "Reflector" [means], an approved device designed and used to give an indication by reflected light;

(7) "Single-beam headlamps" [means], headlamps or similar devices arranged so as to permit the driver of the vehicle to use but one distribution of light on the road;

(8) "Vehicle" [means], every device in, upon or by which a person or property is or may be transported upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks;

(9) "When lighted lamps are required" [means], at any time from a half-hour after sunset to a half-hour before sunrise, **at anytime when rain, snow, fog or other atmospheric conditions require the use of windshield wipers**, and at any other time when there is not sufficient light to render clearly discernible persons and vehicles on the highway at a distance of five hundred feet ahead; **provided, however, that no person shall be stopped, inspected or detained solely to determine compliance with the requirement of using lighted lamps when atmospheric conditions require the use of windshield wipers.**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Speaker Kreider resumed the Chair.

Representative Long moved that **House Amendment No. 7** be adopted.

Which motion was defeated.

Representative Merideth offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 244, Page 4, Section 304.580, Line 36, by inserting immediately after all of said line the following:

"414.407. 1. As used in this section, the following terms mean:

(1) **"B-20"**, a blend of twenty percent by volume biodiesel fuel and eighty percent by volume petroleum-based diesel fuel;

(2) **"Biodiesel"**, fuel as defined in ASTM Standard PS121;

(3) **"EPAAct"**, the federal Energy Policy Act, 42 U.S.C. 13201, et seq.;

(4) **"EPAAct credit"**, a credit issued pursuant to EPAAct;

(5) **"Fund"**, the Biodiesel Fuel Revolving Fund;

(6) **"Incremental cost"**, the difference in cost between biodiesel fuel and conventional petroleum-based diesel fuel at the time the biodiesel fuel is purchased.

2. The department, in cooperation with the department of agriculture, shall establish and administer an EPAAct credit banking and selling program to allow state agencies to use moneys generated by the sale of EPAAct credits to purchase biodiesel fuel for use in state vehicles. Each state agency shall provide the department with all vehicle fleet information necessary to determine the number of EPAAct credits generated by the agency. The department may sell credits in any manner pursuant to the provisions of EPAAct.

3. There is hereby created in the state treasury the **"Biodiesel Fuel Revolving Fund"**, into which shall be deposited moneys received from the sale of EPAAct credits banked by state agencies on the effective date of this section and in future reporting years, any moneys appropriated to the fund by the General Assembly, and any other moneys obtained or accepted by the department for deposit into the fund. The fund shall be managed to maximize benefits to the state in the purchase of biodiesel fuel and, when possible, to accrue those benefits to state agencies in proportion to the number of EPAAct credits generated by each respective agency.

4. Moneys deposited into the fund shall be used to pay for the incremental cost of biodiesel fuel with a minimum biodiesel concentration of B-20 for use in state vehicles and for administration of the fund. Not later than January thirty-first of each year, the department shall submit an annual report to the General Assembly on the expenditures from the fund during the preceding fiscal year.

5. Notwithstanding the provisions of section 33.0080, RSMo, no portion of the fund shall be transferred to the general revenue fund, and any appropriation made to the fund shall not lapse. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Interest and moneys earned on such investments shall be credited to the fund.

6. The department shall promulgate such rules as are necessary to implement this section. No rule or portion of a rule promulgated pursuant to this section shall become effective unless it has been promulgated

pursuant to chapter 536, RSMo.

7. The department shall conduct a study of the use of alternative fuels in motor vehicles in the state and shall report its findings and recommendations to the General Assembly no later than January 1, 2002. Such study shall include:

- (1) An analysis of the current use of alternative fuels in public and private vehicle fleets in the state;**
- (2) An assessment of methods that the state may use to increase use of alternative fuels in vehicle fleets, including the sale of credits generated pursuant to the federal Energy Policy Act, 42 U.S.C. 13201, et seq., to pay for the difference in cost between alternative fuels and conventional fuels;**
- (3) An assessment of the benefits or harm that increased use of alternative fuels may make to the state's economy and environment;**
- (4) Any other information that the department deems relevant.”; and**

Further amend said bill in the title and enacting clause accordingly.

On motion of Representative Merideth, **House Amendment No. 8** was adopted.

Representative Lograsso offered **House Amendment No. 9**.

Representative Gambaro raised a point of order that **House Amendment No. 9** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Bearden offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 244, Page 1, Section A, Line 3, by inserting the following:

“226.133. 1. The general assembly may authorize the highways and transportation commission to issue bonds or other evidence of indebtedness in an amount not to exceed two billion dollars from fiscal year 2001 to fiscal year 2006; except that, the highways and transportation commission may immediately authorize issue of bonds up to two hundred fifty million dollars for the purpose of providing funds for use in highway construction and repairs scheduled in the five-year plan. The principal amount of such bonds shall not exceed five hundred million dollars in any one fiscal year. **The sale of such bonds shall be negotiated, after a competitive selection process, with an underwriting group managed by firms headquartered within the State of Missouri, as long as such firms are not deemed to be unqualified or price uncompetitive. The underwriting group so managed shall have as its first priority the sale of the bonds to Missouri individual investors as long as such sale is not inconsistent with deriving the lowest possible financing costs.** Proceeds from the issuance of the bonds shall be provided to the department of transportation to pay for the cost of construction engineering and construction. The proceeds from the bonds shall not be used to pay for administrative expenses, including but not limited to planning and design expenses. Contracted final design shall not be considered an administrative expense, but shall not exceed seven percent of any project.

2. To obtain authorization for the issuance of bonds, the highways and transportation commission shall annually present to the general assembly, by the tenth legislative day, a proposed plan and an analysis demonstrating the feasibility and appropriateness thereof. The plan to issue bonds shall become effective no later than forty-five calendar days after the plan proposed by the highways and transportation commission is submitted to a regular session of the general assembly, unless it is disapproved within forty-five calendar days of its submission to a regular session by a concurrent resolution introduced within fourteen calendar days of the submission of the plan to a regular session of the general assembly and adopted by a majority vote of the elected members of each house. If no concurrent resolution disapproving of the highway plan is introduced within fourteen calendar days of the submission of the plan to the legislature, then the plan shall become effective immediately. The presiding officer of each house in which a concurrent

resolution disapproving of a plan to issue bonds has been introduced, unless the resolution has been previously accepted or rejected by that house, shall submit it to a vote of the membership not sooner than seven calendar days or later than fourteen calendar days after introduction of the concurrent resolution pertaining to the department of transportation plan. The presiding officer of the house passing a concurrent resolution disapproving of a plan to issue bonds shall immediately forward the bill to the other house and the presiding officer of that house shall submit it to a vote of the membership not sooner than seven calendar days or later than fourteen calendar days of its receipt from the other legislative body. The plan submitted by the highways and transportation commission shall not be subject to amendment by either chamber and may only be rejected in its entirety.

3. The highways and transportation commission shall offer such bonds at public sale or negotiated sale. The bonds shall be for a period of not less than ten years and not more than twenty years from their date of issue and shall bear interest at a rate or rates not exceeding the rate permitted by law.

4. The proceeds of the sale or sales of any bonds issued pursuant to this section shall be paid into the state road fund to be expended for the purpose specified pursuant to the provisions of section 226.220.

5. Bonds issued pursuant to this section shall be state road bonds as such term is used in section 30(b) of article IV of the state constitution, and as such, principal and interest payments on such bonds shall be made from the state road fund as provided in section 30(b) of article IV of the state constitution. Bonds issued pursuant to this section shall not be deemed to constitute a debt or liability of the state or a pledge of the full faith and credit of the state, and the principal and interest on such bonds shall be payable solely from the state road fund. Bonds issued pursuant to this section, the interest thereon, or any proceeds from such bonds, shall be exempt from taxation in the state of Missouri for all purposes except for the state estate tax.

6. Bonds may be issued for the purpose of refunding either at maturity or in advance of maturity, any bonds issued [under] **pursuant** to this section. The proceeds of such refunding bonds may either be applied to the payment of the bonds being refunded or deposited in trust and maintained in cash or investments for the retirement of the bonds being refunded, as shall be specified by the highways and transportation commission and the authorizing resolution or trust indenture securing such refunding bonds. The authorizing resolution or trust indenture securing the refunding bonds shall specify the amount and other terms of the refunding bonds and may provide that the refunding bonds shall have the same security for their payment as provided for the bonds being refunded. The refunding bonds shall be for a period of not less than ten years and not more than twenty years from their date of issue and shall bear interest at a rate or rates not exceeding the rate permitted by law. The principal amount of refunding bonds issued pursuant to this section shall not be counted toward the limit on the principal amount of bonds permitted [under] **pursuant** to this section.”; and

Further amend said title, enacting clause and intersectional reference accordingly.

On motion of Representative Bearden, **House Amendment No. 9** was adopted.

Representative Green (15) offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 244, Page 3, Section 302.286, Line 23, by inserting after all of said line the following:

"304.015. 1. All vehicles not in motion shall be placed with their right side as near the right-hand side of the highway as practicable, except on streets of municipalities where vehicles are obliged to move in one direction only or parking of motor vehicles is regulated by ordinance.

2. Upon all public roads or highways of sufficient width a vehicle shall be driven upon the right half of the roadway, except as follows:

(1) When overtaking and passing another vehicle proceeding in the same direction pursuant to the rules governing such movement;

(2) When placing a vehicle in position for and when such vehicle is lawfully making a left turn in compliance with the provisions of sections 304.014 to 304.026 or traffic regulations thereunder or of municipalities;

(3) When the right half of a roadway is closed to traffic while under construction or repair;

(4) Upon a roadway designated by local ordinance as a one-way street and marked or signed for one-way traffic.

3. It is unlawful to drive any vehicle upon any highway or road which has been divided into two or more roadways by means of a physical barrier or by means of a dividing section or delineated by curbs, lines or other markings on the roadway, except to the right of such barrier or dividing section, or to make any left turn or semicircular or U-turn on any such divided highway, except [in a crossover or] **at an intersection or interchange or at any signed location designated by the state highways and transportation commission or the department of transportation. The provisions of this subsection shall not apply to emergency vehicles, law enforcement vehicles or to vehicles owned by the commission or the department.**

4. The authorities in charge of any highway or the state highway patrol may erect signs temporarily designating lanes to be used by traffic moving in a particular direction, regardless of the center line of the highway, and all members of the Missouri highway patrol and other peace officers may direct traffic in conformance with such signs. When authorized signs have been erected designating off-center traffic lanes, no person shall disobey the instructions given by such signs.

5. Whenever any roadway has been divided into three or more clearly marked lanes for traffic, the following rules in addition to all others consistent herewith shall apply:

(1) A vehicle shall be driven as nearly as practicable entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety;

(2) Upon a roadway which is divided into three lanes a vehicle shall not be driven in the center lane, except when overtaking and passing another vehicle where the roadway ahead is clearly visible and such center lane is clear of traffic within a safe distance, or in preparation for a left turn or where such center lane is at the time allocated exclusively to traffic moving in the direction the vehicle is proceeding and is sign-posted to give notice of such allocation;

(3) Upon all highways any vehicle proceeding at less than the normal speed of traffic thereon shall be driven in the right-hand lane for traffic or as close as practicable to the right-hand edge or curb, except as otherwise provided in sections 304.014 to 304.026;

(4) Official signs may be erected by the highways and transportation commission or the highway patrol may place temporary signs directing slow moving traffic to use a designated lane or allocating specified lanes to traffic moving in the same direction and drivers of vehicles shall obey the directions of every such sign;

(5) Drivers of vehicles proceeding in opposite directions shall pass each other to the right, and except when a roadway has been divided into traffic lanes, each driver shall give to the other at least one-half of the main traveled portion of the roadway whenever possible.

6. All vehicles in motion upon a highway having two or more lanes of traffic proceeding in the same direction shall be driven in the right-hand lane except when overtaking and passing another vehicle or when preparing to make a proper left turn or when otherwise directed by traffic markings, signs or signals.

7. Violation of this section shall be deemed an infraction unless such violation causes an immediate threat of an accident, in which case such violation shall be deemed a class C misdemeanor, or unless an accident results from such violation, in which case such violation shall be deemed a class A misdemeanor.”; and

Further amend said bill, Page 3, Section 304.035, Line 21, by inserting after all of said line the following:

"304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any [primary or interstate] highway in this state [plus a distance not to exceed ten miles from such highways,] having a greater weight than twenty thousand pounds on one axle, no combination of vehicles operated by transporters of general freight over regular routes as defined in section 390.020, RSMo, shall be moved or operated on any highway of this state having a greater weight than the vehicle manufacturer's rating on a steering axle with the maximum weight not to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved or operated on any [primary or interstate highways] **state highway** of this state having a greater weight than thirty-four thousand pounds on any tandem axle; the term "tandem axle" shall mean a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart [and further provided, however, that when any vehicle or combination of vehicles with six axles which includes a tandem axle group as above defined and a group of three axles which are fully equalized, automatically or mechanically, and the distance between the center of the extremes of which does not exceed one hundred ten inches, the chief engineer of the Missouri state transportation department shall issue a special permit for the movement thereof, as provided in section 304.200, for twenty thousand pounds for each axle of the tandem axle group and for sixteen thousand pounds for each axle of the group of three fully equalized

axles which are equalized, automatically or mechanically, when said vehicle or combination of vehicles is used to transport excavation or construction machinery or equipment, road-building machinery or farm implements over routes in the primary system and other routes that are not a part of the interstate system of highways; provided, further, that the chief engineer of the Missouri state transportation department may issue permits on the interstate system].

2. An "axle load" is defined as the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle.

3. Subject to the limit upon the weight imposed upon a [primary or interstate] highway **of this state** through any one axle or on any tandem axle, the total gross weight with load imposed [upon a primary or interstate highway, plus a distance not to exceed ten miles from such highways,] by any group of two or more consecutive axles of any vehicle or combination of vehicles shall not exceed the maximum load in pounds as set forth in the following table:

Distance in feet
between the extremes
of any group of two or
more consecutive axles,
measured to the nearest
foot, except where
indicated otherwise

		Maximum load in pounds				
feet		2 axles	3 axles	4 axles	5 axles	6 axles
4		34,000				
5		34,000				
6		34,000				
7		34,000				
8		34,000	34,000			
More than 8	38,000	42,000				
9		39,000	42,500			
10		40,000	43,500			
11		40,000	44,000			
12		40,000	45,000	50,000		
13		40,000	45,500	50,500		
14		40,000	46,500	51,500		
15		40,000	47,000	52,000		
16		40,000	48,000	52,500	58,000	
17		40,000	48,500	53,500	58,500	
18		40,000	49,500	54,000	59,000	
19		40,000	50,000	54,500	60,000	
20		40,000	51,000	55,500	60,500	66,000
21		40,000	51,500	56,000	61,000	66,500
22		40,000	52,500	56,500	61,500	67,000
23		40,000	53,000	57,500	62,500	68,000
24		40,000	54,000	58,000	63,000	68,500
25		40,000	54,500	58,500	63,500	69,000
26		40,000	55,500	59,500	64,000	69,500
27		40,000	56,000	60,000	65,000	70,000
28		40,000	57,000	60,500	65,500	71,000
29		40,000	57,500	61,500	66,000	71,500
30		40,000	58,500	62,000	66,500	72,000
31		40,000	59,000	62,500	67,500	72,500
32		40,000	60,000	63,500	68,000	73,000
33		40,000	60,000	64,000	68,500	74,000
34		40,000	60,000	64,500	69,000	74,500
35		40,000	60,000	65,500	70,000	75,000
36				60,000	66,000	70,500 75,500
37				60,000	66,500	71,000 76,000

38	60,000	67,500	72,000	77,000
39	60,000	68,000	72,500	77,500
40	60,000	68,500	73,000	78,000
41	60,000	69,500	73,500	78,500
42	60,000	70,000	74,000	79,000
43	60,000	70,500	75,000	80,000
44	60,000	71,500	75,500	80,000
45	60,000	72,000	76,000	80,000
46	60,000	72,500	76,500	80,000
47	60,000	73,500	77,500	80,000
48	60,000	74,000	78,000	80,000
49	60,000	74,500	78,500	80,000
50	60,000	75,500	79,000	80,000
51	60,000	76,000	80,000	80,000
52	60,000	76,500	80,000	80,000
53	60,000	77,500	80,000	80,000
54	60,000	78,000	80,000	80,000
55	60,000	78,500	80,000	80,000
56	60,000	79,500	80,000	80,000
57	60,000	80,000	80,000	80,000

Notwithstanding the above table, two consecutive sets of tandem axles may carry a gross load of thirty-four thousand pounds each if the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six feet or more.

4. [Subject to the limit upon the weight imposed upon a supplementary highway through any one axle which shall not have a weight greater than eighteen thousand pounds or on any tandem axle which shall not have a weight greater than thirty-two thousand pounds, the total gross weight with load imposed upon the supplementary highway by any vehicle or combination of vehicles shall not exceed the gross weight given for the respective distance between the first and last axle of a single motor vehicle or by the first axle of a motor vehicle and the last axle of the last vehicle in any combination of vehicles measured longitudinally to the nearest foot as set forth in the following table:

Distance in feet
between the
extreme axles

Maximum load
in pounds

4	32,000
5	32,000
6	32,000
7	32,000
8	33,200
9	34,400
10	35,600
11	36,800
12	38,000
13	39,200
14	40,400
15	41,600
16	42,800
17	44,000
18	45,200
19	46,400
20	47,600
21	48,800
22	50,000
23	51,000
24	52,000

25	53,000
26	54,000
27	55,000
28	56,000
29	57,000
30	58,000
31	59,000
32	60,000
33	61,100
34	62,200
35	63,500
36	64,600
37	65,900
38	67,100
39	68,300
40	69,700
41	70,800
42	72,000
43 or over	73,280

5. Provided, however, subject to the limit upon the weight imposed through any one axle, through any tandem axle, as provided in subsection 4 of this section, the total gross weight with load imposed upon any bridges generally considered by the state highways and transportation commission to be on the supplementary system or upon any bridges which are under the jurisdiction of and maintained by counties, townships or cities shall not exceed the gross weight given for the respective distance between the first and last axle of the total group of axles measured longitudinally to the nearest foot as set forth in the following table:

Distance in feet between the extreme axles	Maximum load In pounds
4	32,000
5	32,000
6	32,000
7	32,000
8	32,610
9	33,580
10	34,550
11	35,510
12	36,470
13	37,420
14	38,360
15	39,300
16	40,230
17	41,160
18	42,080
19	42,990
20	43,900
21	44,800
22	45,700
23	46,590
24	47,470
25	48,350
26	49,220
27	50,090
28	50,950
29	51,800

30	52,650
31	53,490
32	54,330
33	55,160
34	55,980
35	56,800
36	57,610
37	58,420
38	59,220
39	60,010
40	60,800
41	61,580
42	62,360
43	63,130
44	63,890
45 or over	64,650

The state highways and transportation commission, with respect to bridges on the supplementary system, or the person in charge of supervision or maintenance of the bridges on the county, township or city roads and streets may determine and by official order declare that certain designated bridges do not appear susceptible to unreasonable and unusual damage by reason of such higher weight limits and may legally be subjected to the higher limits in this section.]

Whenever the state highways and transportation commission finds that any state highway bridge in the state is in such a condition that use of such bridge by vehicles of the weights specified in subsection 3 of this section will endanger the bridge, or the users of the bridge, the commission may establish maximum weight limits and speed limits for vehicles using such bridge. The governing body of any city or county may grant authority by act or ordinance to the state highways and transportation commission to enact the limitations established in this section on those roadways within the purview of such city or county. Notice of the weight limits and speed limits established by the commission shall be given by posting signs at a conspicuous place at each end of any such bridge.

[6.] **5.** Nothing in this section shall be construed as permitting lawful axle loads, tandem axle loads or gross loads in excess of those permitted under the provisions of Section 127 of Title 23 of the United States Code.

[7. Additional routes may be designated by the state highways and transportation commission for movement or operation by vehicles or combinations of vehicles having the weights described in subsections 1 and 3 of this section.

[8.] **6.** Notwithstanding the weight limitations contained in this section, any vehicle or combination of vehicles operating on highways other than the interstate highway system may exceed single axle, tandem axle and gross weight limitations in an amount not to exceed two thousand pounds. However, total gross weight shall not exceed eighty thousand pounds.

[9.] **7.** Notwithstanding any provision of this section to the contrary, the department of transportation shall issue a single-use special permit, or upon request of the owner of the truck or equipment, shall issue an annual permit, for the transporting of any concrete pump truck or well-drillers' equipment. The department of transportation shall set fees for the issuance of permits pursuant to this subsection. Notwithstanding the provisions of section 301.133, RSMo, concrete pump trucks or well-drillers' equipment may be operated on state maintained roads and highways at any time on any day."; and

Further amend said bill, Page 3, Section 304.580, Line 3, by inserting after the word "transportation" the words **"or a contractor performing work for the department of transportation"**; and

Further amend said bill, Page 3, Section 304.580, Line 4, by inserting after the period "." on said line the following:

"The term "work zone" or "construction zone" also includes the lanes of highway leading up to the area upon which an activity described in this subsection is being performed, beginning at the point where appropriate signs directing motor vehicles to merge from one lane into another lane are posted."; and

Further amend said bill, Page 4, Section 304.580, Line 35, by inserting after "6." on said line the following:

"The driver of a motor vehicle may not overtake or pass another motor vehicle within a work zone or construction zone. This subsection applies to a construction zone or work zone located upon a highway divided into two or more marked lanes for traffic moving in the same direction and for which motor vehicles are instructed to merge from one lane into another lane by an appropriate sign erected by the department of transportation or a contractor performing work for the department of transportation. Violation of this subsection is a class C misdemeanor.

7."; and

Further amend said bill, Page 4, Section 304.580, Line 10, by inserting after "**304.010**," the following: "**or for a passing violation pursuant to subsection 3 of this section,**"; and

Further amend said bill, Page 4, Section 304.580, Line 12, by inserting after the word "**speeding**" the words "**or passing**"; and

Further amend said bill, Page 4, Section 304.580, Line 23, by inserting after the word "**speeding**" the words "**or passing**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Green (15), **House Amendment No. 10** was adopted.

Representative Henderson offered **House Amendment No. 11**.

Representative Koller raised a point of order that **House Amendment No. 11** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Hosmer offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 244, Page 5, Section 431.181, Line 15, by inserting after all of said line the following:

"The state highway commission shall reduce the speed from 45 to 35 miles per hour on Highway 14 at the east city limit line of Ozark, Missouri to 10th Avenue."; and

Further amend the title and enacting clause accordingly.

On motion of Representative Hosmer, **House Amendment No. 11** was adopted.

Representative Reid offered **House Amendment No. 12**.

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 244, Page 4, Section 304.580, Line 36, by inserting after all of said line the following:

"407.565. For the purposes of sections 407.560 to [407.579] **407.581**, if a new motor vehicle does not conform to all applicable express warranties, and the consumer reports the nonconformity to the manufacturer, [or] its agent, **the new motor vehicle lessor or any of the manufacturer's authorized motor vehicle dealers and makes the new motor vehicle available for repair** during the term of such express warranties, or during the period of [one year] **eighteen months** following the date of original delivery of the new motor vehicle to the consumer, **or before the new motor vehicle's odometer accurately indicates that the vehicle has traveled eighteen thousand miles**, whichever period expires earlier, the manufacturer, or its agent, shall make such repairs as are necessary to conform the new vehicle to such express warranties, notwithstanding the fact that such repairs are made after the expiration of such term or such [one-year] **eighteen-month or eighteen-thousand-mile** period.

407.568. No motor vehicle returned by a consumer or motor vehicle lessor in this state pursuant to section 407.567, or by a consumer or motor vehicle lessor in another state under a similar law of that state, may be sold or leased again in this state unless full disclosure of the reasons for return is made to any prospective buyer or lessee.

407.571. It shall be presumed that a reasonable number of attempts have been undertaken to conform a new motor vehicle to the applicable express warranties if within the terms, conditions, or limitations of the express warranty, or during the period of [one year] **eighteen months** following the date of original delivery of the new motor vehicle to a consumer, **or before the new motor vehicle's odometer accurately indicates that the vehicle has traveled eighteen thousand miles**, whichever expires earlier, either:

(1) The same nonconformity has been subject to repair [four] **three** or more times by the manufacturer, or its agents, and such nonconformity continues to exist; or

(2) The new vehicle is out of service by reason of repair of the nonconformity by the manufacturer, through its authorized dealer or its agents, for a cumulative total of thirty or more [working] days, exclusive of down time for routine maintenance as prescribed by the manufacturer, since delivery of the new vehicle to the consumer. The thirty-day period may be extended by a period of time during which repair services are not available to the consumer because of conditions beyond the control of the manufacturer or its agents.

407.573. 1. The terms, conditions, or limitations of the express warranty, or the period of [one year] **eighteen months** following the date of original delivery of the new motor vehicle to a consumer **or eighteen thousand miles, or before the new motor vehicle's odometer accurately indicates that the vehicle has traveled eighteen thousand miles**, whichever expires earlier, may be extended if the new motor vehicle warranty problem has been reported but has not been repaired by the manufacturer, or its agent, by the expiration of the applicable time period.

2. The manufacturer shall provide information for consumer complaint remedies with each new motor vehicle. It shall be the responsibility of the consumer, or his representative, prior to availing himself of the provisions of sections 407.560 to [407.579] **407.581**, to give written notification to the manufacturer of the need for the repair of the nonconformity, in order to allow the manufacturer an opportunity to cure the alleged defect. The manufacturer shall immediately notify the consumer of a reasonably accessible repair facility of a franchised new vehicle dealer to conform the new vehicle to the express warranty. After delivery of the new vehicle to an authorized repair facility by the consumer, the manufacturer shall have ten calendar days to conform the new motor vehicle to the express warranty. Upon notification from the consumer that the new vehicle has not been conformed to the express warranty, the manufacturer shall inform the consumer if an informal dispute settlement procedure has been established by the manufacturer in accordance with section 407.575. However, if prior notice by the manufacturer of an informal dispute settlement procedure has been given, no further notice is required.

3. Any action brought under sections 407.560 to [407.579] **407.581** shall be commenced within six months following expiration of the terms, conditions, or limitations of the express warranty, or within eighteen months following the date of original delivery of the new motor vehicle to a consumer, whichever is earlier, or, in the event that a consumer resorts to an informal dispute settlement procedure as provided in sections 407.560 to [407.579] **407.581**, within ninety days following the final action of any panel established pursuant to such procedure.

407.577. 1. If a consumer undertakes a court action after complying with the provisions of sections 407.560 to 407.579 and finally prevails in that action, he shall be allowed by the court to recover as part of the judgment a sum equal to the aggregate amount of costs and expenses, including attorney's fees based on actual time expended,

determined by the court to have been reasonably incurred by the plaintiff for or in connection with the commencement and prosecution of such action.

2. If any claim by a consumer under sections 407.560 to 407.579 is found by a court to have been filed in bad faith, or solely for the purpose of harassment, or in the absence of a substantial justifiable issue of either law or fact raised by the consumer, [or for which the final recovery is not at least ten percent greater than any settlement offer made by the manufacturer prior to the commencement of the court action,] then the consumer shall be liable for all costs and reasonable attorney's fees incurred by the manufacturer, or its agent, as a direct result of the bad faith claim.

3. In addition to pursuing any other remedy, a consumer may bring an action to recover damages caused by a violation of sections 407.560 to 407.581. A court shall award a consumer who prevails in such an action twice the amount of any pecuniary loss, together with costs, disbursements and reasonable attorney's fees, and any equitable relief the court deems appropriate.

407.579. 1. Except as provided in subdivision (1) of section 407.560, nothing in sections 407.560 to 407.579 shall in any way limit the rights or remedies which are otherwise available to a consumer at law or in equity.

2. [Sections 407.560 to 407.579 shall apply to any new motor vehicle sold after January 1, 1985.] **Any waiver by a consumer of rights pursuant to sections 407.560 to 407.581 is void.**

3. In addition to pursuing any other remedy, a consumer may bring an action to recover for any damages caused by a violation of this section. The court shall award a consumer who prevails in such an action twice the amount of any pecuniary loss, together with costs, disbursements and reasonable attorney's fees, and any equitable relief the court determines appropriate."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Reid moved that **House Amendment No. 12** be adopted.

Which motion was defeated by the following vote:

AYES: 057

Baker	Bearden	Boatright	Bonner	Boucher
Britt	Brooks	Byrd	Carnahan	Coleman
Cooper	Copenhaver	Crowell	Cunningham	Enz
Fares	Ford	Fraser	Hanaway	Harding
Hendrickson	Hilgemann	Hohulin	Hollingsworth	Holt
Hosmer	Hunter	Jetton	Johnson 90	Jolly
Kelly 27	Kelly 36	Kennedy	Levin	Lograsso
Monaco	Moore	Murphy	Phillips	Portwood
Reid	Reynolds	Ridgeway	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	St. Onge
Treadway	Troupe	Walton	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 090

Abel	Ballard	Barnett	Barnitz	Bartelsmeyer
Behnen	Berkowitz	Berkstresser	Black	Bland
Bowman	Boykins	Bray 84	Burcham	Burton
Campbell	Champion	Cierpiot	Clayton	Crawford
Crump	Curls	Davis	Farnen	Franklin
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hickey	Holand	Kelley 47	Kelly 144	King
Koller	Legan	Liese	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Myers

Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Purgason	Ransdall	Rector	Reinhart
Relford	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Shoemyer	Smith
Surface	Thompson	Townley	Villa	Vogel
Wagner	Ward	Wiggins	Williams	Wright

PRESENT: 001

Bartle

ABSENT WITH LEAVE: 012

Barry 100	Dempsey	Dolan	Foley	Green 73
Hoppe	Johnson 61	Lawson	Linton	Long
Richardson	Van Zandt			

VACANCIES: 003

Representative Ladd Baker offered **House Amendment No. 13.**

House Amendment No. 13

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 244, Page 5, Section 431.181, Line 15, by inserting after all of said line the following:

“Section 1. The director of the department of transportation shall have the authority to award grants to local governments for the purpose of obtaining retro reflective sheeting for school warning signs which shall:

- (1) Be fluorescent yellow-green in color;**
- (2) Comply with Section 7B.07 of the Manual on Uniform Traffic Control Devices of the United States Department of Transportation; and**
- (3) Qualify as Type IX retro reflective sheeting as defined by the American Society for the Testing of Materials (ASTM).**

2. The grants awarded pursuant to this section shall be paid from the general revenue fund, subject to appropriation, and may not exceed a total amount of two hundred thousand dollars.

3. To qualify for a grant pursuant to this section, local government entities shall contribute local funds, labor or materials in an amount not less than twenty-five percent of the amount of such community’s grant award.

4. In awarding the grants, the director shall consider the community’s need for assistance based on safety concerns related to traffic control near a school. The director shall also consider awarding grants to public governmental bodies in different regions throughout the state.

5. The department shall promulgate such rules as are necessary to implement this section. No rule or portion of a rule promulgated pursuant to this section shall become effective unless it has been promulgated pursuant to chapter 356, RSMo.”; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Ladd Baker, **House Amendment No. 13** was adopted.

Representative Surface offered **House Amendment No. 14.**

Representative Koller raised a point of order that **House Amendment No. 14** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Townley offered **House Amendment No. 14**.

House Amendment No. 14

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 244, Page 4, Section 304.580, Line 36, by inserting immediately after said line the following:

"389.655. 1. Notwithstanding any provision of section 300.360, RSMo, or other laws to the contrary, a railroad, street railroad or light rail shall not operate, stop or place any train, including any locomotive engine, car, or light rail vehicle, which blocks or prevents the public from traveling across the tracks upon any public highway or walkway for more than ten minutes, except when one train is moving continuously across the highway in one direction, when a train is stopped and cannot safely proceed because of an emergency or until it is repaired, or when otherwise ordered by the division.

2. The division and its personnel may enforce this section, pursuant to the provisions of this chapter and chapter 622, RSMo, with regard to any railroad, street railroad or light rail, and every officer or employee thereof that operates, controls, or is responsible for operating or controlling the operation of a train in violation of this section. The authority of the division and its personnel pursuant to this section is exclusive, and preempts any law, ordinance or regulation of any other agency or civil subdivision of the state relating to the blocking of highway crossings by railroad, street railroad or light rail, except that this section shall not affect any court action provided by law for the recovery of damages."; and

Further amend said bill, by amending the title and enacting clause accordingly.

Representative Townley moved that **House Amendment No. 14** be adopted.

Which motion was defeated.

Representative Crump moved the previous question on the motion to adopt **HCS SS SB 244, as amended**.

Which motion was adopted by the following vote:

AYES: 084

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Haywood	Hickey	Hilgemann	Hollingsworth
Holt	Hosmer	Johnson 61	Johnson 90	Jolly
Kelly 27	Kelly 36	Kennedy	Koller	Lawson
Liese	Lowe	Luetkenhaus	Mays 50	McKenna
Merideth	Monaco	O'Connor	O'Toole	Overschmidt
Ransdall	Relford	Reynolds	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Thompson	Treadway	Troupe	Villa
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

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NOES: 069

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dolan	Enz
Fares	Froelker	Gaskill	Griesheimer	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Hunter	Jetton	Kelley 47	Kelly 144
King	Legan	Levin	Linton	Lograsso
Luetkemeyer	Marble	Marsh	May 149	Mayer
Miller	Moore	Murphy	Myers	Naeger
Nordwald	Ostmann	Phillips	Portwood	Purgason
Rector	Reid	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Secrest	Shields
Surface	Townley	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 007

Dempsey	Hoppe	Long	Reinhart	Richardson
St. Onge	Van Zandt			

VACANCIES: 003

On motion of Representative Koller, **HCS SS SB 244, as amended**, was adopted.

On motion of Representative Koller, **HCS SS SB 244, as amended**, was read the third time and passed by the following vote:

AYES: 150

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Levin	Liese	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Rizzo	Roark

Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	Surface	Thompson
Townley	Treadway	Troupe	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Baker	Dempsey	Kennedy	Linton	Lograsso
Long	Richardson	Ridgeway	St. Onge	Van Zandt

VACANCIES: 003

Speaker Kreider declared the bill passed.

COMMITTEE REPORTS

Committee on Children, Families and Health, Chairman Barry reporting:

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **SCS SBs 44 & 59**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **SS SCS SBs 46 & 47**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **SCS SB 136**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **SS SCS SBs 551, 410, 539, 528 & 296**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Commerce and Economic Development, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce and Economic Development, to which was referred **SCS SB 317**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Criminal Law, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Criminal Law, to which was referred **SS SCS SBs 89 & 37**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Criminal Law, to which was referred **SS SCS SBs 214, 124, 209 & 322**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Education-Elementary and Secondary, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **SB 32**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**.

House Committee Amendment No. 1

AMEND Senate Bill No. 32, Page 1, In the Title, Lines 2 to 4, by deleting all of said lines and inserting in lieu thereof the following:

"To repeal sections 162.481 and 162.790, RSMo 2000, and to enact in lieu thereof two new sections relating to school districts."; and

Further amend said bill, Page 1, Section A, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Sections 162.481 and 162.790, RSMo 2000, are repealed and two new sections enacted in lieu thereof, to be known as sections 162.481 and 162.790, to read as follows:"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said line the following:

"162.481. 1. Except as otherwise provided in this section, all elections of school directors in urban districts shall be held biennially at the same times and places as municipal elections.

2. In any urban district which includes all or the major part of a city which first obtained a population of more than seventy-five thousand inhabitants by reason of the 1960 federal decennial census, elections of directors shall be held on municipal election days of even-numbered years. The directors of the prior district shall continue as directors of the urban district until their successors are elected as herein provided. On the first Tuesday in April, 1964, four directors shall be elected, two for terms of two years to succeed the two directors of the prior district who were elected in 1960 and two for terms of six years to succeed the two directors of the prior district who were elected in 1961. The successors of these directors shall be elected for terms of six years. On the first Tuesday in April, 1968, two directors shall be elected for terms to commence on November 5, 1968, and to terminate on the first Tuesday in April, 1974, when their successors shall be elected for terms of six years. No director shall serve more than two consecutive six-year terms after October 13, 1963.

3. **Except as otherwise provided in subsection 4 of this section**, hereafter when a seven-director district becomes an urban district, the directors of the prior seven-director district shall continue as directors of the urban district until the expiration of the terms for which they were elected and until their successors are elected as provided in this subsection. The first biennial school election for directors shall be held in the urban district at the time provided in subsection 1 which is on the date of or subsequent to the expiration of the terms of the directors of the prior district which are first to expire, and directors shall be elected to succeed the directors of the prior district whose terms have expired. If the terms of two directors only have expired, the directors elected at the first biennial school election in the

urban district shall be elected for terms of six years. If the terms of four directors have expired, two directors shall be elected for terms of six years and two shall be elected for terms of four years. At the next succeeding biennial election held in the urban district, successors for the remaining directors of the prior seven-director district shall be elected. If only two directors are to be elected they shall be elected for terms of six years each. If four directors are to be elected, two shall be elected for terms of six years and two shall be elected for terms of two years. After seven directors of the urban district have been elected under this subsection, their successors shall be elected for terms of six years.

4. In any school district in any city with a population of one hundred thousand or more inhabitants which is located within a county of the first classification that adjoins no other county of the first classification, **or any school district which becomes an urban school district by reason of the 2000 federal decennial census**, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and the terms shall be for three years and until their successors are duly elected and qualified for all directors elected on and after August 28, 1998."; and

Further amend said title, enacting clause and intersectional references accordingly.

Committee on Miscellaneous Bills & Resolutions, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HR 1894**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE RESOLUTION NO. 1894

WHEREAS, the House of Representatives has a tradition of granting the use of the House of Representatives Chambers for mock legislative workshops conducted by civic organizations; and

WHEREAS, the Sue Shear Institute for Women in Public Life encourages Missouri college women to consider careers in public policy and provides them with skills and training in becoming successful future leaders, department heads, and public policy advocates; and

WHEREAS, the Sue Shear Institute for Women in Public Life is conducting their 21st Century Leadership Training Program on May 23, 2001, which includes a mock legislative session:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, hereby grant the Sue Shear Institute for Women in Public Life permission to use the House Chamber on Wednesday, May 23, 2001, from 10:00 a.m. until 12:00 p.m. for their 21st Century Leadership Training Program to conduct a mock legislative session.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **SCS SB 578**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Motor Vehicle and Traffic Regulations, Chairman O'Connor reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **SCS SBs 52 & 91**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1 and House Committee Amendment No. 2**.

House Committee Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill Nos. 52 & 91, Page 1, In the Title, Line 9, by inserting after the word "provisions" the following: **"and an emergency clause"**; and

Further amend said bill, Pages 20 and 21, Section 302.130, Lines 1 to 69, by deleting all of said lines and inserting in lieu thereof the following:

"302.130. 1. Any person at least fifteen years of age who, except for age or lack of instruction in operating a motor vehicle, would otherwise be qualified to obtain a license pursuant to sections 302.010 to 302.340 may apply for and the director shall issue a temporary instruction permit entitling the applicant, while having such permit in the applicant's immediate possession, to drive a motor vehicle of the appropriate class upon the highways for a period of twelve months, but any such person, except when operating a motorcycle or motortricycle, must be accompanied by a licensed operator for the type of motor vehicle being operated who is actually occupying a seat beside the driver for the purpose of giving instruction in driving the motor vehicle, who is at least twenty-one years of age, and in the case of any driver under sixteen years of age, the licensed operator occupying the seat beside the driver shall be a grandparent, parent [or], guardian, **a driver training instructor holding a valid driver education endorsement on a teaching certificate issued by the department of elementary and secondary education or a qualified instructor of a private drivers' education program** who has a valid driver's license. Beginning January 1, 2001, an applicant for a temporary instruction permit shall successfully complete a vision test and a test of the applicant's ability to understand highway signs which regulate, warn or direct traffic and practical knowledge of the traffic laws of this state, pursuant to section 302.173. In addition, beginning January 1, 2001, no permit shall be granted pursuant to this subsection unless a parent or legal guardian gives written permission by signing the application and in so signing, state they, or their designee as set forth in subsection 2 of this section, will provide a minimum of twenty hours of behind-the-wheel driving instruction. **The twenty hours of behind-the-wheel driving instruction that is completed pursuant to this subsection may include any time that the holder of an instruction permit has spent operating a motor vehicle in a driver training program taught by a driver training instructor holding a valid driver education endorsement on a teaching certificate issued by the department of elementary and secondary education or by a qualified instructor of a private drivers' education program. If the applicant for a permit is enrolled in a federal residential job training program, the instructor, as defined in subsection 5 of this section, is authorized to sign the application stating that the applicant will receive the behind-the-wheel driving instruction required by this section.**

2. In the event the parent, grandparent or guardian of the person under sixteen years of age has a physical disability which prohibits or disqualifies said parent, grandparent or guardian from being a qualified licensed operator pursuant to this section, said parent, grandparent or guardian may designate a maximum of two individuals authorized to accompany the applicant for the purpose of giving instruction in driving the motor vehicle. An authorized designee must be a licensed operator for the type of motor vehicle being operated and have attained twenty-one years of age. At least one of the designees must occupy the seat beside the applicant while giving instruction in driving the motor vehicle. The name of the authorized designees must be provided to the department of revenue by the parent, grandparent or guardian at the time of application for the temporary instruction permit. The name of each authorized designee shall be printed on the temporary instruction permit, however, the director may delay the time at which permits are printed bearing such names until the inventories of blank permits and related forms existing on August 28, 1998, are exhausted.

3. The director, upon proper application on a form prescribed by the director, in his or her discretion, may issue a restricted instruction permit effective for a school year or more restricted period to an applicant who is enrolled in a high school driver training program taught by a driver training instructor holding a valid driver education endorsement on a teaching certificate issued by the state department of elementary and secondary education even though the applicant has not reached the age of sixteen years but has passed the age of fifteen years. Such instruction permit shall entitle the applicant, when the applicant has such permit in his or her immediate possession, to operate a motor vehicle on the highways, but only when a driver training instructor holding a valid driver education endorsement on a teaching certificate issued by the state department of elementary and secondary education is occupying a seat beside the driver.

4. The director, in his or her discretion, may issue a temporary driver's permit to an applicant who is otherwise qualified for a license permitting the applicant to operate a motor vehicle while the director is completing the director's investigation and determination of all facts relative to such applicant's rights to receive a license. Such permit must be in the applicant's immediate possession while operating a motor vehicle, and it shall be invalid when the applicant's license has been issued or for good cause has been refused.

5. In the event that the applicant for a temporary instruction permit described in subsection 1 of this section is a participant in a federal residential job training program, the permittee may operate a motor vehicle accompanied by a driver training instructor who holds a valid driver education endorsement issued by the department of elementary and secondary education and a valid driver's license.

6. A person at least fifteen years of age may operate a motor vehicle as part of a driver training program

taught by a driver training instructor holding a valid driver education endorsement on a teaching certificate issued by the department of elementary and secondary education or a qualified instructor of a private drivers' education program.

7. The director may adopt rules and regulations necessary to carry out the provisions of this section."; and

Further amend said bill, Pages 21 to 24, Section 302.178, Lines 1 to 89, by deleting all of said lines and inserting in lieu thereof the following:

"302.178. 1. Beginning January 1, 2001, any person between the ages of sixteen and eighteen years who is qualified to obtain a license pursuant to sections 302.010 to 302.340, may apply for, and the director shall issue, an intermediate driver's license entitling the applicant, while having such license in his or her possession, to operate a motor vehicle of the appropriate class upon the highways of this state in conjunction with the requirements of this section. An intermediate driver's license shall be readily distinguishable from a license issued to those over the age of eighteen. All applicants for an intermediate driver's license shall:

- (1) Successfully complete the examination required by section 302.173;
- (2) Pay the fee required by subsection 3 of this section;
- (3) Have had a temporary instruction permit issued pursuant to subsection 1 of section 302.130 for at least a six-month period or a valid license from another state; and
- (4) Have a parent, grandparent [or], legal guardian, **or, if the applicant is a participant in a federal residential job training program, a driving instructor employed by a federal residential job training program**, sign the application stating that the applicant has completed at least twenty hours of supervised driving experience under a temporary instruction permit issued pursuant to subsection 1 of section 302.130, or, if the applicant is an emancipated minor, the person over twenty-one years of age who supervised such driving. For purposes of this section, the term "emancipated minor" means a person who is at least sixteen years of age, but less than eighteen years of age, who:
 - (a) Marries with the consent of the legal custodial parent or legal guardian pursuant to section 451.080, RSMo;
 - (b) Has been declared emancipated by a court of competent jurisdiction;
 - (c) Enters active duty in the armed forces;
 - (d) Has written consent to the emancipation from the custodial parent or legal guardian; or
 - (e) Through employment or other means provides for such person's own food, shelter and other cost-of-living expenses;
- (5) Have had no alcohol-related enforcement contacts as defined in section 302.525 during the preceding twelve months; and
- (6) Have no nonalcoholic traffic convictions for which points are assessed pursuant to section 302.302, within the preceding six months.

2. An intermediate driver's license grants the licensee the same privileges to operate that classification of motor vehicle as a license issued pursuant to section 302.177, except that no person shall operate a motor vehicle on the highways of this state under such an intermediate driver's license between the hours of 1:00 a.m. and 5:00 a.m. unless accompanied by a person described in subsection 1 of section 302.130; except the licensee may operate a motor vehicle without being accompanied if the travel is to or from a school or educational program or activity, a regular place of employment or in emergency situations as defined by the director by regulation. Each intermediate driver's license shall be restricted by requiring that the driver and all passengers in the licensee's vehicle wear safety belts at all times. This safety belt restriction shall not apply to a person operating a motorcycle.

3. Notwithstanding the provisions of section 302.177 to the contrary, the fee for an intermediate driver's license shall be five dollars and such license shall be valid for a period of two years.

4. Any intermediate driver's licensee accumulating six or more points in a twelve-month period may be required to participate in and successfully complete a driver-improvement program approved by the director of the department of public safety. The driver-improvement program ordered by the director of revenue shall not be used in lieu of point assessment.

5. (1) An intermediate driver's licensee who has, for the preceding twelve-month period, had no alcohol-related enforcement contacts, as defined in section 302.525 and no traffic convictions for which points are assessed, upon reaching the age of eighteen years may apply for and receive without further examination, other than a vision test as prescribed by section 302.173, a license issued pursuant to this chapter granting full driving privileges. Such person shall pay the required fee for such license as prescribed in section 302.177.

(2) The director of revenue shall deny an application for a full driver's license until the person has had no traffic

convictions for which points are assessed for a period of twelve months prior to the date of application for license or until the person is eligible to apply for a six-year driver's license as provided for in section 302.177, provided the applicant is otherwise eligible for full driving privileges. An intermediate driver's license shall expire when the licensee is eligible and receives a full driver's license as prescribed in subdivision (1) of this section.

6. No person upon reaching the age of eighteen years whose intermediate driver's license and driving privilege is denied, suspended, canceled or revoked in this state or any other state, for any reason may apply for a full driver's license until such license or driving privilege is fully reinstated. Any such person whose intermediate driver's license has been revoked pursuant to the provisions of sections 302.010 to 302.540 shall, upon receipt of reinstatement of the revocation from the director, pass the complete driver examination, apply for a new license, and pay the proper fee before again operating a motor vehicle upon the highways of this state.

7. A person shall be exempt from the intermediate licensing requirements if the person has reached the age of eighteen years and meets all other licensing requirements.

8. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2000, shall be invalid and void."; and

Further amend said bill, Page 44, Section 577.020, Line 62, by inserting after all of said line the following:

"Section B. Because proper driving instruction is important to creating safe drivers, sections 302.130 and 302.178 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and sections 302.130 and 302.178 of this act shall be in full force and effect upon its passage and approval."; and

Further amend said title, enacting clause and intersectional references accordingly.

House Committee Amendment No. 2

AMEND Senate Committee Substitute for Senate Bill Nos. 52 & 91, Page 39, Section 304.580, Lines 45 and 46, by striking all words on said line after word "**message:**"; and

Further amend said section, Line 46, by striking all of said line and inserting in lieu thereof the following:

"Warning: \$250 fine for speeding or passing in this workzone."; and

Further amend said bill, page and section, Line 49, by inserting after the word "ten" the words "**or more**".

Committee on Municipal Corporations, Chairman Shelton reporting:

Mr. Speaker: Your Committee on Municipal Corporations, to which was referred **SB 430**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Urban Affairs, Chairman Curls reporting:

Mr. Speaker: Your Committee on Urban Affairs, to which was referred **SB 76**, begs leave to report it has examined the same and recommends that it **Do Pass**.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SS SCS SBs 46 & 47 - Fiscal Review and Government Reform (Fiscal Note)
HCS SS SCS SBs 89 & 37 - Fiscal Review and Government Reform (Fiscal Note)
HCS SS SCS SBs 214, 124, 209 & 322 - Fiscal Review and Government Reform (Fiscal Note)
HCS SS SCS SBs 551, 410, 539, 528 & 296 - Fiscal Review and Government Reform (Fiscal Note)
SCS SB 578 - Fiscal Review and Government Reform (Fiscal Note)
SB 32 - Fiscal Review and Government Reform (Fiscal Note)

COMMITTEE CHANGE

The Speaker submitted the following Committee change:

Representative Bland has been appointed Vice-chair of the Workers Compensation and Employment Security Committee.

CONFERENCE COMMITTEE REPORT ON HOUSE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 462

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate, on House Committee Substitute for Senate Bill No. 462, with House Amendment Nos. 1, 2, 3, 4, 5, 6, House Substitute Amendment No. 1 for House Amendment No. 7, House Amendment Nos. 8, 9, 10, 11, 12, 14, 17, 18 and 19; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 462, as amended;
2. That the Senate recede from its position on Senate Bill No. 462; and
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 462 be Truly Agreed To and Finally Passed.

FOR THE HOUSE:

/s/ Kenneth Legan
/s/ Peter Myers
/s/ Wes Shoemyer
/s/ Frank Barnitz
/s/ Denny Merideth

FOR THE SENATE:

/s/ Morris Westfall
/s/ Bill Foster
/s/ John Cauthorn
/s/ Sidney Johnson
/s/ Ted House

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 9:30 a.m., Wednesday, May 16, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Seventy-third Day, Monday, May 14, 2001, pages 1984 and 1985, roll call, by showing Representatives Graham and Myers voting "aye" rather than "absent with leave".

Pages 1988 and 1989, roll call, by showing Representative Hosmer voting "no" rather than "absent with leave".

Pages 1988 and 1989, roll call, by showing Representatives Champion and Graham voting "aye" rather than "absent with leave".

Pages 1989 and 1990, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

Pages 1990 and 1991, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

Pages 1996 and 1997, roll call, by showing Representatives Hosmer and Moore voting "aye" rather than "absent with leave".

Pages 2044 and 2045, roll call, by showing Representatives Franklin, Froelker and Surface voting "no" rather than "absent with leave".

Pages 2067 and 2068, roll call, by showing Representatives Enz, Franklin, Froelker and Hosmer voting "no" rather than "absent with leave".

Page 2088, roll call, by showing Representatives Berkstresser and Copenhaver voting "aye" rather than "absent with leave".

Page 2089, roll call, by showing Representative Copenhaver voting "aye" rather than "absent with leave".

Pages 2090 and 2091, roll call, by showing Representatives Barry and Hosmer voting "aye" rather than "absent with leave".

Pages 2090 and 2091, roll call, by showing Representative Froelker voting "no" rather than "absent with leave".

Pages 2093 and 2094, roll call, by showing Representative Curls voting "present" rather than "aye".

Pages 2101 and 2102, roll call, by showing Representatives Coleman and Liese voting "aye" rather than "absent with leave".

Pages 2101 and 2102, roll call, by showing Representative Berkstresser voting "aye" rather than "no".

Pages 2105 and 2106, roll call, by showing Representatives Carnahan, Franklin, Hosmer and Smith voting "aye" rather than "absent with leave".

Pages 2108 and 2109, roll call, by showing Representative Franklin voting "aye" rather than "absent with leave".

Pages 2129 and 2130, roll call, by showing Representatives Crowell and Hosmer voting "aye" rather than "absent with leave".

Pages 2129 and 2130, roll call, by showing Representative Froelker voting "no" rather than "absent with leave".

Pages 2129 and 2130, roll call, by showing Representative Ward voting "aye" rather than "no".

Pages 2130 and 2131, roll call, by showing Representative Reynolds voting "no" rather than "absent with leave".

Pages 2131 and 2132, roll call, by showing Representative Wilson (42) voting "aye" rather than "absent with leave".

Pages 2132 and 2133, roll call, by showing Representative Froelker voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

CIVIL AND ADMINISTRATIVE LAW

Wednesday, May 16, 2001. Hearing Room 1 upon morning adjournment.
Executive Session.

ETHICS

Wednesday, May 16, 2001. Side gallery upon morning adjournment.
Additions and approvals.

FISCAL REVIEW AND GOVERNMENT REFORM

Wednesday, May 16, 2001. Hearing Room 3 upon morning adjournment.
Fiscal Review (Fiscal Note).
To be considered - SB 125

HOUSE CALENDAR

SEVENTY-FIFTH DAY, WEDNESDAY, MAY 16, 2001

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 15 & 13 - Crawford

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 457, HA 2, as amended, tabled - Kreider
- 2 HCS HB 593 - Riback Wilson (25)
- 3 HCS HB 239 - Smith
- 4 HB 802 - Ransdall
- 5 HCS HB 374 - Fraser
- 6 HCS HB 635 - Barry
- 7 HCS HB 868 - Merideth
- 8 HCS HB 253 - Ross
- 9 HB 809, HCA 1 - Carnahan
- 10 HCS HB 340, 303 & 316 - Graham
- 11 HB 640 - Johnson (90)
- 12 HCS HB 723 - Mays (50)
- 13 HCS HB 117 - Riback Wilson (25)
- 14 HCS HB 307 - Wiggins
- 15 HCS HB 921 - Curls
- 16 HB 911 - Carnahan
- 17 HCS HB 511 - Johnson (90)
- 18 HB 63 - Reynolds
- 19 HCS HB 93 - Gaskill

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HCS HB 853 & 258 - Crump
- 3 HCS HB 186 & 172 - Troupe
- 4 HCS HB 888, 942 & 943 - Scheve
- 5 HCS HB 472 - Burton
- 6 HCS HB 293 - Kennedy
- 7 HCS HB 663 & 375 - Kennedy
- 8 HCS HB 170 - Froelker

HOUSE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING

HCR 18, (5-14-01) - Barry

HOUSE BILLS FOR THIRD READING

- 1 HB 527, (Fiscal Review 4-19-01) - Luetkenhaus
- 2 HB 366, E.C. - Champion
- 3 HS HB 286, E.C. - Smith
- 4 HS HB 715 - Foley

SENATE JOINT RESOLUTIONS FOR THIRD READING

- 1 HCS SS SCS SJR 1 & 4 - O'Toole
- 2 SS SJR 9 - Gambaro

SENATE BILLS FOR THIRD READING

- 1 HS HCS SB 125, as amended (Fiscal Review 5-10-01) - Hoppe
- 2 SB 370, HCA 1 - Smith
- 3 HCS SB 365 - Overschmidt
- 4 HCS SCS SB 591 - Hoppe
- 5 HCS SCS SB 617 - Rizzo
- 6 HCS SB 288, E.C. - Monaco
- 7 SCS SB 393, E.C. - Treadway
- 8 SCS SB 374 - Ransdall
- 9 HCS SS SCS SB 48 - Hollingsworth
- 10 SS#2 SCS SB 22 & 106, E.C. - Scheve
- 11 SS SCS SB 351, HCA 1 - Hosmer
- 12 HCS SCS SB 10 - Monaco
- 13 HCS SB 275 - Levin
- 14 SB 470, HCA 1 - O'Toole
- 15 SCS SB 387, HCA 1, E.C. - Mays (50)
- 16 HCS SCS SB 186 - Liese

- 17 SCS SB 52 & 91, HCA 1 & HCA 2 - Koller
- 18 HCS SS SCS SB 89 & 37, (Fiscal Review 5-15-01) - Hosmer
- 19 HCS SCS SB 44 & 59 - Monaco
- 20 HCS SCS SB 136 - Barry
- 21 HCS SS SCS SB 214, 124, 209 & 322, (Fiscal Review 5-15-01) - Hosmer
- 22 HCS SS SCS SB 551, 410, 539, 528 & 296, (Fiscal Review 5-15-01) - Barry
- 23 HCS SS SCS SB 46 & 47, E.C. (Fiscal Review 5-15-01) - Barry
- 24 SCS SB 578, (Fiscal Review 5-15-01) - Green (73)
- 25 HCS SCS SB 317 - Hollingsworth
- 26 SB 430 - Carnahan
- 27 SB 76 - Rizzo
- 28 SB 32, HCA 1 (Fiscal Review 5-15-01) - Merideth

SENATE BILLS FOR THIRD READING - INFORMAL

- 1 SB 123 - Hampton
- 2 SB 416 - Wagner
- 3 HCS SB 392 - Rizzo
- 4 HCS SS SCS SB 433 & 248 - Hoppe
- 5 HCS SS SCS SB 476, 427 & 62, (Fiscal Review 5-14-01) - Seigfreid
- 6 HCS SS SCS SB 226 - Foley
- 7 HCS SCS SB 486 & SB 422 - Hoppe

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 HB 955, SCA 1 - Green (73)
- 2 SCS HCR 24 - Boucher
- 3 SCS HB 157 - Hosmer
- 4 SS SCS HS HB 381, as amended - Hoppe
- 5 SCS HS HCS HB 107, as amended - Clayton
- 6 HB 769, SAs 1,2,3,4,5,& 6 - Harlan
- 7 SCS HB 626 - Hosmer
- 8 SCS HCS HB 660, as amended, E.C. - Hagan-Harrell
- 9 HB 262, SCA 1, SA 2, SA 3, SA 1 to SA 4, SA 4, as amended - Linton

BILLS CARRYING REQUEST MESSAGES

- 1 SS SCS HB 453, as amended (request Senate recede/grant conference) - Ransdall
- 2 HB 621, SCA 1 & SA 1(request Senate recede/grant conference) - Gratz
- 3 SCS HCS HB 241, as amended (request Senate recede/grant conference) - Smith
- 4 HS HCS SCS SB 236, as amended (House refuses to recede/req Senate
take up and pass bill) - Ladd Baker

BILLS IN CONFERENCE

- 1 CCR HCS SB 462, as amended, E.C. - Legan
- 2 CCR HCS SS SB 193, as amended - Ward
- 3 HCS SB 610 - Hoppe
- 4 CCR SCS HCS HB 302 & 38, as amended, E.C. - Hosmer
- 5 CCR HCS SB 319, as amended - Johnson (61)
- 6 HCS SB 304 - Monaco
- 7 CCR#2 HCS SCS SB 151 - Gaskill
- 8 CCR SCS HCS HB 205, 323 & 549 - Relford
- 9 CCR HCS SB 274 - Harlan
- 10 HS HCS SB 460, as amended, E.C. - Kennedy
- 11 HS HCS SB 72, as amended - Smith

HOUSE RESOLUTION

HR 1894, (5-15-01) - Riback Wilson (25)

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

SEVENTY-FIFTH DAY, WEDNESDAY, MAY 16, 2001

Speaker Pro Tem Abel in the Chair.

Prayer by Father David Buescher.

Heavenly Power, You are faithful to us, even placing Your trust in our capabilities as You inspire our minds, hearts, and souls. As the days of the session spin towards the close, may we continue to be faithful to You. Help this House rise up to its capacities again today, amid the commotion and the time constraints, building freely on the best efforts in the past.

Assemble these women and men on Your promise to be within our hearts, minds, and souls at all times. You who are everywhere, invade gracefully the everywhere of this Chamber and the hearts of all in this building and all in our noble Missouri always, world without end. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Clyde Manners and Zach Kelly.

The Journal of the seventy-fourth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2156	-	Representative Fraser
House Resolution No. 2157	-	Representative Harlan
House Resolution No. 2158	-	Representative Kreider
House Resolution No. 2159		
through		
House Resolution No. 2162	-	Representative Ridgeway
House Resolution No. 2163	-	Representative Wright
House Resolution No. 2164	-	Representatives Griesheimer, Overschmidt and Froelker
House Resolution No. 2165	-	Representative Burton
House Resolution No. 2166	-	Representative McKenna
House Resolution No. 2167	-	Representative Naeger
House Resolution No. 2168	-	Representative Ross
House Resolution No. 2169	-	Representatives Ross and Lograsso
House Resolution No. 2170	-	Representatives Ross and Davis (122)

House Resolution No. 2171 - Representative Kelly (36)
 House Resolution No. 2172 - Representative Green (15)
 House Resolution No. 2173 - Representative Berkstresser

HOUSE RESOLUTION

HR 1894, relating to use of the chamber, was taken up by Representative Riback Wilson (25).

On motion of Representative Riback Wilson (25), **HR 1894** was adopted.

HOUSE BILL WITH SENATE AMENDMENTS

SCS HCS HB 660, as amended, relating to public school retirement, was taken up by Representative Hagan-Harrell.

On motion of Representative Hagan-Harrell, **SCS HCS HB 660, as amended**, was adopted by the following vote:

AYES: 154

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gatz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Reynolds	Richardson
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 002

Davis Relford

ABSENT WITH LEAVE: 004

Baker Hoppe Long Ridgeway

VACANCIES: 003

On motion of Representative Hagan-Harrell, **SCS HCS HB 660, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 149

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Dolan	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hunter
Jetton	Johnson 61	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Reynolds	Richardson
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 002

Davis Relford

ABSENT WITH LEAVE: 009

Baker Clayton Dempsey Hoppe Hosmer
Johnson 90 Lograsso Long Ridgeway

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 153

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Coleman	Cooper
Copenhaver	Crowell	Crump	Cunningham	Curls
Davis	Dolan	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Baker	Clayton	Crawford	Dempsey	Lograsso
Long	Ridgeway			

VACANCIES: 003

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 120**, entitled:

An act to repeal sections 300.075, 300.080, 300.100, 300.105, 300.110, 300.125, 300.160, 300.215, 300.300, 300.348, 300.350, 300.585, 300.595, 301.010, 301.041, 301.121, 301.131, 301.440, 302.130, 302.173, 302.178, 304.001, 304.015, 304.022, 304.035, 304.180, 304.200, 304.580, 307.173, 307.375, 575.010 and 577.020, RSMo 2000, section 301.130 as enacted by house committee substitute for senate bill no. 3 and senate bill no. 156, first regular session, eighty-eighth general assembly and section 301.130 as enacted by conference committee substitute for house substitute for house committee substitute for senate substitute for senate bill no. 70, first regular session, eighty-eighth general assembly, relating to motor vehicles, and to enact in lieu thereof thirty-two new sections relating to the same subject, with penalty provisions and an expiration date for a certain section.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 8 and Senate Perfecting Amendment No. 1

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Bill No. 120, Page 32, Section 302.178, Line 87, by inserting after all of said line the following:

“302.286. 1. No person shall drive a motor vehicle so as to cause it to leave the premises of an establishment at which motor fuel offered for retail sale was dispensed into the fuel tank of such motor vehicle unless payment or authorized charge for motor fuel dispensed has been made. A person found guilty or pleading guilty to stealing pursuant to section 570.030, RSMo, wherein the court found evidence of the theft of motor fuel as described in subdivision (5) of subsection 2 of section 570.030, RSMo, shall have his or her driver's license suspended by the court, beginning on the date of the court's order of conviction.

2. The person shall submit all of his or her operator's and chauffeur's licenses to the court upon conviction and the court shall forward all such driver's licenses and the order of suspension of driving privileges to the department of revenue for administration of such order.

3. Suspension of a driver's license pursuant to this section shall be made as follows:

(1) For the first offense, suspension shall be for sixty days, provided that persons may apply for hardship licenses pursuant to section 302.309 at any time following the first thirty days of such suspension;

(2) For the second offense, suspension shall be for ninety days, provided that persons may apply for hardship licenses pursuant to section 302.309 at any time following the first sixty days of such suspension; and

(3) For the third or any subsequent offense, suspension shall be for one hundred eighty days, provided that persons may apply for hardship licenses pursuant to section 302.309 at any time following the first ninety days of such suspension.

4. At the expiration of the suspension period, and upon payment of a reinstatement fee of twenty-five dollars, the director shall terminate the suspension and shall return the person's driver's license. The reinstatement fee shall be in addition to any other fees required by law, and shall be deposited in the state treasury to the credit of the state highway department fund, pursuant to section 302.228.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Bill No. 120, Page 32, Section 302.178, Line 87 of said page, by inserting immediately after said line the following:

“301.260. 1. The director of revenue shall issue certificates for all cars owned by the state of Missouri and shall assign to each of such cars two plates bearing the words: “State of Missouri, official car number” (with the number inserted thereon), which plates shall be displayed on such cars when they are being used on the highways. No officer or employee or other person shall use such a motor vehicle for other than official use.

2. Motor vehicles used as ambulances, patrol wagons and fire apparatus, owned by any municipality of this state, shall be exempt from all of the provisions of sections 301.010 to 301.440 while being operated within the limits of such

municipality, but the municipality may regulate the speed and use of such motor vehicles owned by them; and all other motor vehicles owned by municipalities, counties and other political subdivisions of the state shall be exempt from the provisions of sections 301.010 to 301.440 requiring registration, proof of ownership and display of number plates; provided, however, that there shall be displayed on each side of such motor vehicle, in letters not less than three inches in height with a stroke of not less than three-eighths of an inch wide, the name of such municipality, county or political subdivision, the department thereof, and a distinguishing number. Provided, further, that when any motor vehicle is owned and operated exclusively by any school district and used solely for transportation of school children, the commissioner shall assign to each of such motor vehicles two plates bearing the words "School Bus, State of Missouri, car no." (with the number inserted thereon), which plates shall be displayed on such motor vehicles when they are being used on the highways. No officer, or employee of the municipality, county or subdivision, or any other person shall operate such a motor vehicle unless the same is marked as herein provided, and no officer, employee or other person shall use such a motor vehicle for other than official purposes.

3. For registration purposes only, a public school or college shall be considered the temporary owner of a vehicle acquired from a new motor vehicle franchised dealer which is to be used as a courtesy vehicle or a driver training vehicle. The school or college shall present to the director of revenue a copy of a lease agreement with an option to purchase clause between the authorized new motor vehicle franchised dealer and the school or college and a photo copy of the front of the dealer's vehicle manufacturer's statement of origin, and shall make application for and be granted a nonnegotiable certificate of ownership and be issued the appropriate license plates. Registration plates are not necessary on a driver training vehicle when the motor vehicle is plainly marked as a driver training vehicle while being used for such purpose and such vehicle can also be used in conjunction with the activities of the educational institution.

4. As used in this section, the term "political subdivision" is intended to include any township, road district, sewer district, school district, municipality, town or village, **sheltered workshop, as defined in section 178.900, RSMo**, and any interstate compact agency which operates a public mass transportation system."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Bill No. 120, Pages 16-17, Section 301.121, Lines 1-20, by striking all of said section from the bill; and

Further amend said bill, Pages 17-19, Section 301.130, Lines 1-96, by striking all of said section from the bill; and

Further amend said bill, Pages 19-24, Section 301.130, Lines 1-167, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Committee Substitute for House Bill No. 120, Page 28, Section 302.130, Line 81, by inserting after all of said line the following:

"302.171. 1. Application for a license shall be made upon an approved form furnished by the director. Every application shall state the full name, Social Security number, age, height, weight, color of eyes, sex, residence, mailing address of the applicant, and the classification for which the applicant has been licensed, and, if so, when and by what state, and whether or not such license has ever been suspended, revoked, or disqualified, and, if revoked, suspended or disqualified, the date and reason for such suspension, revocation or disqualification and whether the applicant is making a [one-dollar] **two-dollar** donation to promote an organ donation program as prescribed in subsection 2 of this section. The application shall also contain such information as the director may require to enable the director to determine the applicant's qualification for driving a motor vehicle; and shall state whether or not the applicant has been convicted in this or any other state for violating the laws of this or any other state or any ordinance of any municipality, relating to driving without a license, careless driving, or driving while intoxicated, or failing to stop after an accident and disclosing

the applicant's identity, or driving a motor vehicle without the owner's consent. The application shall contain a certification by the applicant as to the truth of the facts stated therein. Every person who applies for a license to operate a motor vehicle who is less than twenty-one years of age shall be provided with educational materials relating to the hazards of driving while intoxicated, including information on penalties imposed by law for violation of the intoxication-related offenses of the state. Beginning January 1, 2001, if the applicant is less than eighteen years of age, the applicant must comply with all requirements for the issuance of an intermediate driver's license pursuant to section 302.178.

2. An applicant for a license may make a donation of [one dollar] **two dollars** to promote an organ donor program. The director of revenue shall collect the donations and deposit all such donations in the state treasury to the credit of the organ donor program fund established in sections 194.297 to 194.304, RSMo. Moneys in the organ donor program fund shall be used solely for the purposes established in sections 194.297 to 194.304, RSMo, except that the department of revenue shall retain no more than one percent for its administrative costs. The donation prescribed in this subsection is voluntary and may be refused by the applicant for the license at the time of issuance or renewal of the license. The director shall make available an informational booklet or other informational sources on the importance of organ donations to applicants for licensure as designed by the organ donation advisory committee established in sections 194.297 to 194.304, RSMo. The director shall inquire of each applicant at the time the licensee presents the completed application to the director whether the applicant is interested in making the [one-dollar] **two-dollar** donation prescribed in this subsection and whether the applicant is interested in making an organ donation and shall also specifically inform the licensee of the ability to make an organ donation by completing the form on the reverse of the license that the applicant will receive in the manner prescribed by subsection 6 of section 194.240, RSMo. The director shall notify the department of health of information obtained from applicants who indicate to the director that they are interested in making organ donations, and the department of health shall enter the complete name, address, date of birth, race, gender and a unique personal identifier in the registry established in subsection 1 of section 194.304, RSMo.

3. An applicant for a license may make a donation of one dollar to promote a blindness education, screening and treatment program. The director of revenue shall collect the donations and deposit all such donations in the state treasury to the credit of the blindness education, screening and treatment program fund established in section 192.935, RSMo. Moneys in the blindness education, screening and treatment program fund shall be used solely for the purposes established in section 192.935, RSMo, except that the department of revenue shall retain no more than one percent for its administrative costs. The donation prescribed in this subsection is voluntary and may be refused by the applicant for the license at the time of issuance or renewal of the license. The director shall inquire of each applicant at the time the licensee presents the completed application to the director whether the applicant is interested in making the one-dollar donation prescribed in this subsection.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Committee Substitute for House Bill No. 120, Page 53, Section 577.020, Line 62, by inserting immediately after said line the following:

“Section 1. A towing company as defined in section 304.001, RSMo, shall grant access to insurance personnel for the purposes of inspection, appraisal and photographs of property at no charge and without requiring any surety.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

AMEND Senate Committee Substitute for House Bill No. 120, Page 49, Section 307.173, Line 45, by inserting after all of said line the following:

“[307.366. 1. This enactment of the emissions inspection program is a mandate of the United States Congress pursuant to the federal Clean Air Act, as amended, 42 U.S.C. 7401, et seq. In any city not within a county, any county of the first classification having a population of over nine hundred thousand inhabitants according to the most recent

decennial census, any county of the first classification with a charter form of government and a population of not more than two hundred twenty thousand inhabitants and not less than two hundred thousand inhabitants according to the most recent decennial census, any county of the first classification without a charter form of government with a population of not more than one hundred eighty thousand inhabitants and not less than one hundred seventy thousand inhabitants according to the most recent decennial census and any county of the first classification without a charter form of government with a population of not more than eighty-two thousand inhabitants and not less than eighty thousand inhabitants according to the most recent decennial census certain motor vehicles shall be tested annually to determine that the emissions system is functioning within the emission standards as specified by the Missouri air conservation commission and as required to attain the national health standards for air quality. The motor vehicles to be tested shall be all motor vehicles except those specifically exempted pursuant to subdivisions (1) to (3) of subsection 1 of section 307.350 and those exempted pursuant to this section.

2. The provisions of this section shall not apply to:

(1) Motor vehicles with a manufacturer's gross vehicle weight rating in excess of eight thousand five hundred pounds;

(2) Motorcycles and motortricycles;

(3) Model year vehicles prior to 1971;

(4) School buses;

(5) Diesel-powered vehicles;

(6) Motor vehicles registered in the area covered by this section but which are based and operated exclusively in an area of this state not subject to the provisions of this section if the owner of such vehicle presents to the director a sworn affidavit that the vehicle will be based and operated outside the covered area; and

(7) New motor vehicles not previously titled or registered prior to the initial motor vehicle registration or the next succeeding registration which is required by law. Each official inspection station which conducts safety or emissions inspections in a city or county referred to in subsection 1 of this section shall indicate the gross vehicle weight rating of the motor vehicle on the safety inspection certificate if the vehicle is exempt from the emissions inspection pursuant to subdivision (1) of this subsection.

3. (1) At the time of sale, a licensed motor vehicle dealer, as defined in section 301.550, RSMo, may choose to sell a motor vehicle subject to the inspection requirements of this section either:

(a) With prior inspection and approval as provided in subdivision (2) of this subsection; or

(b) Without prior inspection and approval as provided in subdivision (3) of this subsection.

(2) If the dealer chooses to sell the vehicle with prior inspection and approval, the dealer shall disclose, in writing, prior to sale, whether the vehicle obtained approval by meeting the emissions standards established pursuant to this section or by obtaining a waiver pursuant to subsection 6 of this section. A vehicle sold pursuant to this subdivision by a licensed motor vehicle dealer shall be inspected and approved within the one hundred twenty days immediately preceding the date of sale, and, for the purpose of registration of such vehicle, such inspection shall be considered timely.

(3) If the dealer chooses to sell the vehicle without prior inspection and approval, the purchaser may return the vehicle within fourteen days of the date of purchase, provided that the vehicle has no more than one thousand additional miles since the time of sale, if the vehicle fails, upon inspection, to meet the emissions standards specified by the commission and the dealer shall have the vehicle inspected and approved without the option for a waiver of the emissions standard and return the vehicle to the purchaser with a valid emissions certificate and sticker within five working days or the purchaser and dealer may enter into any other mutually acceptable agreement. If the dealer chooses to sell the vehicle without prior inspection and approval, the dealer shall disclose conspicuously on the sales contract and bill of sale that the purchaser has the option to return the vehicle within fourteen days, provided that the vehicle has no more than one thousand additional miles since the time of sale, to have the dealer repair the vehicle and provide an emissions certificate and sticker within five working days if the vehicle fails, upon inspection, to meet the emissions standards established by the commission, or enter into any mutually acceptable agreement with the dealer. A violation of this subdivisions shall be an unlawful practice as defined in section 407.020, RSMo. No emissions inspection shall be required pursuant to this section for the sale of any motor vehicle which may be sold without a certificate of inspection and approval, as provided pursuant to subsection 2 of section 307.380.

4. In addition to the fee authorized by subsection 5 of section 307.365, a fee, not to exceed eight dollars and fifty cents for inspections conducted prior to January 1, 1993, and not to exceed ten dollars and fifty cents for inspections conducted thereafter, as determined by each official emissions inspection station located in any city or county described in subsection 1 of this section, may be charged for an automobile emissions and air pollution control inspection in order

to attain the national health standards for air quality. Such fee shall be conspicuously posted on the premises of each such inspection station. The official emissions inspection station shall issue a certificate of inspection and an approval sticker or seal certifying the emissions system is functioning properly. The certificate or approval issued shall bear the legend: "This cost is mandated by your United States Congress.". No owner shall be charged an additional fee after having corrected defects or unsafe conditions in the automobile's emissions and air pollution control system if the reinspection is completed within twenty consecutive days, excluding Saturdays, Sundays and holidays, and if such follow-up inspection is made by the station making the initial inspection.

5. The air conservation commission shall establish, by rule, a waiver amount which may be lower for older model vehicles and which shall be no greater than seventy-five dollars for model year vehicles prior to 1981 and no greater than two hundred dollars for model year vehicles of 1981 and all subsequent model years.

6. An owner whose vehicle fails upon reinspection to meet the emission standards specified by the Missouri air conservation commission shall be issued a certificate of inspection and an approval sticker or seal by the official emissions inspection station that provided the inspection if the vehicle owner furnishes a complete, signed affidavit satisfying the requirements of this subsection and the cost of emissions repairs and adjustments is equal to or greater than the waiver amount established by the air conservation commission pursuant to this section. The air conservation commission shall establish, by rule, a form and a procedure for verifying that repair and adjustment was performed on a failing vehicle prior to the granting of a waiver and approval. The waiver form established pursuant to this subsection shall be an affidavit requiring:

(1) A statement signed by the repairer that the specified work was done and stating the itemized charges for the work; and

(2) A statement signed by the inspector that an inspection of the vehicle verified, to the extent practical, that the specified work was done.

7. The department of revenue shall require evidence of the inspection and approval required by this section in issuing the motor vehicle annual registration in conformity with the procedure required by sections 307.350 to 307.370.

8. Each emissions inspection station located in any city or county described in subsection 1 of this section shall purchase from the highway patrol sufficient forms and stickers or other devices to evidence approval of the motor vehicle's emissions control system. In addition, emissions inspection stations may be required to purchase forms for use in automated analyzers from outside vendors of the inspection station's choice. The forms must comply with state regulations.

9. In addition to the fee collected by the superintendent pursuant to subsection 5 of section 307.365, the highway patrol shall collect a fee of seventy-five cents for each automobile emissions certificate issued to the applicable official emissions inspection stations, except that no charge shall be made for certificates of inspection issued to official emissions inspection stations operated by governmental entities. All fees collected by the superintendent pursuant to this section shall be deposited in the state treasury to the credit of the "Missouri Air Pollution Control Fund", which is hereby created.

10. The moneys collected and deposited in the Missouri air pollution control fund pursuant to this section shall be allocated on an equal basis to the Missouri state highway patrol and the Missouri department of natural resources, air pollution control program, and shall be expended subject to appropriation by the general assembly for the administration and enforcement of sections 307.350 to 307.390. The unexpended balance in the fund at the end of each appropriation period shall not be transferred to the general revenue fund, except as directed by the general assembly by appropriation, and the provisions of section 33.080, RSMo, relating to the transfer of funds to the general revenue fund at the end of the biennium, shall not apply to this fund. The moneys in the fund shall be invested by the treasurer as provided by law, and the interest shall be credited to the fund.

11. The superintendent of the Missouri state highway patrol shall issue such rules and regulations as are necessary to determine whether a motor vehicle's emissions control system is operating as required by subsection 1 of this section, and the superintendent and the state highways and transportation commission shall use their best efforts to seek federal funds from which reimbursement grants may be made to those official inspection stations which acquire and use the necessary testing equipment which will be required to perform the tests required by the provisions of this section.

12. The provisions of this section shall not apply in any county for any time period during which the air conservation commission has established a motor vehicle emissions inspection program pursuant to sections 643.300 to 643.355, RSMo, for such county.

13. Notwithstanding the provisions of section 307.390, violation of this section shall be deemed a class C misdemeanor.]

307.366. 1. This enactment of the emissions inspection program is a mandate of the United States Congress pursuant to the federal Clean Air Act, as amended, 42 U.S.C. 7401, et seq. In any city not within a county, any county of the first classification having a population of over nine hundred thousand inhabitants according to the most recent decennial census, any county of the first classification with a charter form of government and a population of not more than two hundred twenty thousand inhabitants and not less than two hundred thousand inhabitants according to the most recent decennial census, any county of the first classification without a charter form of government with a population of not more than one hundred eighty thousand inhabitants and not less than one hundred seventy thousand inhabitants according to the most recent decennial census and any county of the first classification without a charter form of government with a population of not more than eighty-two thousand inhabitants and not less than eighty thousand inhabitants according to the most recent decennial census certain motor vehicles shall be tested annually to determine that the emissions system is functioning within the emission standards as specified by the Missouri air conservation commission and as required to attain the national health standards for air quality. The motor vehicles to be tested shall be all motor vehicles except those specifically exempted pursuant to subdivisions (1) to (3) of subsection 1 of section 307.350 and those exempted pursuant to this section.

2. The provisions of this section shall not apply to:

(1) Motor vehicles with a manufacturer's gross vehicle weight rating in excess of eight thousand five hundred pounds;

(2) Motorcycles and motortricycles;

(3) Model year vehicles prior to 1971;

(4) School buses;

(5) Diesel-powered vehicles;

(6) Motor vehicles registered in the area covered by this section but which are based and operated exclusively in an area of this state not subject to the provisions of this section if the owner of such vehicle presents to the director a sworn affidavit that the vehicle will be based and operated outside the covered area;

(7) New motor vehicles not previously titled or registered prior to the initial motor vehicle registration or the next succeeding registration which is required by law; and

(8) Motor vehicles owned by a person who resides in a county of the first classification without a charter form of government with a population of less than one hundred thousand inhabitants according to the most recent decennial census who has chosen to have a biennial motor vehicle registration pursuant to section 301.147, RSMo, and who has completed an emission inspection pursuant to section 643.315, RSMo. Each official inspection station which conducts [safety or] emissions inspections in a city or county referred to in subsection 1 of this section shall indicate the gross vehicle weight rating of the motor vehicle on the [safety] inspection certificate if the vehicle is exempt from the emissions inspection pursuant to subdivision (1) of this subsection.

3. (1) At the time of sale, a licensed motor vehicle dealer, as defined in section 301.550, RSMo, may choose to sell a motor vehicle subject to the inspection requirements of this section either:

(a) With prior inspection and approval as provided in subdivision (2) of this subsection; or

(b) Without prior inspection and approval as provided in subdivision (3) of this subsection.

(2) If the dealer chooses to sell the vehicle with prior inspection and approval, the dealer shall disclose, in writing, prior to sale, whether the vehicle obtained approval by meeting the emissions standards established pursuant to this section or by obtaining a waiver pursuant to subsection 6 of this section. A vehicle sold pursuant to this subdivision by a licensed motor vehicle dealer shall be inspected and approved within the one hundred twenty days immediately preceding the date of sale, and, for the purpose of registration of such vehicle, such inspection shall be considered timely.

(3) If the dealer chooses to sell the vehicle without prior inspection and approval, the purchaser may return the vehicle within ten days of the date of purchase, provided that the vehicle has no more than one thousand additional miles since the time of sale, if the vehicle fails, upon inspection, to meet the emissions standards specified by the commission and the dealer shall have the vehicle inspected and approved without the option for a waiver of the emissions standard and return the vehicle to the purchaser with a valid emissions certificate and sticker within five working days or the purchaser and dealer may enter into any other mutually acceptable agreement. If the dealer chooses to sell the vehicle without prior inspection and approval, the dealer shall disclose conspicuously on the sales contract and bill of sale that the purchaser has the option to return the vehicle within ten days, provided that the vehicle has no more than one thousand additional miles since the time of sale, to have the dealer repair the vehicle and provide an emissions certificate and sticker within five working days if the vehicle fails, upon inspection, to meet the emissions standards established by the commission, or enter into any mutually acceptable agreement with the dealer. A violation of this [subdivisions]

subsection shall be an unlawful practice as defined in section 407.020, RSMo. No emissions inspection shall be required pursuant to this section for the sale of any motor vehicle which may be sold without a certificate of inspection and approval, as provided pursuant to subsection 2 of section 307.380.

4. [In addition to the fee authorized by subsection 5 of section 307.365,] A fee, not to exceed eight dollars and fifty cents for inspections conducted prior to January 1, 1993, and not to exceed ten dollars and fifty cents for inspections conducted thereafter, as determined by each official emissions inspection station located in any city or county described in subsection 1 of this section, may be charged for an automobile emissions and air pollution control inspection in order to attain the national health standards for air quality. Such fee shall be conspicuously posted on the premises of each such inspection station. [The official emissions inspection station shall issue] A certificate of [inspection and an approval sticker or seal certifying the emissions system is functioning properly] **approval shall be issued, according to the procedures established by the air conservation commission, for each vehicle found to be in compliance with the standards established by the commission.** The certificate or approval issued shall bear the legend: "This cost is mandated by your United States Congress.". No owner shall be charged an additional fee after having corrected defects or unsafe conditions in the automobile's emissions and air pollution control system if the reinspection is completed within twenty consecutive days, excluding Saturdays, Sundays and holidays, and if such follow-up inspection is made by the station making the initial inspection.

5. The air conservation commission shall establish, by rule, a waiver amount which may be lower for older model vehicles and which shall be no greater than seventy-five dollars for model year vehicles prior to 1981 and no greater than two hundred dollars for model year vehicles of 1981 and all subsequent model years.

6. An owner whose vehicle fails upon reinspection to meet the emission standards specified by the Missouri air conservation commission shall be issued a certificate of inspection and an approval sticker or seal by the official emissions inspection station that provided the inspection if the vehicle owner furnishes a complete, signed affidavit satisfying the requirements of this subsection and the cost of emissions repairs and adjustments is equal to or greater than the waiver amount established by the air conservation commission pursuant to this section. The air conservation commission shall establish, by rule, a form and a procedure for verifying that repair and adjustment was performed on a failing vehicle prior to the granting of a waiver and approval. The waiver form established pursuant to this subsection shall be an affidavit requiring:

(1) A statement signed by the repairer that the specified work was done and stating the itemized charges for the work; and

(2) A statement signed by the inspector that an inspection of the vehicle verified, to the extent practical, that the specified work was done.

7. The department of revenue shall require evidence of the inspection and approval required by this section in issuing the motor vehicle annual registration in conformity with the procedure required by sections 307.350 to 307.370.

8. Each emissions inspection station located in any city or county described in subsection 1 of this section shall [purchase from the highway patrol sufficient] **furnish** forms and stickers or other devices to evidence approval of the motor vehicle's emissions control system **according to procedures established by the commission.** [In addition, emissions inspection stations may be required to purchase forms for use in automated analyzers from outside vendors of the inspection station's choice. The forms must comply with state regulations.]

9. [In addition to the fee collected by the superintendent pursuant to subsection 5 of section 307.365,] The [highway patrol] **department of natural resources** shall collect a fee of seventy-five cents for each automobile emissions [certificate issued to the applicable official emissions inspection stations, except that no charge shall be made for certificates of inspection issued to official emissions inspection stations operated by governmental entities] **inspection.** All fees collected by the [superintendent] **department** pursuant to this section shall be deposited in the state treasury to the credit of the "Missouri Air Pollution Control Fund", which is hereby created.

10. The moneys collected and deposited in the Missouri air pollution control fund pursuant to this section shall be allocated [on an equal basis] to the Missouri [state highway patrol and the Missouri] department of natural resources, air pollution control program, and shall be expended subject to appropriation by the general assembly for the administration and enforcement of [sections 307.350 to 307.390] **this section.** The unexpended balance in the fund at the end of each appropriation period shall not be transferred to the general revenue fund, except as directed by the general assembly by appropriation, and the provisions of section 33.080, RSMo, relating to the transfer of funds to the general revenue fund at the end of the biennium, shall not apply to this fund. The moneys in the fund shall be invested by the treasurer as provided by law, and the interest shall be credited to the fund.

11. The [superintendent of the Missouri state highway patrol] **air conservation commission** shall issue such rules and regulations as are necessary to determine whether a motor vehicle's emissions control system is operating as

required by subsection 1 of this section, and the [superintendent and the state highways and transportation] commission shall use [their] **its** best efforts to seek federal funds from which reimbursement grants may be made to those official inspection stations which acquire and use the necessary testing equipment which will be required to perform the tests required by the provisions of this section.

12. The provisions of this section shall not apply in any county for any time period during which the air conservation commission has established a motor vehicle emissions inspection program pursuant to sections 643.300 to 643.355, RSMo, for such county, except where motor vehicle owners have the option of biennial testing pursuant to chapter 643, RSMo. In counties where such option is available, the emissions inspection may be conducted in stations conducting only an emissions inspection under contract to the state.

13. Notwithstanding the provisions of section 307.390, violation of this section shall be deemed a class C misdemeanor.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 8

AMEND Senate Committee Substitute for House Bill No. 120, Page 25, Section 301.131, Line 50, by inserting immediately after said line the following:

“301.145. Any person who has been awarded the Congressional Medal of Honor may apply for [special] **Congressional Medal of Honor** motor vehicle license plates for any vehicle [he] **the person** owns, either solely or jointly, other than **an apportioned motor vehicle or a** commercial [vehicles weighing over twelve] **motor vehicle licensed in excess of eighteen** thousand pounds[, as provided in this section] **gross weight**. Any such person shall make application for the [special] license plates on a form provided by the director of revenue and furnish such proof of receipt of the Congressional Medal of Honor as the director may require. The director shall then issue license plates bearing the words “CONGRESSIONAL MEDAL OF HONOR” [in a form prescribed by the advisory committee established in section 301.129, except that]. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. **There shall be no fee charged for plates issued pursuant to this section. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section. There shall be no limit on the number of license plates any person qualified pursuant to this section may obtain so long as each set of plates issued pursuant to this section is issued for vehicles owned solely or jointly by such person.**”; and

Further amend said bill, Page 26, Section 301.440, Line 12, by inserting after all of said line the following:

“301.443. 1. Any legal resident of the state of Missouri who is a veteran of service in the armed forces of the United States and has been honorably discharged from such service and who is a former prisoner of war and any legal resident of the state of Missouri who is a former prisoner of war and who was a United States citizen not in the armed forces of the United States during such time is, upon filing an application for registration together with such information and proof in the form of a statement from the United States Veterans Administration or the Department of Defense or any other form of proof as the director may require, entitled to receive annually one certificate of registration and one set of license plates or other evidence of registration as provided in section 301.130 for [a motor] **any motor vehicle the person owns, either solely or jointly, other than an apportioned motor vehicle or a** commercial motor vehicle licensed in excess of [twelve] **eighteen** thousand pounds gross weight. There shall be no fee charged for **the first set of** license plates issued [under the provisions of] **pursuant to this section, but a fee of fifteen dollars in addition to the regular registration fees may be charged for each subsequent set of license plates issued pursuant to this section for each other vehicle owned and titled to such person. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section.**

2. [Not more than one certificate of registration and one corresponding set of motor vehicle license plates or other evidence of registration as provided in section 301.130 shall be issued each year to a qualified former prisoner of war under this section.] **There shall be no limit on the number of license plates any person qualified pursuant to this section may obtain so long as each set of license plates issued pursuant to this section is issued for vehicles owned solely or jointly by such person.**

3. Proof of ownership and vehicle inspection of the particular motor vehicle for which a registration certificate and set of license plates is requested must be shown at the time of application. Proof of status as a former prisoner of war as required in subsection 1 of this section shall only be required on the initial application.

4. As used in this section, “former prisoner of war” means any person who was taken as an enemy prisoner during World War I, World War II, the Korean Conflict, or the Vietnam Conflict.

5. The director shall furnish each former prisoner of war obtaining a set of license plates [under the provisions of] **pursuant to** subsections 1 to 4 of this section [special] plates which shall have the words “FORMER P.O.W.” on the license plates in preference to the words “SHOW-ME STATE” [as provided in section 301.130 in a form prescribed by the advisory committee established in section 301.129]. Such license plates shall be made with fully reflective material, shall have a white background with a blue and red configuration [at the discretion of the advisory committee established in section 301.129], shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

6. Registration certificates and license plates issued [under the provisions of] **pursuant to** this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle will be entitled to operate the motor vehicle for the duration of the year licensed in the event of the death of the qualified former prisoner of war.

7. (1) Notwithstanding the provisions of subsection 6 of this section to the contrary, the surviving spouse of a former prisoner of war who has not remarried and who has been issued license plates described in subsection 5 of this section shall be entitled to transfer such license plates to the motor [vehicle] **vehicles** of the surviving spouse and receive annually one certificate of registration and one set of license plates or other evidence of registration as provided in section 301.130 **per motor vehicle owned by and titled to such spouse** as if a former prisoner of war until remarriage. There shall be no fee charged for the transfer of such license plates.

(2) The department of revenue shall promulgate rules for the obtaining of a set of license plates described in subsection 5 of this section by the surviving spouse of the former prisoner of war when such license plates are not issued prior to the death of the former prisoner of war. The surviving spouse shall be entitled to receive annually one certificate of registration and one set of license plates or other evidence of registration as provided in section 301.130 **per motor vehicle owned by and titled to such spouse** as if a former prisoner of war until remarriage. There shall be no fee charged for the license plates issued pursuant to this subdivision, **but a fee of fifteen dollars in addition to the regular registration fees may be charged for each subsequent set of license plates issued pursuant to this subdivision for each other vehicle owned and titled to such spouse. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section.**

301.445. 1. Any person who has been awarded the combat infantry badge may apply for [special] **combat infantryman** motor vehicle license plates for any **motor** vehicle such person owns, either solely or jointly, [for issuance either to passenger motor vehicles subject to the registration fees provided in section 301.055, or for a nonlocal property-carrying] **other than an apportioned motor vehicle or a commercial motor vehicle** licensed [for a gross weight not in excess of twelve] **in excess of eighteen** thousand pounds [as provided in section 301.057] **gross weight**. Any such person shall make application for the special license plates on a form provided by the director of revenue and furnish such proof as a recipient of the combat infantry badge as the director may require. **Upon presentation of proof of eligibility**, the director shall then issue license plates bearing the words “COMBAT INFANTRYMAN” in place of the words “SHOW-ME STATE” [in a form prescribed by the director, except that such license plates shall be made with fully reflective material, shall have a white background with a blue and red configuration at the discretion of the director, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130]. Such plates shall also bear an image of the combat infantry badge. There shall be an additional fee charged for each set of special combat infantry badge license plates issued equal to the fee charged for personalized license plates in section 301.144. No more than one set of combat infantry badge license plates shall be issued to a qualified applicant.] **and shall have a common blue and white color scheme and design in a manner prescribed by the director of the department of revenue. There shall be a fee of fifteen dollars in addition to the regular registration fees charged for plates issued pursuant to this section. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section. There shall be no limit on the number of license plates any person qualified pursuant to this section may obtain so long as each set of license plates issued pursuant to this section is issued for motor vehicles owned solely or jointly by such person.** License plates issued pursuant to the provisions of this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle shall be entitled to operate the motor vehicle with such plates for the duration of the year licensed in the event of the death of the qualified person.

2. **The surviving spouse of a person eligible for a license plate pursuant to subsection 1 of this section who**

has not remarried and who has been issued license plates described in subsection 1 of this section shall be entitled to transfer such license plates to the motor vehicles of the surviving spouse and receive annually one certificate of registration and one set of license plates or other evidence of registration as provided in section 301.130 per motor vehicle owned by and titled to such spouse as if such spouse was eligible for such plates pursuant to subsection 1 of this section, until such spouse remarries. There shall be no fee charged for the transfer of such license plates.

301.447. 1. Any member of the United States Military Service who was stationed on or within three miles of the Hawaiian Island of Oahu on December 7, 1941, during the enemy attack on Pearl Harbor and other related military installations may apply for [special] **Pearl Harbor** motor vehicle license plates for [one] **any motor vehicle** [he] **such person** owns, either solely or jointly, [as provided in this section] **other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight.** Any such person shall make application for the [special] license plates on a form provided by the director of revenue and pay [an additional fee equal to the fee charged for personalized license plates in section 301.144 for the issuance of the license plates provided for herein] **a fee of fifteen dollars in addition to the regular registration fees charged for plates issued pursuant to this section. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section.** Applications for license plates issued [under] **pursuant to** this section shall be accompanied by such proof of eligibility as the director may require.

2. Notwithstanding the provisions of section 301.130, each such license plate shall be embossed with the words “PEARL HARBOR SURVIVOR” at the bottom of the plate [in the form prescribed by the advisory committee established in section 301.129]. Such license plates shall be made with fully reflective material, shall have a white background with a blue and red configuration [at the discretion of the advisory committee established in section 301.129], shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. [Such plates shall be available for issuance either to passenger motor vehicles subject to the registration fees provided in section 301.055, or to nonlocal property-carrying commercial motor vehicles licensed for a gross weight of six thousand pounds up through and including twelve thousand pounds as provided in section 301.057.]

3. [No more than one set of Pearl Harbor survivor plates shall be issued to a qualified applicant] **There shall be no limit on the number of license plates any person qualified pursuant to this section may obtain so long as each set of license plates issued pursuant to this section is issued for motor vehicles owned solely or jointly by such person.** License plates issued [under] **pursuant to** the provisions of this section shall not be transferable to any other person except as provided herein. Any registered co-owner of a motor vehicle will be entitled to operate the motor vehicle for the duration of the year licensed in the event of the death of the qualified applicant. Pearl Harbor survivor plates issued [under] **pursuant to** the provisions of this section shall be transferable only to a widow or widower of a Pearl Harbor survivor.

4. **The surviving spouse of a person eligible for a license plate pursuant to this section who has not remarried and who has been issued license plates described in this section shall be entitled to transfer such license plates to the motor vehicles of the surviving spouse and receive annually one certificate of registration and one set of license plates or other evidence of registration as provided in section 301.130 per motor vehicle owned by and titled to such spouse as if such spouse was eligible for such plates pursuant to this section, until such spouse remarries. There shall be no fee charged for the transfer of such license plates.**

301.448. 1. Any person who has served and was honorably discharged or currently serves in any branch of the United States armed forces or reserves, the United States Coast Guard or reserve, the United States Merchant Marines or reserve or the Missouri national guard, or any subdivision of any of such services or a member of the United States Marine Corps League may apply for [special] motor vehicle license plates **pursuant to this section for any motor vehicle the person owns**, either solely or jointly, [for issuance either to passenger motor vehicles subject to the registration fees provided in section 301.055, or to nonlocal property-carrying] **other than an apportioned motor vehicle or a commercial motor [vehicles] vehicle licensed [for a gross weight of six thousand pounds up through and including twelve] in excess of eighteen thousand pounds [as provided in section 301.057] gross weight.** Any such person shall make application for the [special] license plates **authorized by this section** on a form provided by the director of revenue and furnish such proof that such person is a member or former member of any such branch of service as the director may require. Upon presentation of the proof of eligibility and annual payment of [the fee required for personalized license plates in section 301.144, and other] **a fifteen dollar fee in addition to the regular registration fees and presentation of documents** which may be required by law, the department shall issue personalized license plates which shall bear the seal, logo or emblem, along with a word or words designating the branch or subdivision of such service for which the person applies. **Notwithstanding the provisions of section 301.144, no additional fee shall**

be charged for the personalization of license plates issued pursuant to this section. All seals, logos, emblems or special symbols shall become an integral part of the license plate; however, no plate shall contain more than one seal, logo, emblem or special symbol and the design of such plates shall be approved by the [advisory committee established in section 301.129] **director of revenue** and by the branch or subdivision of such service or the Marine Corps League prior to issuing such plates. The plates shall have a white background with a blue and red configuration [at the discretion of the advisory committee established in section 301.129]. The bidding process used to select a vendor for the material to manufacture the license plates authorized by this section shall consider the aesthetic appearance of the plate. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms. [The director of revenue shall not authorize the manufacture of the material to produce such license plates with the individual seal, logo, or emblem until such time he has received one hundred applications for such plates for each branch or subdivision of such service. License plates indicating army reserve, naval reserve, air force reserve, marine corps reserve, coast guard reserve, issued prior to January 1, 1994, will still be in full force and effect until such time the one hundred minimum applications for such branch of service is met.] All license plates issued [under] **pursuant to this provision must be renewed in accordance with law.** License plates issued under the provisions of this section shall not be transferable to any other person, except that any registered co-owner of the motor vehicle shall be entitled to operate the motor vehicle for the duration of the year licensed, in the event of the death of the qualified applicant. **There shall be no limit on the number of license plates any person qualified pursuant to this section may obtain so long as each set of license plates issued pursuant to this section is issued for motor vehicles owned solely or jointly by such person.**

2. The surviving spouse of a person eligible for a license plate pursuant to subsection 1 of this section who has not remarried and who has been issued license plates described in subsection 1 of this section shall be entitled to transfer such license plates to the motor vehicles of the surviving spouse and receive annually one certificate of registration and one set of license plates or other evidence of registration as provided in section 301.130 per vehicle owned by and titled to such spouse as if such spouse was eligible for such plates pursuant to subsection 1 of this section, until such spouse remarries. There shall be no fee charged for the transfer of such license plates.

301.451. **1.** Any person who has been awarded the purple heart medal may apply for [special] **purple heart** motor vehicle license plates for any vehicle [he] **such person** owns, either solely or jointly, other than **an apportioned motor vehicle or a commercial** [vehicles weighing over twelve thousand pounds] **motor vehicle licensed in excess of eighteen thousand pounds gross weight.** Any such person shall make application for the [special] license plates on a form provided by the director of revenue and furnish such proof as a recipient of the purple heart medal as the director may require. The director shall then issue license plates bearing letters or numbers or a combination thereof, with the words “PURPLE HEART” in place of the words “SHOW-ME STATE” [in a form prescribed by the advisory committee established in section 301.129]. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. There shall be [an additional] **a fee of fifteen dollars in addition to the regular registration fees** charged for each set of [special] purple heart license plates [issued equal to the fee charged for personalized license plates], but the additional fee shall only have to be paid once by the qualified applicant at the time of initial application. [No more than two sets of purple heart license plates shall be issued to a qualified applicant.] **Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section.** License plates issued [under] **pursuant to the provisions of this section** shall not be transferable to any other person except that any registered co-owner of the motor vehicle shall be entitled to operate the motor vehicle for the duration of the year licensed in the event of the death of the qualified person.

2. The surviving spouse of a person eligible for a license plate pursuant to subsection 1 of this section who has not remarried and who has been issued license plates described in subsection 1 of this section shall be entitled to transfer such license plates to the motor vehicles of the surviving spouse and receive annually one certificate of registration and one set of license plates or other evidence of registration as provided in section 301.130 per motor vehicle owned by and titled to such spouse as if such spouse was eligible for such plates pursuant to subsection 1 of this section, until such spouse remarries. There shall be no fee charged for the transfer of such license plates.

301.456. **1.** Any person who has been awarded the military service award known as the “Silver Star” may apply for [special] **silver star** motor vehicle license plates for any **motor** vehicle such person owns, either solely or jointly, [for issuance either to passenger motor vehicles subject to the registration fees provided in section 301.055 or for a nonlocal property-carrying] **other than an apportioned motor vehicle or a commercial motor vehicle licensed** [for a gross weight of nine thousand one pounds to twelve thousand pounds as provided in section 301.057] **in excess of**

eighteen thousand pounds gross weight. Any such person shall make application for the special license plates on a form provided by the director of revenue and furnish such proof as a recipient of the silver star as the director may require. The director shall then issue license plates bearing letters or numbers or a combination thereof [as determined by the advisory committee established in section 301.129], with the words “SILVER STAR” in place of the words “SHOW-ME STATE”. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Such plates shall also bear an image of the silver star. There shall be [an additional fee] **a fee of fifteen dollars in addition to the regular registration fees** charged for each set of silver star license plates issued pursuant to this section [equal to the fee charged for personalized license plates. No more than one set of silver star license plates shall be issued to a qualified applicant]. **Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section. There shall be no limit on the number of license plates any person qualified pursuant to this section may obtain so long as each set of license plates issued pursuant to this section is issued for motor vehicles owned solely or jointly by such person.** License plates issued [under] pursuant to the provisions of this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle shall be entitled to operate the motor vehicle with such plates for the duration of the year licensed in the event of the death of the qualified person.

2. The surviving spouse of a person eligible for a license plate pursuant to subsection 1 of this section who has not remarried and who has been issued license plates described in subsection 1 of this section shall be entitled to transfer such license plates to the motor vehicles of the surviving spouse and receive annually one certificate of registration and one set of license plates or other evidence of registration as provided in section 301.130 per motor vehicle owned by and titled to such spouse as if such spouse was eligible for such plates pursuant to subsection 1 of this section, until such spouse remarries. There shall be no fee charged for the transfer of such license plates.

301.457. **1.** Any person who served in the Vietnam Conflict and either currently serves in any branch of the United States armed forces or was honorably discharged from such service may apply for [special] **Vietnam veteran** motor vehicle license plates **for any motor vehicle the person owns**, either solely or jointly, [for issuance either for any passenger motor vehicle subject to the registration fees provided in section 301.055 or for a nonlocal property-carrying] **other than an apportioned motor vehicle or a commercial motor vehicle licensed** [for a gross weight of nine thousand one pounds to twelve thousand pounds as provided in section 301.057, whether such vehicle is owned solely or jointly] **in excess of eighteen thousand pounds gross weight.** Any such person shall make application for the [special] license plates on a form provided by the director of revenue and furnish such proof of service in the Vietnam Conflict and status as currently serving in a branch of the armed forces of the United States or as an honorably discharged veteran as the director may require. Upon presentation of the proof of eligibility [and annual payment of the fee required for personalized license plates prescribed by section 301.144, and other], **payment of a fifteen dollar fee in addition to the regular registration fees and presentation of documents** which may be required by law, the director shall [then] issue license plates bearing letters or numbers or a combination thereof [as determined by the advisory committee established in section 301.129], with the words “VIETNAM VETERAN” in place of the words “SHOW-ME STATE”. **Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section.** Such plates shall also bear an image of the Vietnam service medal. The plates shall be clearly visible at night and shall be aesthetically attractive, as prescribed by section 301.130. [No more than one set of special license plates shall be issued pursuant to this section to a qualified applicant.] **There shall be no limit on the number of license plates any person qualified pursuant to this section may obtain so long as each set of license plates issued pursuant to this section is issued for motor vehicles owned solely or jointly by such person.** License plates issued pursuant to this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle may operate the motor vehicle for the duration of the year licensed in the event of the death of the qualified person.

2. The surviving spouse of a person eligible for a license plate pursuant to subsection 1 of this section who has not remarried and who has been issued license plates described in subsection 1 of this section shall be entitled to transfer such license plates to the motor vehicles of the surviving spouse and receive annually one certificate of registration and one set of license plates or other evidence of registration as provided in section 301.130 per motor vehicle owned by and titled to such spouse as if such spouse was eligible for such plates pursuant to subsection 1 of this section, until such spouse remarries. There shall be no fee charged for the transfer of such license plates.

301.463. The children's trust fund board established in section 210.170, RSMo, may authorize the use of their

logo to be incorporated on [multiyear personalized] **motor vehicle** license plates [as provided in this section] **for any motor vehicle the person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight.** The license plate shall contain an emblem designed by the board depicting two handprints of a child and the words “Children’s Trust Fund” and the children’s trust fund logo in preference to the words “SHOW-ME STATE”. The license plates shall have a common background and shall bear as many letters and numbers as will fit on the plate without damaging the plate’s aesthetic appearance as determined by the director of revenue. Any vehicle owner may annually apply to the board **or director** for the use of the logo. Upon annual application and payment of a twenty-five dollar logo use contribution to the board, the board shall issue to the vehicle owner, without further charge, a “logo use authorization statement”, which shall be presented by the vehicle owner to the department of revenue at the time of registration. **Application for use of the logo and payment of the twenty-five dollar contribution may also be made at the time of registration to the director, who shall deposit such contribution in the state treasury to the credit of the children’s trust fund.** Upon presentation of the annual statement [and], payment of [the fee required for personalized license plates in section 301.144, and other] **the regular registration fees and presentation of documents** which may be required by law, the department of revenue shall issue a [personalized] license plate described in this section to the vehicle owner. **Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section.** The license plate authorized by this section shall be issued with a design approved by both the board and the director of revenue. The bidding process used to select a vendor for the material to manufacture the license plates authorized by this section shall consider the aesthetic appearance of the plate. A vehicle owner, who was previously issued a plate with [an emblem] **a logo** authorized by this section and who does not provide [an emblem] **a logo** use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the [emblem] **logo**, as otherwise provided by law. Any contribution to the board derived from this section shall be deposited in the state treasury to the credit of the children’s trust fund established in section 210.173, RSMo.

301.464. **1.** Any person who served in the Korean War and was honorably discharged from such service may apply for [special] **Korean War** motor vehicle license plates **for any motor vehicle the person owns**, either solely or jointly, [for issuance either for any passenger motor vehicle subject to the registration fees provided in section 301.055, or for a nonlocal property carrying] **other than an apportioned motor vehicle or a commercial motor vehicle licensed [for a gross weight of nine thousand one pounds to twelve thousand pounds as provided in section 301.057, whether such vehicle is owned solely or jointly] in excess of eighteen thousand pounds gross weight.** Any such person shall make application for the [special] license plates on a form provided by the director of revenue and furnish such proof of service in the Korean War and status as an honorably discharged veteran as the director may require. Upon presentation of the proof of eligibility [and annual], payment of [the fee required for personalized license plates prescribed by section 301.144, and other] **a fifteen dollar fee in addition to the regular registration fees and presentation of documents** which may be required by law, the director shall then issue license plates bearing letters or numbers or a combination thereof as determined by the [advisory committee established in section 301.129] **director of revenue**, with the words “KOREAN WAR VETERAN” in place of the words “SHOW-ME-STATE”. **Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section.** Such plates shall also bear an image of the Korean War service medal. The plates shall be clearly visible at night and shall be aesthetically attractive, as prescribed by section 301.130. [No more than one set of special license plates shall be issued pursuant to this section to a qualified applicant.] **There shall be no limit on the number of license plates any person qualified pursuant to this section may obtain so long as each set of license plates issued pursuant to this section is issued for vehicles owned solely or jointly by such person.** License plates issued pursuant to this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle may operate the motor vehicle for the duration of the year licensed in the event of the death of the qualified person.

2. The surviving spouse of a person eligible for a license plate pursuant to subsection 1 of this section who has not remarried and who has been issued license plates described in subsection 1 of this section shall be entitled to transfer such license plates to the motor vehicles of the surviving spouse and receive annually one certificate of registration and one set of license plates or other evidence of registration as provided in section 301.130 per motor vehicle owned by and titled to such spouse as if such spouse was eligible for such plates pursuant to subsection 1 of this section, until such spouse remarries. There shall be no fee charged for the transfer of such license plates.

301.465. **1.** Any person who served in World War II and was honorably discharged from such service may apply for [special] **World War II** motor vehicle license plates **for any motor vehicle the person owns**, either solely or

jointly, [for issuance either for any passenger motor vehicle subject to the registration fees provided in section 301.055, or for a nonlocal property carrying] **other than an apportioned motor vehicle or a commercial motor vehicle licensed** [for a gross weight of nine thousand one pounds to twelve thousand pounds as provided in section 301.057, whether such vehicle is owned solely or jointly] **in excess of eighteen thousand pounds gross weight.** Any such person shall make application for the [special] license plates on a form provided by the director of revenue and furnish such proof of service in World War II and status as an honorably discharged veteran as the director may require. Upon presentation of the proof of eligibility [and annual], payment of [the fee required for personalized license plates prescribed by section 301.144, and other] **a fifteen dollar fee in addition to the regular registration fees and presentation of documents** which may be required by law, the director shall then issue license plates bearing letters or numbers or a combination thereof as determined by the [advisory committee established in section 301.129] **director of revenue**, with the words “WORLD WAR II VETERAN” in place of the words “SHOW-ME-STATE”. **Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section.** Such plates shall also bear an image of the World War II service medal, **known as the victory medal.** The plates shall be clearly visible at night and shall be aesthetically attractive, as prescribed by section 301.130. [No more than one set of special license plates shall be issued pursuant to this section to a qualified applicant.] **There shall be no limit on the number of license plates any person qualified pursuant to this section may obtain so long as each set of license plates issued pursuant to this section is issued for motor vehicles owned solely or jointly by such person.** License plates issued pursuant to this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle may operate the motor vehicle for the duration of the year licensed in the event of the death of the qualified person.

2. The surviving spouse of a person eligible for a license plate pursuant to subsection 1 of this section who has not remarried and who has been issued license plates described in subsection 1 of this section shall be entitled to transfer such license plates to the motor vehicles of the surviving spouse and receive annually one certificate of registration and one set of license plates or other evidence of registration as provided in section 301.130 per motor vehicle owned by and titled to such spouse as if such spouse was eligible for such plates pursuant to subsection 1 of this section, until such spouse remarries. There shall be no fee charged for the transfer of such license plates.

301.3030. 1. Any person may receive special license plates with words and an emblem that denotes respect for human life both before and after birth, pursuant to this section, for any motor vehicle such person owns either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight after a contribution of at least twenty-five dollars, or at least fifty dollars in the case of a biennial registration, to the Missouri alternatives to abortion support fund. Such license plates shall be called “Respect Life License Plates”.

2. Respect life license plates shall bear the words “RESPECT LIFE” in place of the words “SHOW-ME STATE” and shall bear the image of a single red rose. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, pursuant to section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section.

3. The contribution of at least twenty-five dollars, or at least fifty dollars in the case of a biennial registration, to the Missouri alternatives to abortion support fund shall be made to the director of revenue at the time of registration of the vehicle. The director shall transfer such contributions to the state treasurer for deposit in the Missouri alternatives to abortion support fund. Upon the receipt of such contribution, payment of the regular registration fees and presentation of other documents that may be required by law, the director of revenue shall issue respect life license plates to the vehicle owner.

4. There shall be no limit on the number of sets of respect life license plates a person may obtain pursuant to this section so long as such license plates are issued for vehicles owned solely or jointly by such person, and so long as a contribution of at least twenty-five dollars, or at least fifty dollars in the case of a biennial registration, is made for each set of respect life license plates.

5. A vehicle owner who was previously issued respect life license plates but who does not make a contribution of at least twenty-five dollars, or at least fifty dollars in the case of a biennial registration, to the Missouri alternatives to abortion support fund at a subsequent time of registration shall be issued new plates that are not respect life license plates, as otherwise provided by law.

6. The director of revenue shall issue samples of respect life license plates to all offices in this state where vehicles are registered and license plates are issued. Such sample license plates shall be prominently displayed

in such offices along with literature prepared by the director describing the license plates, the Missouri alternatives to abortion support fund, and the purposes for which the fund is used.

7. The general assembly may appropriate moneys annually from the Missouri alternatives to abortion support fund to the department of revenue to offset costs reasonably incurred by the director of revenue pursuant to subsections 1 to 6 of this section.

8. There is hereby established in the state treasury the “Missouri Alternatives to Abortion Support Fund”. The state treasurer shall credit to and deposit in such fund:

- (1) Moneys that may be required by law to be credited to or deposited in such fund;
- (2) Moneys that may be appropriated to it by the general assembly;
- (3) Other amounts that may be received from general revenue, grants, gifts, bequests, settlements, awards or from federal, state or local sources; and
- (4) Any other sources granted or given for this specific purpose.

9. The state treasurer shall invest moneys in the Missouri alternatives to abortion support fund in the same manner as surplus state funds are invested pursuant to section 30.260, RSMo. All earnings that result from the investment of moneys in the fund shall be credited to such fund.

10. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the Missouri alternatives to abortion support fund shall not revert to the credit of general revenue at the end of the biennium.

11. Moneys credited to and deposited in the Missouri alternatives to abortion support fund shall only be used for the purposes authorized pursuant to this section or as otherwise provided by law.

12. Until the amount in the Missouri alternatives to abortion fund exceeds one million dollars, not more than one-half of the money credited to and deposited in the fund from all sources, plus all earnings from the investment of moneys in the fund during the previous fiscal year, shall be available for disbursement. When the state treasurer certifies that the assets in the fund exceed one million dollars, all credited earnings plus all future credits to the fund from all sources shall be available for disbursement.

13. The Missouri alternatives to abortion support fund shall be used to provide and promote alternatives to abortion services by grants to, or contracts with, private agencies that are:

- (1) Established and operating primarily to provide alternatives to abortion services and that do not perform or refer for abortions or hold themselves out as performing or referring for abortions;
- (2) Located in this state; and
- (3) Exempt from income taxation pursuant to the United States Internal Revenue Code. Such private agencies may include, by way of example but not of limitation, maternity homes and agencies commonly known and referred to as crisis pregnancy centers.

14. As used in this section, “alternatives to abortion services” means services or counseling offered to a woman with a crisis pregnancy or unplanned pregnancy to assist her in carrying her unborn child to term instead of having an abortion, and to assist her in caring for her dependent child or placing her child for adoption.

301.3053. 1. Any person who has been awarded the military service award known as the “Distinguished Flying Cross” may apply for Distinguished Flying Cross motor vehicle license plates for any motor vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight.

2. Any such person shall make application for the Distinguished Flying Cross license plates on a form provided by the director of revenue and furnish such proof as a recipient of the Distinguished Flying Cross as the director may require. The director shall then issue license plates bearing letters or numbers or a combination thereof as determined by the director with the words “DISTINGUISHED FLYING CROSS” in place of the words “SHOW-ME STATE”. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Such plates shall also bear an image of the Distinguished Flying Cross.

3. There shall be a fifteen-dollar fee in addition to the regular registration fees charged for each set of Distinguished Flying Cross license plates issued pursuant to this section. [A fee for the issuance of personalized license plates pursuant to section 301.144 shall not be required for plates issued pursuant to this section.] **Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section.** There shall be no limit on the number of license plates any person qualified pursuant to this section may obtain so long as each set of license plates issued pursuant to this section is issued for vehicles owned solely or jointly by such person. License plates issued pursuant to the provisions of this section shall not be

transferable to any other person except that any registered co-owner of the motor vehicle shall be entitled to operate the motor vehicle with such plates for the duration of the year licensed in the event of the death of the qualified person.

4. The surviving spouse of a person eligible for a license plate pursuant to this section who has not remarried and who has been issued license plates described in this section shall be entitled to transfer such license plates to the motor vehicles of the surviving spouse and receive annually one certificate of registration and one set of license plates or other evidence of registration as provided in section 301.130 per motor vehicle owned by and titled to such spouse as if such spouse was eligible for such plates pursuant to this section, until such spouse remarries. There shall be no fee charged for the transfer of such license plates.

301.3062. 1. Any vehicle owner who is a member of and has obtained an annual emblem-use authorization statement from the American Legion may apply for American Legion license plates for any motor vehicle the person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The American Legion hereby authorizes the use of their official emblem to be affixed on [multiyear] personalized license plates as provided in this section. Any vehicle owner may annually apply for the use of the emblem.

2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to the American Legion, the American Legion shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented to the department of revenue at the time of registration of a motor vehicle.

3. Upon presentation of the annual statement and payment of a fifteen-dollar fee in addition to the regular registration fees and presentation of other documents which may be required by law, the department of revenue shall issue a personalized license plate to the vehicle owner, which shall bear the emblem of the American Legion **and the words "AMERICAN LEGION" in place of the words "SHOW-ME STATE"** in a form prescribed by the director. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. [A fee for the issuance of personalized license plates issued pursuant to section 301.144 shall not be required for plates issued pursuant to this section.] **Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section.**

4. A vehicle owner, who was previously issued a plate with the American Legion emblem authorized by this section but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the American Legion emblem, as otherwise provided by law.

5. The director of revenue may promulgate rules and regulations for the administration of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

6. The surviving spouse of a person eligible for a license plate pursuant to this section who has not remarried and who has been issued license plates described in this section shall be entitled to transfer such license plates to the motor vehicles of the surviving spouse and receive annually one certificate of registration and one set of license plates or other evidence of registration as provided in section 301.130 per motor vehicle owned by and titled to such spouse as if such spouse was eligible for such plates pursuant to this section, until such spouse remarries. There shall be no fee charged for the transfer of such license plates.

301.3075. 1. Any person who has been awarded the military service award known as the "bronze star" may apply for bronze star motor vehicle license plates for any motor vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight.

2. Any such person shall make application for the bronze star license plates on a form provided by the director of revenue and furnish such proof as a recipient of the bronze star as the director may require. The director shall then issue license plates bearing letters or numbers or a combination thereof as determined by the director with the words "BRONZE STAR" in place of the words "SHOW-ME STATE". Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Such plates shall also bear an image of the bronze star.

3. If the person has been awarded a bronze star with a "V" for valor device on the medal, then the director of revenue shall issue plates bearing the letter "V" in addition to the words and images required by this section. Such letter "V" shall be placed on the plate in a conspicuous manner as determined by the director.

4. There shall be a fifteen-dollar fee in addition to the regular registration fees charged for each set of bronze star license plates issued pursuant to this section. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section. There shall be no limit on the

number of license plates any person qualified pursuant to this section may obtain so long as each set of license plates issued pursuant to this section is issued for vehicles owned solely or jointly by such person. License plates issued pursuant to the provisions of this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle shall be entitled to operate the motor vehicle with such plates for the duration of the year licensed in the event of the death of the qualified person.

5. The surviving spouse of a person eligible for a license plate pursuant to this section who has not remarried and who has been issued license plates described in this section shall be entitled to transfer such license plates to the motor vehicles of the surviving spouse and receive annually one certificate of registration and one set of license plates or other evidence of registration as provided in section 301.130 per motor vehicle owned by and titled to such spouse as if such spouse was eligible for such plates pursuant to this section, until such spouse remarries. There shall be no fee charged for the transfer of such license plates.

301.3076. **1.** Any person who has been awarded the combat medic badge may apply for combat medic motor vehicle license plates for any motor vehicle the person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. Any such person shall make application for the license plates on a form provided by the director of revenue and furnish such proof as a recipient of the combat medic badge as the director may require. Upon presentation of proof of eligibility, the director shall then issue license plates bearing the words "COMBAT MEDIC" in place of the words "SHOW-ME STATE", except that such license plates shall be made with fully reflective material, shall be clearly visible at night, and shall be aesthetically attractive. Such plates shall also bear an image of the combat medic badge. There shall be a fee of fifteen dollars in addition to the regular registration fees charged for plates issued pursuant to this section. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section. There shall be no limit on the number of license plates any person qualified pursuant to this section may obtain so long as each set of license plates issued pursuant to this section is issued for vehicles owned solely or jointly by such person. License plates issued pursuant to the provisions of this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle shall be entitled to operate the motor vehicle with such plates for the duration of the year licensed in the event of the death of the qualified person.

2. The surviving spouse of a person eligible for a license plate pursuant to subsection 1 of this section who has not remarried and who has been issued license plates described in subsection 1 of this section shall be entitled to transfer such license plates to the motor vehicles of the surviving spouse and receive annually one certificate of registration and one set of license plates or other evidence of registration as provided in section 301.130 per motor vehicle owned by and titled to such spouse as if such spouse was eligible for such plates pursuant to subsection 1 of this section, until such spouse remarries. There shall be no fee charged for the transfer of such license plates.

301.3077. **1.** Any person who served in the military operation known as Desert Storm or Desert Shield and either currently serves in any branch of the United States armed forces or was honorably discharged from such service may apply for Desert Storm or Desert Shield motor vehicle license plates, for any motor vehicle the person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. Any such person shall make application for the license plates authorized by this section on a form provided by the director of revenue and furnish such proof of service in Desert Storm or Desert Shield and status as currently serving in a branch of the armed forces of the United States or as an honorably discharged veteran as the director may require. Upon presentation of the proof of eligibility, payment of a fifteen-dollar fee in addition to the regular registration fees and presentation of documents which may be required by law, the director shall then issue license plates bearing letters or numbers or a combination thereof as determined by the director, with the words "GULF WAR VETERAN" in place of the words "SHOW-ME STATE". Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section. Such plates shall also bear an image of the southwest Asia service medal awarded for service in Desert Storm or Desert Shield. The plates shall be clearly visible at night and shall be aesthetically attractive, as prescribed by section 301.130. There shall be no limit on the number of license plates any person qualified pursuant to this section may obtain so long as each set of license plates issued pursuant to this section is issued for vehicles owned solely or jointly by such person. License plates issued pursuant to this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle may operate the motor vehicle for the duration of the year licensed in the event of the death of the qualified person.

2. The surviving spouse of a person eligible for a license plate pursuant to subsection 1 of this section who has not remarried and who has been issued license plates described in subsection 1 of this section shall be entitled

to transfer such license plates to the motor vehicles of the surviving spouse and receive annually one certificate of registration and one set of license plates or other evidence of registration as provided in section 301.130 per motor vehicle owned by and titled to such spouse as if such spouse was eligible for such plates pursuant to subsection 1 of this section, until such spouse remarries. There shall be no fee charged for the transfer of such license plates.

301.3087. 1. Owners or a joint owner of motor vehicles who are residents of the state of Missouri, and who are clergypersons or members of the clergy, upon application accompanied by an ecclesiastical endorsement as prescribed in this section, complying with the state motor vehicle laws relating to registration and licensing of motor vehicles, and upon payment of a fee as prescribed in this section, shall be issued license plates for any motor vehicle other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. In addition, upon such set of license plates shall be inscribed, in lieu of the words "SHOW-ME STATE", the word "CLERGY" in addition to a combination of letters and numbers. Such license plates shall be made with fully reflective material, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

2. Applications for license plates issued pursuant to this section shall be made to the director of revenue and shall be accompanied by an ecclesiastical endorsement as provided in this section. Any person who is lawfully in possession of such plates who resigns, is removed, or otherwise terminates or is terminated as a clergyperson or member of the clergy shall return such plates to the director within fifteen days.

3. A fee of fifteen dollars in addition to the regular registration fees shall be paid to the director of revenue for the issuance of the license plates provided for in this section. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section. There shall be no limit on the number of license plates any person qualified pursuant to this section may obtain so long as each set of license plates issued pursuant to this section are issued for vehicles owned solely or jointly by such person.

4. As used in this section, the term "clergyperson" or "member of the clergy" refers to individuals who are duly ordained, commissioned, or licensed by a religious body constituting a church or church denomination; who are given the authority to conduct religious worship, perform sacerdotal functions and administer ordinances or sacraments according to the prescribed tenets and practices of that church or denomination; and who possess current ecclesiastical endorsement from the official endorsing agency of the religious body. "Ecclesiastical endorsement" shall mean a written official statement of competent authority that the individual's church or church denomination certifies that the individual is qualified to represent the church or church denomination for purposes of ministry."; and

Further amend the title and enacting clause accordingly.

Senate Perfecting Amendment No. 1

AMEND Senate Amendment No. 1 to Senate Committee Substitute for House Bill No. 120, Page 1278, Column 1, Section 302.286, Lines 5-7 of said column, by striking said lines and inserting in lieu thereof the following:

"RSMo, for the theft of motor fuel as described in this section,".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 219**, entitled:

An act to repeal sections 272.010, 272.020, 272.040, 272.050, 272.060, 272.070, 272.100, 272.110, 272.130, 272.150, 272.160, 272.170, 272.180, 272.190 and 272.200, RSMo 2000, relating to property rights, and to enact in lieu thereof twelve new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 241, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Caskey, Klarich, Cauthorn, Mathewson and Gibbons.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HB 453, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Steelman, Klarich, Gross, Mathewson and Quick.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **HB 621, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Rohrbach, Steelman, Russell, Goode and DePasco.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HS HCS SB 72, as amended**: Senators Loudon, Klarich, Steelman, Quick and Scott.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report No. 2 on **HCS SCS SB 151**, and has taken up and passed **CCS No. 2 HCS SCS SB 151**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SCS SB 236, as amended**, and requests the House to recede from its position and failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 274**, and has taken up and passed **CCS HCS SB 274**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SS SCS SB 369, as amended**, and requests the House to recede from its position and failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HS HCS SB 460, as amended**: Senators Klarich, Gibbons, Kinder, Caskey and Jacob.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 462, as amended**, and has taken up and passed **CCS HCS SB 462**.

Emergency clause adopted.

BILLS CARRYING REQUEST MESSAGES

HS HCS SCS SB 236, as amended, relating to public assistance programs, was taken up by Representative Ladd Baker.

Representative Ladd Baker moved that the House refuse to recede from its position on **HS HCS SCS SB 236, as amended**, and grant the Senate a conference.

Which motion was adopted.

HS HCS SS SCS SB 369, as amended, relating to utility access to public rights-of-way, was taken up by Representative Burton.

Representative Burton moved that the House refuse to recede from its position on **HS HCS SS SCS SB 369, as amended**, and grant the Senate a conference.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

HS HCS SS SCS SB 369: Representatives O'Connor, Mays (50), O'Toole, Burton and Cooper

HS HCS SCS SB 236: Representatives Abel, Harlan, Ladd Baker, Shields and Portwood

SCS HCS HB 241: Representatives Smith, Willoughby, Curls, Ridgeway and Crowell

SS SCS HB 453: Representatives Ransdall, Smith, Merideth, Hohulin and Jetton.

HB 621: Representatives Gratz, Hampton, Vogel, Relford and Rector

Representative Monaco assumed the Chair.

THIRD READING OF SENATE BILLS

SCS SB 393, relating to gratuitous dental services, was taken up by Representative Treadway.

Representative Treadway offered **HS SCS SB 393**.

Representative Campbell offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for Senate Committee Substitute for Senate Bill No. 393, by inserting at the appropriate location the following:

"660.026. Subject to appropriation, the director of the department of social services, or the director's designee, may contract with and provide funding support to federally qualified health centers, as defined in 42 U.S.C. Section 1396d(1)(2)(B), in this state. Funds appropriated pursuant to this section shall be used to assist such centers in ensuring that health care, including dental care, and mental health services is available to needy persons in this state. Such funds may also be used by centers for capital expansion, infrastructure redesign or other similar uses if federal funding is not available for such purposes. No later than forty-five days following the end of each federal fiscal year, the centers shall report to the director of the department of social services the number of patients served by age, race, gender, method of payment and insurance status."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Campbell, **House Amendment No. 1** was adopted.

Representative Ladd Baker offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for Senate Committee Substitute for Senate Bill No. 393, Page 37, Section 332.324, Line 19, by inserting at the end of said line the following:

"Section 1. Dental primary care and preventive health services as authorized in 105.711, RSMo, shall include examinations, cleaning, fluoride treatment, application of sealants, placement of basic restorations and emergency treatment to relieve pain."; and

Further amend title, enacting clause and intersectional references accordingly.

On motion of Representative Ladd Baker, **House Amendment No. 2** was adopted.

On motion of Representative Treadway, **HS SCS SB 393, as amended**, was adopted.

On motion of Representative Treadway, **HS SCS SB 393, as amended**, was read the third time and passed by the following vote:

AYES: 154

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Baker	Ballard	Hoppe	Hosmer	Long
Merideth				

VACANCIES: 003

Representative Monaco declared the bill passed.

Speaker Pro Tem Abel resumed the Chair.

The emergency clause was adopted by the following vote:

AYES: 152

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt

Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Clayton	Coleman	Cooper
Crawford	Crowell	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Baker	Cierpiot	Copenhaver	Crump	Hoppe
Lograsso	Long	Wright		

VACANCIES: 003

SCS SB 374, relating to air emissions, was taken up by Representative Ransdall.

Representative Ransdall offered **HS SCS SB 374**.

On motion of Representative Ransdall, **HS SCS SB 374** was adopted.

On motion of Representative Ransdall, **HS SCS SB 374** was read the third time and passed by the following vote:

AYES: 151

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Coleman	Cooper

Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 001

Kelly 144

PRESENT: 001

Hendrickson

ABSENT WITH LEAVE: 007

Baker	Clayton	Harlan	Hoppe	Lograsso
Long	Shields			

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HCS SS SCS SB 48, relating to dependent care, was taken up by Representative Hollingsworth.

Representative Hollingsworth offered **HS HCS SS SCS SB 48**.

Representative Ridgeway offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 48, Page 14, Section 630.170, Line 24, by inserting immediately after said line the following:

"Section 1. 1. In order to establish consistent and reliable guidelines for judicial review of certain court determinations, there is hereby created within the office of the governor a "Child Abuse, Custody and Neglect Commission" which shall evaluate the laws and rules relating to child abuse, neglect, child custody and visitation and termination of parental rights and shall make recommendations on further action or legislative remedies, if any, to be taken as necessary. The commission shall review and recommend standardized guidelines for judicial review of what constitutes the best interest of the child.

2. The child abuse, custody and neglect commission shall be composed of twelve members to be appointed by the governor, including a county prosecutor, a law enforcement officer, a juvenile officer, a member of the clergy, a psychologist, a pediatrician, and educator, the chairman of the children's services commission, a division of family services designee, and three citizens of the state of Missouri, chosen to reflect the racial composition of the state, to serve four-year terms and of the members first appointed, four shall serve for a term of two years, four shall serve for a term of three years, and four shall serve for a term of four years.

3. The commission shall make its first report to the governor and the general assembly by February 1, 2002, and any subsequent reports shall be made to the governor, the chief justice of the supreme court and the general assembly as necessary.

4. All members shall serve without compensation but shall be reimbursed for all actual and necessary expenses incurred in the performance of their official duties for the commission.

5. The office of the governor shall provide funding, administrative support, and staff for the effective operation of the commission.

6. This section shall expire on August 28, 2004."; and

Further amend the title and enacting clause accordingly.

Representative Hollingsworth raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Riback Wilson (25) offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 48, by inserting at the appropriate location the following:

"Section 1. 1. To provide accountability in the review and investigation of child abuse and neglect cases, there is hereby created a "Child Abuse and Neglect Task Force" as a subcommittee of the children's services commission which shall evaluate the laws and rules relating to child abuse and neglect and shall make recommendations on further action or legislative remedies, if any, to be taken as necessary. The task force shall review and recommend guidelines for what constitutes the best interest of the child.

2. The child abuse and neglect task force shall be composed of twelve members with expertise in the area of child welfare and family law to be appointed by the chair of the children's services commission in consultation with the governor. Such members may include, but not be limited to, a county prosecutor, a certified guardian ad litem, members of the Missouri Bar and Missouri Bench who have training and experience in family law matters, a law enforcement officer, a juvenile officer, a member of the clergy, a psychologist, a pediatrician, an educator, a division of family services designee, and two citizens of the state of Missouri, chosen to reflect the diversity of the state, to serve four-year terms and of the members first appointed, four shall serve for a term of two years, four shall serve for a term of three years, and three shall serve for a term of four years.

3. The task force shall make its first report to the governor and the general assembly by February 1,

2002, and any subsequent reports shall be made to the governor and the general assembly as necessary.

4. All members shall serve without compensation but may be reimbursed for all actual and necessary expenses incurred in the performance of their official duties for the task force.

5. This section shall expire on August 28, 2004." ; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Riback Wilson (25) moved that **House Substitute Amendment No. 1 for House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 049

Abel	Baker	Barry 100	Berkowitz	Bowman
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Copenhaver	Crump	Curls	Davis
Farnen	Franklin	Fraser	Gambara	George
Graham	Hagan-Harrell	Harding	Harlan	Haywood
Hilgemann	Hollingsworth	Hosmer	Johnson 61	Johnson 90
Jolly	Kelly 27	Kelly 36	Lowe	Mays 50
Merideth	Monaco	Overschmidt	Relford	Roark
Skaggs	Thompson	Van Zandt	Walton	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	

NOES: 104

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Behnen	Berkstresser	Black	Bland
Boatright	Bonner	Boucher	Boykins	Burcham
Burton	Byrd	Champion	Cierpiot	Coleman
Cooper	Crawford	Crowell	Cunningham	Dempsey
Dolan	Enz	Fares	Foley	Ford
Froelker	Gaskill	Gratz	Green 15	Green 73
Griesheimer	Hampton	Hanaway	Hartzler	Hegeman
Henderson	Hendrickson	Hickey	Hohulin	Holand
Holt	Hunter	Jetton	Kelley 47	Kelly 144
Kennedy	King	Koller	Legan	Levin
Liese	Linton	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	McKenna	Miller
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
St. Onge	Surface	Townley	Troupe	Villa
Vogel	Wagner	Ward	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 007

Hoppe	Lawson	Lograsso	Long	Smith
Treadway	Mr. Speaker			

VACANCIES: 003

Representative Johnson (90) offered **House Substitute Amendment No. 2 for House Amendment No. 1.**

*House Substitute Amendment No. 2
for
House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 48, Page 14, Section 630.170, Line 24, by inserting immediately after said line the following:

"Section 1. 1. In order to establish consistent and reliable guidelines for judicial review of certain court determinations, there is hereby created within the office of the governor a "Child Abuse, Custody and Neglect Commission" which shall evaluate the laws and rules relating to child abuse, neglect, child custody and visitation and termination of parental rights and shall make recommendations on further action or legislative remedies, if any, to be taken as necessary. The commission shall review and recommend standardized guidelines for judicial review of what constitutes the best interest of the child.

2. The child abuse, custody and neglect commission shall be composed of twelve members to be appointed by the governor, including a county prosecutor, a law enforcement officer, a juvenile officer, a certified guardian ad litem, a juvenile court judge, a member of the clergy, a psychologist, a pediatrician, an educator, the chairman of the children's services commission, a division of family services designee, and one citizen of the state of Missouri, chosen to reflect the racial composition of the state, to serve four-year terms and of the members first appointed, four shall serve for a term of two years, four shall serve for a term of three years, and four shall serve for a term of four years.

3. The commission shall make its first report to the governor and the general assembly by February 1, 2002, and any subsequent reports shall be made to the governor, the chief justice of the supreme court and the general assembly as necessary.

4. All members shall serve without compensation but shall be reimbursed for all actual and necessary expenses incurred in the performance of their official duties for the commission.

5. The office of the governor shall provide funding, administrative support, and staff for the effective operation of the commission.

6. This section shall expire on August 28, 2004."; and

Further amend the title and enacting clause accordingly.

On motion of Representative Johnson (90), **House Substitute Amendment No. 2 for House Amendment No. 1** was adopted.

Representative Britt offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 48, Page 11, Section 210.922, Line 11, by deleting all of said section and adding in lieu thereof a new section as follows:

"210.928. The department may use the registry information to determine the qualifications of licensed providers pursuant to this chapter and chapters 190, 195, 197, 198 and 660 RSMo. The department may not license, without specific statutory authority, any unlicensed person, corporation, or association who provides in home services under contract with the division of aging or its successor agency.".

On motion of Representative Britt, **House Amendment No. 2** was adopted.

Representative Crowell offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 48, Page 1, Section 210.900, Line 16, by inserting before all of said line the following:

"210.001. 1. The department of social services shall address the needs of homeless, dependent and neglected children in the supervision and custody of the division of family services and to their families-in-conflict by:

(1) Serving children and families as a unit in the least restrictive setting available and in close proximity to the family home, consistent with the best interests and special needs of the child;

(2) Insuring that appropriate social services are provided to the family unit both prior to the removal of the child from the home and after family reunification;

(3) Developing and implementing preventive and early intervention social services which have demonstrated the ability to delay or reduce the need for out-of-home placements and ameliorate problems before they become chronic.

2. The department of social services shall fund only regional child assessment centers known as:

(1) The St. Louis City child assessment center;

(2) The St. Louis County child assessment center;

(3) The Jackson County child assessment center;

(4) The Buchanan County child assessment center;

(5) The Greene County child assessment center;

(6) The Boone County child assessment center;

(7) The Joplin child assessment center;

(8) The St. Charles County child assessment center;

(9) The Jefferson County child assessment center; [and]

(10) The Pettis County child assessment center;

(11) The southeast Missouri network against sexual violence; and

(12) The lakes area child advocacy center."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Hollingsworth raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Crowell, **House Amendment No. 3** was adopted.

Representative Carnahan offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 48, Page 6, Section 210.906, Line 8, by inserting after the period on said line the following:

"The department's good cause exemption for employers shall include but not be limited to hospitals who have conducted a background check on the elder-care worker pursuant to the requirements of section 660.317, RSMo."

On motion of Representative Carnahan, **House Amendment No. 4** was adopted.

Representative Richardson offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 48, by inserting in the appropriate location the following section:

“453.073. 1. The division of family services is authorized to grant a subsidy to a child in one of the forms of allotment defined in section 453.065. Determination of the amount of monetary need is to be made by the division at the time of placement, if practicable, and in reference to the needs of the child, including consideration of the physical and mental condition, **and** age [and racial and ethnic background] of the child in each case; provided, however, that the subsidy amount shall not exceed the expenses of foster care and medical care for foster children paid under the homeless, dependent and neglected foster care program.

2. The subsidy shall be paid for children who have been in the care and custody of the division of family services under the homeless, dependent and neglected foster care program. In the case of a child who has been in the care and custody of a private child-caring or child-placing agency or in the care and custody of the division of youth services or the department of mental health, a subsidy shall be available from the division of family services subsidy program in the same manner and under the same circumstances and conditions as provided for a child who has been in the care and custody of the division of family services.

3. Within thirty days after the authorization for the grant of a subsidy by the division of family services, a written agreement shall be entered into by the division and the parents. The agreement shall set forth the following terms and conditions:

- (1) The type of allotment;
- (2) The amount of assistance payments;
- (3) The services to be provided;
- (4) The time period for which the subsidy is granted, if that period is reasonably ascertainable;
- (5) The obligation of the parents to inform the division when they are no longer providing support to the child or when events affect the subsidy eligibility of the child;
- (6) The eligibility of the child for Medicaid.

[4. In the case that the subsidized family moves from the state of Missouri, the granted subsidy shall remain in force as stipulated in the allotment agreement, as long as the adopting family follows the established requirements and, provided further, that a subsidized family which has moved its residence from the state of Missouri shall, as a condition for the continuance of the granted subsidy, submit to the division of family services by the thirtieth day of June of each year, on a form to be provided by such division, a statement of the amounts paid for expenses for the care and maintenance of the adopted child in the preceding year. If the subsidized family fails to submit such form by the thirtieth day of June of any year, payments under the provisions of sections 453.065 to 453.074 to a family which has moved its residence from the state of Missouri shall cease.]”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Richardson, **House Amendment No. 5** was adopted.

Representative Riback Wilson (25) offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 48, Page 14, Section 630.170, Line 24, by inserting immediately after all of said line the following:

“630.405. 1. The department may purchase services for patients, residents or clients from private and public vendors in this state with funds appropriated for this purpose.

2. Services that may be purchased may include prevention, diagnosis, evaluation, treatment, habilitation, rehabilitation, transportation and other special services for persons affected by mental disorders, mental illness, mental retardation, developmental disabilities or alcohol or drug abuse.

3. The commissioner of administration, in consultation with the director, shall promulgate rules establishing procedures consistent with the usual state purchasing procedures [under] **pursuant to** chapter 34, RSMo, for the purchase of services [under] **pursuant to** this section. The commissioner may authorize the department to purchase any technical service which, in his judgment, can best be purchased direct [under] **pursuant to** chapter 34, RSMo. The commissioner shall cooperate with the department to purchase timely services appropriate to the needs of the patients, residents or clients of the department.

4. The commissioner of administration may promulgate rules authorizing the department to review, suspend, terminate, or otherwise take remedial measures with respect to contracts with vendors as defined in subsection one of this section that fail to comply with the requirements of Section 210.906 RSMo.

5. The commissioner of administration may promulgate rules for a waiver of chapter 34, RSMo, bidding procedures for the purchase of services for patients, residents and clients with funds appropriated for that purpose if, in the commissioner’s judgement, such services can best be purchased directly by the department.

6. No rule or portion of a rule promulgated [under] **pursuant to** the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of [section 536.024] **chapter 536**, RSMo,”; and

Further amend the title, enacting clause, and intersectional references accordingly.

On motion of Representative Riback Wilson (25), **House Amendment No. 6** was adopted.

Representative Britt assumed the Chair.

Speaker Pro Tem Abel resumed the Chair.

Representative Kelley (47) offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 48, Page 14, Section 630.170, Line 14, by deleting Line 14 through and including Line 24.

Representative Kelley (47) moved that **House Amendment No. 7** be adopted.

Which motion was defeated.

On motion of Representative Hollingsworth, **HS HCS SS SCS SB 48, as amended**, was adopted.

On motion of Representative Hollingsworth, **HS HCS SS SCS SB 48, as amended**, was read the third time and passed by the following vote:

AYES: 145

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Bonner	Boucher

Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
Ostmann	Overschmidt	Phillips	Ransdall	Rector
Reid	Relford	Reynolds	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	St. Onge	Surface
Thompson	Treadway	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 003

Boatright	Hunter	Purgason
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PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Harlan	Hohulin	King	Long
O'Toole	Portwood	Reinhart	Richardson	Shoemyer
Townley	Troupe			

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

Speaker Kreider assumed the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has third read and passed **HS HCR 25**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 33**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives the Senate refuses to concur in **HCS SS SB 244, as amended**, and requests the House to recede from its position and failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HS HCS HB 1000**, entitled:

An act to repeal sections 128.345 and 128.346, RSMo 2000, and to enact in lieu thereof eleven new sections relating to the composition of congressional districts.

With Senate Amendment No. 2

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1000, Page 48, Section 128.415, Line 57, by striking all of said line; and

Further amend said bill, Page 60, Section 128.415, Line 494, by inserting after all of said line the following:

“BLK: 604006086”; and

Further amend said bill, Page 79, Section 128.430, Line 37, by striking all of said line; and

Further amend said bill, Page 93, Section 128.440, Line 16, by inserting after all of said line the following:

“BLK: 506001993”.

In which the concurrence of the House is respectfully requested.

HOUSE BILL WITH SENATE AMENDMENT

SCS HS HCS HB 1000, as amended, relating to redistricting, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **SCS HS HCS HB 1000, as amended**, was adopted by the following vote:

AYES: 116

Abel	Baker	Barnett	Barry 100	Bartelsmeyer
Behnen	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Campbell	Carnahan	Champion
Coleman	Cooper	Crawford	Crowell	Crump
Curls	Davis	Dempsey	Dolan	Foley
Ford	Franklin	Fraser	Gambaro	George
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Harding	Harlan	Haywood	Hegeman
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27

Kelly 36	Kennedy	Koller	Lawson	Legan
Liese	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Monaco	Moore	Murphy
Naeger	Nordwald	O'Connor	Ostmann	Overschmidt
Purgason	Ransdall	Relford	Reynolds	Richardson
Rizzo	Robirds	Scheve	Schwab	Scott
Seigfreid	Selby	Shelton	Shields	Skaggs
Surface	Thompson	Townley	Treadway	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 039

Ballard	Barnitz	Bartle	Bearden	Berkowitz
Berkstresser	Boatright	Byrd	Cierpiot	Clayton
Copenhaver	Cunningham	Enz	Fares	Farnen
Froelker	Gaskill	Graham	Hanaway	Hartzler
Henderson	Hendrickson	Hohulin	Levin	Linton
Lograsso	Miller	Myers	Phillips	Portwood
Rector	Reid	Reinhart	Ridgeway	Ross
Secrest	Shoemyer	Smith	St. Onge	

PRESENT: 000

ABSENT WITH LEAVE: 005

King	O'Toole	Roark	Troupe	Van Zandt
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VACANCIES: 003

Representative Scheve requested a verification of the roll call on the adoption of **SCS HS HCS HB 1000, as amended.**

On motion of Representative Hosmer, **SCS HS HCS HB 1000, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 117

Abel	Baker	Barnett	Barry 100	Bartelsmeyer
Bearden	Behnen	Berkstresser	Black	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Campbell
Carnahan	Champion	Coleman	Cooper	Crawford
Crowell	Crump	Curls	Davis	Dempsey
Dolan	Fares	Foley	Ford	Franklin
Fraser	Gambaro	George	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Harding
Harlan	Haywood	Hegeman	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
Koller	Lawson	Legan	Liese	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Monaco	Moore	Naeger	Nordwald	O'Connor

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Ostmann	Overschmidt	Purgason	Ransdall	Relford
Reynolds	Richardson	Rizzo	Robirds	Scheve
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Skaggs	Surface	Thompson	Townley
Treadway	Villa	Vogel	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 42
Wright	Mr. Speaker			

NOES: 037

Ballard	Barnitz	Bartle	Berkowitz	Boatright
Byrd	Cierpiot	Clayton	Copenhaver	Cunningham
Enz	Farnen	Froelker	Gaskill	Graham
Hanaway	Hartzler	Henderson	Hendrickson	Hohulin
Levin	Linton	Lograsso	Miller	Myers
Phillips	Portwood	Rector	Reid	Reinhart
Ridgeway	Ross	Secrest	Shoemyer	Smith
St. Onge	Wilson 25			

PRESENT: 000

ABSENT WITH LEAVE: 006

King	Murphy	O'Toole	Roark	Troupe
Van Zandt				

VACANCIES: 003

Speaker Kreider declared the bill passed.

Representative Bonner requested a verification of the roll call on the vote to truly agree and finally pass **SCS HS HCS HB 1000, as amended.**

On motion of Representative Crump, the House recessed until 3:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Green (73).

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2174	-	Representative Relford
House Resolution No. 2175	-	Representative Dolan
House Resolution No. 2176		
and		
House Resolution No. 2177	-	Representative Ransdall
House Resolution No. 2178	-	Representative Wright
House Resolution No. 2179	-	Representative Gratz
House Resolution No. 2180	-	Representative Boucher
House Resolution No. 2181	-	Representative Secrest
House Resolution No. 2182	-	Representatives Rector and Monaco

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 80**, entitled:

An act to amend chapters 67 and 70, RSMo, by adding thereto twenty-four new sections relating to the law enforcement organization, with an emergency clause.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 1 to Senate Amendment No. 3, Senate Amendment No. 3, as amended, Senate Amendment No. 4, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 10, Senate Amendment No. 12, Senate Amendment No. 13 and Senate Amendment No. 14

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Bill No. 80, Page 14, Section 70.833, Line 35, by inserting after all of said line the following:

“478.610. 1. There shall be three circuit judges in the thirteenth judicial circuit consisting of the counties of Boone and Callaway. These judges shall sit in divisions numbered one, two and three.

2. The circuit judge in division two shall be elected in 1980. The circuit judges in divisions one and three shall be elected in 1982.

3. The authority for a majority of judges of the thirteenth judicial circuit to appoint or retain a commissioner pursuant to section 478.003 shall expire August 28, 2001. As of such date, there shall be one additional associate circuit judge position in Boone County than is provided pursuant to section 478.320.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Bill No. 80, Page 1, Section A, Line 5, by inserting after all of said line the following:

“32.056. The department of revenue shall not release the home address or any other information contained in the department's motor vehicle or driver registration records regarding any person who is a county, state or federal parole officer or who is a federal pretrial officer **or who is a peace officer pursuant to section 590.100, RSMo, or a member of the parole officer's, pretrial officer's or peace officer's immediate family** based on a specific request for such information from any person. Any person who is a county, state or federal parole officer or who is a federal pretrial officer **or who is a peace officer pursuant to section 590.100, RSMo**, may notify the department of such status and the department shall protect the confidentiality of the records on such a person **and his or her immediate family** as required by this section. This section shall not prohibit the department from releasing information on a motor registration list pursuant to section 32.055 **or from releasing information on any officer who holds a class A, B or C commercial driver's license pursuant to the Motor Carrier Safety Improvement Act of 1999, as amended, 49 U.S.C. 31309.”; and**

Further amend the title and enacting clause accordingly.

Senate Amendment No. 1
to
Senate Amendment No. 3

AMEND Senate Amendment No. 3 to Senate Committee Substitute for House Bill No. 80, Page 3, Section 570.120, Line 3, by deleting the opening bracket on Line 3 and the closing bracket on Line 6. Also delete the new language on Line 6; and

Further amend Line 9, by deleting the words “one hundred” and insert in lieu thereof the word “fifty”.

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Bill No. 80, Page 1, In the Title, Line 3, by deleting all of said line and inserting in lieu thereof the following:

“relating to law enforcement, with penalty provisions and an emergency clause.”; and

Further amend said bill, Page 14, Section 70.833, Line 35, by inserting after said line the following:

“570.120. 1. A person commits the crime of passing a bad check when:

(1) With purpose to defraud, [he] **the person** makes, issues or passes a check or other similar sight order for the payment of money, knowing that it will not be paid by the drawee, or that there is no such drawee; or

(2) [He] **The person** makes, issues, or passes a check or other similar sight order for the payment of money, knowing that there are insufficient funds in [his] **that** account or that there is no such account or no drawee and fails to pay the check or sight order within ten days after receiving actual notice in writing that it has not been paid because of insufficient funds or credit with the drawee or because there is no such drawee.

2. As used in subdivision (2) of subsection 1 of this section, actual notice in writing means notice of the nonpayment which is actually received by the defendant. Such notice may include the service of summons or warrant upon the defendant for the initiation of the prosecution of the check or checks which are the subject matter of the prosecution if the summons or warrant contains information of the ten-day period during which the instrument may be paid and that payment of the instrument within such ten-day period will result in dismissal of the charges. The requirement of notice shall also be satisfied for written communications which are tendered to the defendant and which the defendant refuses to accept.

3. The face amounts of any bad checks passed pursuant to one course of conduct within any ten-day period may be aggregated in determining the grade of the offense.

4. Passing bad checks is a class A misdemeanor, unless:

(1) The face amount of the check or sight order or the aggregated amounts is one hundred fifty dollars or more; or

(2) The issuer had no account with the drawee or if there was no such drawee at the time the check or order was issued, in which cases passing bad checks is a class D felony.

5. (1) In addition to all other costs and fees allowed by law, each prosecuting attorney or circuit attorney who takes any action [under] **pursuant to** the provisions of this section shall collect from the issuer in such action an administrative handling cost. The cost shall be [five dollars for checks of less than ten dollars, ten dollars for checks of ten dollars but less than one hundred dollars, and twenty-five dollars for checks of one hundred dollars or more.] **twenty-five dollars for any bad check. For checks of one hundred dollars or more and additional fee of ten percent of the face amount shall be assessed, with a maximum fee for administrative handling costs not to exceed one hundred dollars total.** Notwithstanding the provisions of sections 50.525 to 50.745, RSMo, the costs provided for in this subsection shall be deposited by the county treasurer into a separate interest-bearing fund to be expended by the prosecuting attorney or circuit attorney. The funds shall be expended, upon warrants issued by the prosecuting attorney or circuit attorney directing the treasurer to issue checks thereon, only for purposes related to that previously authorized in this section. Any revenues that are not required for the purposes of this section may be placed in the general revenue fund of the county or city not within a county.

(2) The moneys deposited in the fund may be used by the prosecuting or circuit attorney for office supplies, postage, books, training, office equipment, capital outlay, expenses of trial and witness preparation, additional

employees for the staff of the prosecuting or circuit attorney and employees' salaries.

(3) This fund may be audited by the state auditor's office or the appropriate auditing agency.

(4) If the moneys collected and deposited into this fund are not totally expended annually, then the unexpended balance shall remain in said fund and the balance shall be kept in said fund to accumulate from year to year.

6. Notwithstanding any other provisions of law to the contrary, in addition to the administrative handling costs provided for in subsection 5 of this section, the prosecuting attorney or circuit attorney may, in his discretion, collect from the issuer, in addition to the face amount of the check, a reasonable service charge, which along with the face amount of the check shall be turned over to the party to whom the bad check was issued. If the prosecuting attorney or circuit attorney does not collect the service charge and the face amount of the check, the party to whom the check was issued may collect from the issuer a reasonable service charge along with the face amount of the check.

7. In all cases where a prosecutor receives notice from the original holder that a person has violated this section with respect to a payroll check or order, the prosecutor, if he determines there is a violation of this section, shall file an information or seek an indictment within sixty days of such notice and may file an information or seek an indictment thereafter if the prosecutor has failed through neglect or mistake to do so within sixty days of such notice and if he determines there is sufficient evidence shall further prosecute such cases.

8. When any financial institution returns a dishonored check to the person who deposited such check, it shall be in substantially the same physical condition as when deposited, or in such condition as to provide the person who deposited the check the information required to identify the person who wrote the check.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Senate Amendment No. 4

AMEND Senate Committee Substitute for House Bill No. 80, Page 14, Section 70.833, Line 35, by inserting after all of said line the following:

“650.450. 1. A death benefit of one hundred fifty thousand dollars for a public safety officer who dies in the line of duty, shall be paid in a lump sum to the following relative:

(a) To the surviving spouse;

(b) If there is no surviving spouse, to the surviving children to be shared equally;

(c) If there is no surviving spouse and there are no surviving children, to the parent or parents in equal shares.

2. A public safety officer for the purposes of this section is a firefighter, police officer, capitol police officer, parole officer, probation officer, state correctional employee, water safety officer, park ranger, conservation officer or highway patrolman employed by the state or Missouri or a political subdivision thereof or any volunteer firefighter serving a rural, volunteer or subscription fire department or organization.

3. As used in this section, “dies in the line of duty” refers to a death that occurs as a direct result of a personal injury or illness resulting from any action of a public safety officer, whose primary function is crime control or reduction, enforcement of the criminal law, or suppression of fires, is authorized or obligated by law, rule regulation or condition of employment or service to perform.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

AMEND Senate Committee Substitute for House Bill No. 80, Page 1, In the Title, Line 3, by striking the words “the law enforcement organization” and inserting in lieu thereof the words **“public safety”**; and

Further amend said bill, Page 14, Section 70.833, Line 35, by inserting after all of said line the following:

“595.045. 1. There is established in the state treasury the “Crime Victims' Compensation Fund”. A surcharge of [five] ten dollars shall be assessed as costs in each court proceeding filed in any court in the state in all criminal cases including violations of any county ordinance or any violation of criminal or traffic laws of the state, including an infraction and violation of a municipal ordinance; except that no such fee shall be collected in any proceeding in any

court when the proceeding or the defendant has been dismissed by the court or when costs are to be paid by the state, county, or municipality. A surcharge of [five] **ten** dollars shall be assessed as costs in a juvenile court proceeding in which a child is found by the court to come within the applicable provisions of subdivision (3) of subsection 1 of section 211.031, RSMo.

2. Notwithstanding any other provision of law to the contrary, the moneys collected by clerks of the courts pursuant to the provisions of subsection 1 of this section shall be collected and disbursed in accordance with sections 488.010 to 488.020, RSMo, and shall be payable to the director of the department of revenue.

3. The director of revenue shall deposit annually the amount of two hundred fifty thousand dollars to the state forensic laboratory account administered by the department of public safety to provide financial assistance to defray expenses of crime laboratories if such analytical laboratories are registered with the federal Drug Enforcement Agency or the Missouri department of health. Subject to appropriations made therefor, such funds shall be distributed by the department of public safety to the crime laboratories serving the courts of this state making analysis of a controlled substance or analysis of blood, breath or urine in relation to a court proceeding.

[3.] 4. The remaining funds collected under subsection 1 of this section **shall be denoted to the payment of an annual appropriation for the administrative and operational costs of the office for victims of crime and, if a statewide automated crime victim notification system is established pursuant to section 650.310, RSMo, to the monthly payment of expenditures actually incurred in the operation of such system. Additional remaining funds** shall be subject to the following provisions:

(1) On the first of every month, the director of revenue or the director's designee shall determine the balance of the funds in the crime victims' compensation fund available to satisfy the amount of compensation payable pursuant to sections 595.010 to 595.075, excluding sections 595.050 and 595.055;

(2) Beginning on October 1, 1996, and on the first of each month, if the balance of the funds available exceeds one million dollars plus one hundred percent of the previous twelve months' actual expenditures, excluding the immediate past calendar month's expenditures, paid pursuant to sections 595.010 to 595.075, excluding sections 595.050 and 595.055, then the director of revenue or the director's designee shall deposit fifty percent to the credit of the crime victims' compensation fund and fifty percent to the services to victims' fund established in section 595.100;

(3) Beginning on October 1, 1996, and on the first of each month, if the balance of the funds available is less than one million dollars plus one hundred percent of the previous twelve months' actual expenditures, excluding the immediate past calendar month's expenditures, paid pursuant to sections 595.010 to 595.075, excluding sections 595.050 and 595.055, then the director of revenue or the director's designee shall deposit seventy-five percent to the credit of the crime victims' compensation fund and twenty-five percent to the services to victims' fund established in section 595.100.

[4.] 5. The director of revenue or such director's designee shall at least monthly report the moneys paid pursuant to this section into the crime victims' compensation fund and the services to victims fund to the division of workers' compensation and the department of public safety, respectively.

[5.] 6. The moneys collected by clerks of municipal courts pursuant to subsection 1 of this section shall be collected and disbursed as provided by sections 488.010 to 488.020, RSMo. Five percent of such moneys shall be payable to the city treasury of the city from which such funds were collected.

The remaining ninety-five percent of such moneys shall be payable to the director of revenue. The funds received by the director of revenue pursuant to this subsection shall be distributed as follows:

(1) On the first of every month, the director of revenue or the director's designee shall determine the balance of the funds in the crime victims' compensation fund available to satisfy the amount of compensation payable pursuant to sections 595.010 to 595.075, excluding sections 595.050 and 595.055;

(2) Beginning on October 1, 1996, and on the first of each month, if the balance of the funds available exceeds one million dollars plus one hundred percent of the previous twelve months' actual expenditures, excluding the immediate past calendar month's expenditures, paid pursuant to sections 595.010 to 595.075, excluding sections 595.050 and 595.055, then the director of revenue or the director's designee shall deposit fifty percent to the credit of the crime victims' compensation fund and fifty percent to the services to victims' fund established in section 595.100;

(3) Beginning on October 1, 1996, and on the first of each month, if the balance of the funds available is less than one million dollars plus one hundred percent of the previous twelve months' actual expenditures, excluding the immediate past calendar month's expenditures, paid pursuant to sections 595.010 to 595.075, excluding sections 595.050 and 595.055, then the director of revenue or the director's designee shall deposit seventy-five percent to the credit of the crime victims' compensation fund and twenty-five percent to the services to victims' fund established in section 595.100.

[6.] **7.** These funds shall be subject to a biennial audit by the Missouri state auditor. Such audit shall include all records associated with crime victims' compensation funds collected, held or disbursed by any state agency.

[7.] **8.** In addition to the moneys collected pursuant to subsection 1 of this section, the court shall enter a judgment in favor of the state of Missouri, payable to the crime victims' compensation fund, of sixty-eight dollars if the conviction is for a class A or B felony; forty-six dollars if the conviction is for a class C or D felony; and ten dollars if the conviction is for any misdemeanor under the following Missouri laws:

- (1) Chapter 195, RSMo, relating to drug regulations;
- (2) Chapter 311, RSMo, but relating only to felony violations of this chapter committed by persons not duly licensed by the supervisor of liquor control;
- (3) Chapter 491, RSMo, relating to witnesses;
- (4) Chapter 565, RSMo, relating to offenses against the person;
- (5) Chapter 566, RSMo, relating to sexual offenses;
- (6) Chapter 567, RSMo, relating to prostitution;
- (7) Chapter 568, RSMo, relating to offenses against the family;
- (8) Chapter 569, RSMo, relating to robbery, arson, burglary and related offenses;
- (9) Chapter 570, RSMo, relating to stealing and related offenses;
- (10) Chapter 571, RSMo, relating to weapons offenses;
- (11) Chapter 572, RSMo, relating to gambling;
- (12) Chapter 573, RSMo, relating to porn-ography and related offenses;
- (13) Chapter 574, RSMo, relating to offenses against public order;
- (14) Chapter 575, RSMo, relating to offenses against the administration of justice;
- (15) Chapter 577, RSMo, relating to public safety offenses.

Any clerk of the court receiving moneys pursuant to such judgments shall collect and disburse such crime victims' compensation judgments in the manner provided by sections 488.010 to 488.020, RSMo. Such funds shall be payable to the state treasury and deposited to the credit of the crime victims' compensation fund.

[8.] **9.** The clerk of the court processing such funds shall maintain records of all dispositions described in subsection 1 of this section and all dispositions where a judgment has been entered against a defendant in favor of the state of Missouri in accordance with this section; all payments made on judgments for alcohol-related traffic offenses; and any judgment or portion of a judgment entered but not collected. These records shall be subject to audit by the state auditor. The clerk of each court transmitting such funds shall report separately the amount of dollars collected on judgments entered for alcohol-related traffic offenses from other crime victims' compensation collections or services to victims collections.

[9.] **10.** The clerks of the court shall report all delinquent payments to the department of revenue by October first of each year for the preceding fiscal year, and such sums may be withheld pursuant to subsection [14] **15** of this section.

[10.] **11.** The department of revenue shall maintain records of funds transmitted to the crime victims' compensation fund by each reporting court and collections pursuant to subsection [17] **18** of this section and shall maintain separate records of collection for alcohol-related offenses.

[11.] **12.** Notwithstanding any other provision of law to the contrary, the provisions of subsections [8 and 9] **9 and 10** of this section shall expire and be of no force and effect upon the effective date of the supreme court rule adopted pursuant to sections 488.010 to 488.020, RSMo.

[12.] **13.** The state courts administrator shall include in the annual report required by section 476.350, RSMo, the circuit court caseloads and the number of crime victims' compensation judgments entered.

[13.] **14.** All awards made to injured victims under sections 595.010 to 595.105 and all appropriations for administration of sections 595.010 to 595.105, except sections 595.050 and 595.055, shall be made from the crime victims' compensation fund. Any unexpended balance remaining in the crime victims' compensation fund at the end of each biennium shall not be subject to the provision of section 33.080, RSMo, requiring the transfer of such unexpended balance to the ordinary revenue fund of the state, but shall remain in the crime victims' compensation fund. In the event that there are insufficient funds in the crime victims' compensation fund to pay all claims in full, all claims shall be paid on a pro rata basis. If there are no funds in the crime victims' compensation fund, then no claim shall be paid until funds have again accumulated in the crime victims' compensation fund. When sufficient funds become available from the fund, awards which have not been paid shall be paid in chronological order with the oldest paid first. In the event an award was to be paid in installments and some remaining installments have not been paid due to a lack of funds, then when funds do become available that award shall be paid in full. All such awards on which installments remain due shall be paid in full in chronological order before any other postdated award shall be paid. Any award pursuant to this

subsection is specifically not a claim against the state, if it cannot be paid due to a lack of funds in the crime victims' compensation fund.

[14.] **15.** When judgment is entered against a defendant as provided in this section and such sum, or any part thereof, remains unpaid, there shall be withheld from any disbursement, payment, benefit, compensation, salary, or other transfer of money from the state of Missouri to such defendant an amount equal to the unpaid amount of such judgment. Such amount shall be paid forthwith to the crime victims' compensation fund and satisfaction of such judgment shall be entered on the court record. Under no circumstances shall the general revenue fund be used to reimburse court costs or pay for such judgment. The director of the department of corrections shall have the authority to pay into the crime victims' compensation fund from an offender's compensation or account the amount owed by the offender to the crime victims' compensation fund, provided that the offender has failed to pay the amount owed to the fund prior to entering a correctional facility of the department of corrections.

[15.] **16.** All interest earned as a result of investing funds in the crime victims' compensation fund shall be paid into the crime victims' compensation fund and not into the general revenue of this state.

[16.] **17.** Any person who knowingly makes a fraudulent claim or false statement in connection with any claim hereunder is guilty of a class A misdemeanor.

[17.] **18.** Any gifts, contributions, grants or federal funds specifically given to the division for the benefit of victims of crime shall be credited to the crime victims' compensation fund. Payment or expenditure of moneys in such funds shall comply with any applicable federal crime victims' compensation laws, rules, regulations or other applicable federal guidelines.

650.300. As used in sections 650.300 to 650.310, the following terms shall mean:

- (1) "Catastrophic crime", a violation of section 569.070, RSMo;
- (2) "Office", the office for victims of crime;
- (3) "Private agency", a private agency as defined in section 595.010, RSMo;
- (4) "Public agency", a public agency as defined in section 595.010, RSMo;
- (5) "Victim of crime", a person afforded rights as a victim or entitled to compensation or services as a victim pursuant to chapter 595, RSMo.

650.310. 1. The office of victims of crime is hereby established within the department of public safety, for the purpose of promoting the fair and just treatment of victims of crime. The office shall coordinate and promote the state's program for victims of crime and shall provide channels of communication among public and private agencies and in exercising the rights afforded to victims of crime pursuant to chapter 595, RSMo, and the Missouri Constitution. In the event of a catastrophic crime the office shall, or upon the receipt of a specific request the office may, work closely with other state and local agencies to coordinate a response to meet the needs of any resulting victims of crime.

2. The office for victims of crime shall coordinate efforts with statewide coalitions or organizations that are involved in efforts to provide assistance to victims of crime and to reduce the incidence of domestic violence, sexual assault or other crime victimization. The office shall consult with such coalitions or organizations as to more efficient and effective coordination and delivery of services to victims of crime.

3. The office for victims of crime shall assess and report to the governor the costs and benefits of establishing a statewide automated crime victim notification system within the criminal justice system and shall serve as the coordinating agency for the development, implementation and maintenance of any such system.

4. The department of public safety may promulgate administrative rules to implement this section, and any such rule that is wholly procedural and without fiscal impact shall be deemed to satisfy the requirements of section 536.016, RSMo."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 7

AMEND Senate Committee Substitute for House Bill No. 80, Page 1, Section A, Line 5, by inserting after said line the following:

"57.020. Every sheriff shall, within fifteen days after he [receives the certificate of his election or appointment] **or she is sworn into office**, give bond to the state in a sum not less than five thousand dollars nor more than fifty thousand dollars, with sureties approved by the presiding judge of the circuit court, conditioned for the faithful discharge

of his duties; which bond shall be filed in the office of the clerk of the circuit court of the county.

57.030. Should any sheriff be reelected, he shall give a new bond and security within fifteen days from [his election] **the date that he or she is sworn into office**; and should he fail to do so, his former sureties shall not be held liable for any business done by him after the fifteen days expire.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 10

AMEND Senate Committee Substitute for House Bill No. 80, Page 14, Section 70.833, Line 35, by inserting immediately after said line the following:

"94.577. 1. The governing body of any municipality except those located in whole or in part within any first class county having a charter form of government and not containing any part of a city with a population of four hundred thousand or more and adjacent to a city not within a county for that part of the municipality located within such first class county is hereby authorized to impose, by ordinance or order, a one-eighth, one-fourth, three-eighths, or one-half of one percent sales tax on all retail sales made in such municipality which are subject to taxation under the provisions of sections 144.010 to 144.525, RSMo, for the purpose of funding capital improvements, including the operation and maintenance of capital improvements, which may be funded by issuing bonds which will be retired by the revenues received from the sales tax authorized by this section or the retirement of debt under previously authorized bonded indebtedness. A municipality located in a charter county may impose a sales tax on all retail sales for capital improvements as provided in section 94.890. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law; but no ordinance imposing a sales tax under the provisions of this section shall be effective unless the governing body of the municipality submits to the voters of the municipality, at a municipal or state general, primary or special election, a proposal to authorize the governing body of the municipality to impose such tax and, if such tax is to be used to retire bonds authorized under this section, to authorize such bonds and their retirement by such tax, or to authorize the retirement of debt under previously authorized bonded indebtedness.

2. The ballot of submission shall contain, but need not be limited to:

(1) If the proposal submitted involves only authorization to impose the tax authorized by this section, the following language:

Shall the municipality of (municipality's name) impose a sales tax of (insert amount) for the purpose of funding capital improvements which may include the retirement of debt under previously authorized bonded indebtedness?

G YES

G NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No"; or

(2) If the proposal submitted involves authorization to issue bonds and repay such bonds with revenues from the tax authorized by this section, the following language:

Shall the municipality of (municipality's name) issue bonds in the amount of (insert amount) to fund capital improvements and impose a sales tax of (insert amount) to repay bonds?

G YES

G NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in box opposite "No".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, including when the proposal authorizes the reduction of debt under previously authorized bonded indebtedness under subdivision (1) of this subsection, then the ordinance or order and any amendments thereto shall be in effect, except that any proposal submitted under subdivision (2) of this subsection to issue bonds and impose a sales tax to retire such bonds must be approved by the constitutionally required percentage of the voters voting thereon to become effective. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the municipality shall have no power to issue any bonds or impose the sales tax authorized in this section unless and until the governing body of the municipality shall again have submitted another proposal to authorize the governing body of the municipality to issue any bonds or impose the sales tax authorized by this section, and such proposal is approved by the requisite majority of the qualified voters voting thereon; however, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section,

except that any municipality with a population of greater than four hundred thousand and located within more than one county may submit a proposal pursuant to this section to the voters sooner than twelve months from the date of the last proposal submitted pursuant to this section if submitted to the voters on or before November 6, 2001.

3. All revenue received by a municipality from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely for capital improvements, including the operation and maintenance of capital improvements, for so long as the tax shall remain in effect. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the special trust fund required by this subsection shall be used solely for the maintenance of the capital improvements made with revenues raised by the tax authorized by this section. Any funds in the special trust fund required by this subsection which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other municipal funds. The provisions of this subsection shall apply only to taxes authorized by this section which have not been imposed to retire bonds issued pursuant to this section.

4. All revenue received by a municipality which issues bonds under this section and imposes the tax authorized by this section to retire such bonds shall be deposited in a special trust fund and shall be used solely to retire such bonds, except to the extent that such funds are required for the operation and maintenance of capital improvements. Once all of such bonds have been retired, all funds remaining in the special trust fund required by this subsection shall be used solely for the maintenance of the capital improvements made with the revenue received as a result of the issuance of such bonds. Any funds in the special trust fund required by this subsection which are not needed to meet current obligations under the bonds issued under this section may be invested by the governing body in accordance with applicable laws relating to the investment of other municipal funds. The provisions of this subsection shall apply only to taxes authorized by this section which have been imposed to retire bonds issued under this section.

5. After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax in the same manner as provided in sections 94.500 to 94.570, and the director of revenue shall collect in addition to the sales tax for the state of Missouri the additional tax authorized under the authority of this section. The tax imposed pursuant to this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue. Except as modified in this section, all provisions of sections 32.085 and 32.087, RSMo, shall apply to the tax imposed under this section.

6. No tax imposed pursuant to this section for the purpose of retiring bonds issued under this section may be terminated until all of such bonds have been retired.

7. In any city not within a county, no tax shall be imposed pursuant to this section for the purpose of funding in whole or in part the construction, operation or maintenance of a sports stadium, field house, indoor or outdoor recreational facility, center, playing field, parking facility or anything incidental or necessary to a complex suitable for any type of professional sport or recreation, either upon, above or below the ground.

8. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any municipality for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such municipalities. If any municipality abolishes the tax, the municipality shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such municipality, the director of revenue shall remit the balance in the account to the municipality and close the account of that municipality. The director of revenue shall notify each municipality of each instance of any amount refunded or any check redeemed from receipts due the municipality. "; and

Further amend said bill, Page 15, Section B, Line 11, by inserting after all of said line the following:

"Section C. Because immediate action is necessary to protect municipalities, the enactment of section 94.577 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 94.577 of this act shall be in full force and effect upon its passage and approval."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 12

AMEND Senate Committee Substitute for House Bill No. 80, Page 1, In the Title, Line 3, by striking the following: "the law enforcement organization" and inserting in lieu thereof the following: "**law enforcement**"; and

Further amend said bill, Page 1, Section A, Line 5, by inserting after all of said line the following:

"57.010. 1. At the general election to be held in 1948, and at each general election held every four years thereafter, the voters in every county in this state shall elect some suitable person sheriff. No person shall be eligible for the office of sheriff who has been convicted of a felony. Such person shall be a resident taxpayer and elector of said county, shall have resided in said county for more than one whole year next before filing for said office and shall be a person capable of efficient law enforcement. When any person shall be elected sheriff, [he] **such person** shall enter upon the discharge of the duties of [his] **such person's** office **as chief law enforcement officer of that county** on the first day of January next succeeding [his] **said** election.

2. Beginning January 1, 2003, any sheriff who does not hold a valid peace officer license pursuant to chapter 590, RSMo, shall refrain from personally executing any of the police powers of the office of sheriff, including but not limited to participation in the activities of arrest, detention, vehicular pursuit, search and interrogation. Nothing in this section shall prevent any sheriff from administering the execution of police powers through duly commissioned deputy sheriffs. This subsection shall not apply:

(1) During the first twelve months of the first term of office of any sheriff who is eligible to become licensed as a peace officer and who intends to become so licensed within twelve months after taking office; or

(2) To the sheriff of any county of the first classification with a charter form of government with a population over nine hundred thousand."; and

Further amend said bill, Page 14, Section 70.833, Line 35, by inserting after all of said line the following:

"488.5336. 1. A surcharge of two dollars may be assessed as costs in each criminal case involving violations of any county ordinance or a violation of any criminal or traffic laws of the state, including infractions, or violations of municipal ordinances, provided that no such fee shall be collected in any proceeding in any court when the proceeding or defendant has been dismissed by the court or when costs are to be paid by the state, county or municipality. For violations of the general criminal laws of the state or county ordinances, no such surcharge shall be collected unless it is authorized by the county government where the violation occurred. For violations of municipal ordinances, no such surcharge shall be collected unless it is authorized by the municipal government where the violation occurred. Any such surcharge shall be authorized by the county or municipality and written notice given to the supreme court of such authorization prior to December first of the year preceding the state fiscal year during which such surcharge is to be collected and disbursed in the manner provided by sections 488.010 to 488.020. If imposed by a municipality, such surcharges shall be collected by the clerk of the municipal court responsible for collecting court costs and fines and shall be transmitted monthly to the treasurer of the municipality where the violation occurred in cases of violations of municipal ordinances. If imposed by a county, such surcharges shall be collected and disbursed as provided in sections 488.010 to 488.020. Such surcharges shall be payable to the treasurer of the county where the violation occurred in the case of violations of the general criminal laws of the state or county ordinances. [An additional] **Without regard to whether the aforementioned surcharge is assessed, a surcharge in the amount of one dollar shall be assessed as provided in this section, and shall be collected and disbursed as provided in sections 488.010 to 488.020 and payable to the state treasury to the credit of the peace officer standards and training commission fund created in section 590.178, RSMo. Such surcharges shall be in addition to the court costs and fees and limits on such court costs and fees established by section 66.110, RSMo, and section 479.260, RSMo.**

2. Each county and municipality shall use all funds received under this section only to pay for the training required as provided in sections 590.100 to 590.180, RSMo, or for the training of county coroners and their deputies provided that any excess funds not allocated to pay for such training may be used to pay for additional training of peace officers or for training of other law enforcement personnel employed or appointed by the county or municipality. No county or municipality shall retain more than one thousand five hundred dollars of such funds for each certified law enforcement officer, candidate for certification employed by that agency or a coroner and the coroner's

deputies. Any excess funds shall be transmitted quarterly to the general revenue fund of the county or municipality treasury which assessed the costs.

590.010. As used in this chapter, the following terms mean:

- (1) "Commission", when not obviously referring to the POST commission, means a grant of authority to act as a peace officer;
- (2) "Director", the director of the Missouri department of public safety or his or her designated agent or representative;
- (3) "Peace officer", a law enforcement officer of the state or any political subdivision of the state with the power of arrest for a violation of the criminal code or declared or deemed to be a peace officer by state statute;
- (4) "POST commission", the peace officer standards and training commission;
- (5) "Reserve peace officer", a peace officer who regularly works less than thirty hours per week.

590.020. 1. No person shall hold a commission as a peace officer without a valid peace officer license.

2. The director shall establish various classes of peace officer license and may provide that certain classes are not valid for commission within counties of certain classifications, by certain state agencies, or for commission as other than a reserve peace officer with police powers restricted to the commissioning political subdivision.

3. Notwithstanding any other provision of this chapter, no license shall be required:

- (1) Of any person who has no power of arrest;
- (2) To seek or hold an elected county office, subject to such requirements as chapter 57, RSMo, may impose;
- (3) To be commissioned pursuant to section 64.335, RSMo, as a park ranger not carrying a firearm;
- (4) To be commissioned as a peace officer by a political subdivision having less than four full-time paid peace officers or a population less than two thousand, provided that such commission was in effect on the effective date of this section and continually since that date, and provided that this exception shall not apply to any commission within a county of the first class having a charter form of government;
- (5) Of any reserve officer continually holding the same commission since August 15, 1988; or
- (6) For any person continually holding any commission as a full-time peace officer since December 31, 1978.

4. Any political subdivision or law enforcement agency may require its peace officers to meet standards more stringent than those required for licensure pursuant to this chapter.

590.030. 1. The POST commission shall establish minimum standards for the basic training of peace officers. Such standards may vary for each class of license established pursuant to subsection 2 of section 590.020.

2. The director shall establish minimum age, citizenship, and general education requirements and may require a qualifying score on a certification examination as conditions of eligibility for a peace officer license.

3. The director shall provide for the licensure, with or without additional basic training, of peace officers possessing credentials by other states or jurisdictions, including federal and military law enforcement officers.

4. The director shall establish a procedure for obtaining a peace officer license and shall issue the proper license when the requirements of this chapter have been met.

5. As conditions of licensure, all licensed peace officers shall:

- (1) Obtain continuing law enforcement education pursuant to rules to be promulgated by the POST commission; and
- (2) Maintain a current address of record on file with the director.

6. A peace officer license shall automatically expire if the licensee fails to hold a commission as a peace officer for a period of five consecutive years, provided that the POST commission shall provide for the relicensure of such persons and may require retraining as a condition of eligibility for relicensure, and provided that the director may provide for the continuing licensure, subject to restrictions, of persons who hold and exercise a law enforcement commission requiring a peace officer license but not meeting the definition of a peace officer pursuant to this chapter.

590.040. 1. The POST commission shall set the minimum number of hours of basic training for licensure as a peace officer no lower than four hundred seventy and no higher than six hundred, with the following exceptions:

- (1) Up to one thousand hours may be mandated for any class of license required for commission by a

state law enforcement agency;

(2) As few as one hundred twenty hours may be mandated for any class of license restricted to commission as a reserve peace officer with police powers limited to the commissioning political subdivision;

(3) Persons validly licensed on August 28, 2001, may retain licensure without additional basic training;

(4) Persons licensed and commissioned within a county of the third classification before July 1, 2002, may retain licensure with one hundred twenty hours of basic training if the commissioning political subdivision has adopted an order or ordinance to that effect; and

(5) The POST commission shall provide for the recognition of basic training received at law enforcement training centers of other states, the military, the federal government and territories of the United States regardless of the number of hours included in such training and shall have authority to require supplemental training as a condition of eligibility for licensure.

2. The director shall have the authority to limit any exception provided in subsection 1 of this section to persons remaining in the same commission or transferring to a commission in a similar jurisdiction.

3. The basic training of every peace officer, except agents of the conservation commission, shall include at least thirty hours of training in the investigation and management of cases involving domestic and family violence. Such training shall include instruction, specific to domestic and family violence cases, regarding: report writing; physical abuse, sexual abuse, child fatalities and child neglect; interviewing children and alleged perpetrators; the nature, extent and causes of domestic and family violence; the safety of victims, other family and household members and investigating officers; legal rights and remedies available to victims, including rights to compensation and the enforcement of civil and criminal remedies; services available to victims and their children; the effects of cultural, racial and gender bias in law enforcement; and state statutes. Said curriculum shall be developed and presented in consultation with the department of health, the division of family services, public and private providers of programs for victims of domestic and family violence, persons who have demonstrated expertise in training and education concerning domestic and family violence, and the Missouri coalition against domestic violence.

590.050. 1. The POST commission shall establish requirements for the continuing education of all peace officers. Peace officers who make traffic stops shall be required to receive annual training concerning the prohibition against racial profiling and such training shall promote understanding and respect for racial and cultural differences and the use of effective, non-combative methods for carrying out law enforcement duties in a racially and culturally diverse environment.

2. The director shall license continuing education providers and may probate, suspend and revoke such licenses upon written notice stating the reasons for such action. Any person aggrieved by a decision of the director pursuant to this subsection may appeal as provided in chapter 536, RSMo.

3. The costs of continuing law enforcement education shall be reimbursed in part by moneys from the peace officer standards and training commission fund created in section 590.178, subject to availability of funds, except that no such funds shall be used for the training of any person not actively commissioned or employed by a county or municipal law enforcement agency.

4. The director may engage in any activity intended to further the professionalism of peace officers through training and education, including the provision of specialized training through the department of public safety.

590.060. 1. The POST commission shall establish minimum standards for training instructors and training centers, and the director shall establish minimum qualifications for admittance into a basic training course.

2. The director shall license training instructors, centers, and curricula, and may probate, suspend and revoke such licenses upon written notice stating the reasons for such action. Any person aggrieved by a decision pursuant to this subsection may appeal as provided in chapter 536, RSMo.

3. Each person seeking entrance into a basic training program shall submit a fingerprint card and authorization for a criminal history background check to include the records of the Federal Bureau of Investigation to the training center where such person is seeking entrance. The training center shall cause a criminal history background check to be made and shall cause the resulting report to be forwarded to the director. The person seeking entrance may be charged a fee for the cost of this procedure.

590.070. 1. The chief executive officer of each law enforcement agency shall, within thirty days after commissioning any peace officer, notify the director on a form to be adopted by the director. The director may require the chief executive officer to conduct a current criminal history background check and to forward the

resulting report to the director.

2. The chief executive officer of each law enforcement agency shall, within thirty days after any licensed peace officer departs from employment or otherwise ceases to be commissioned, notify the director on a form to be adopted by the director. Such notice shall state the circumstances surrounding the departure from employment or loss of commission and shall specify any of the following that apply:

- (1) The officer failed to meet the minimum qualifications for commission as a peace officer;
- (2) The officer violated municipal, state or federal law;
- (3) The officer violated the regulations of the law enforcement agency; or
- (4) The officer was under investigation for violating municipal, state or federal law, or for gross violations of the law enforcement agency regulations.

3. Whenever the chief executive officer of a law enforcement agency has reasonable grounds to believe that any peace officer commissioned by the agency is subject to discipline pursuant to section 590.080, the chief executive officer shall report such knowledge to the director.

590.080. 1. The director shall have cause to discipline any peace officer licensee who:

- (1) Is unable to perform the functions of a peace officer with reasonable competency or reasonable safety as a result of a mental condition, including alcohol or substance abuse;
- (2) Has committed any criminal offense, whether or not a criminal charge has been filed;
- (3) Has committed any act while on active duty or under color of law that involves moral turpitude or a reckless disregard for the safety of the public or any person;
- (4) Has caused a material fact to be misrepresented for the purpose of obtaining or retaining a peace officer commission or any license issued pursuant to this chapter;
- (5) Has violated a condition of any order of probation lawfully issued by the director; or
- (6) Has violated a provision of this chapter or a rule promulgated pursuant to this chapter.

2. When the director has knowledge of cause to discipline a peace officer license pursuant to this section, the director may cause a complaint to be filed with the administrative hearing commission, which shall conduct a hearing to determine whether the director has cause for discipline, and which shall issue findings of fact and conclusions of law on the matter. The administrative hearing commission shall not consider the relative severity of the cause for discipline or any rehabilitation of the licensee or otherwise impinge upon the discretion of the director to determine appropriate discipline when cause exists pursuant to this section.

3. Upon a finding by the administrative hearing commission that cause to discipline exists, the director shall, within thirty days, hold a hearing to determine the form of discipline to be imposed and thereafter shall probate, suspend, or permanently revoke the license at issue. If the licensee fails to appear at the director's hearing, this shall constitute a waiver of the right to such hearing.

4. Notice of any hearing pursuant to this chapter or section may be made by certified mail to the licensee's address of record pursuant to subdivision (2) of subsection 3 of section 590.130. Proof of refusal of the licensee to accept delivery or the inability of postal authorities to deliver such certified mail shall be evidence that required notice has been given. Notice may be given by publication.

5. Nothing contained in this section shall prevent a licensee from informally disposing of a cause for discipline with the consent of the director by voluntarily surrendering a license or by voluntarily submitting to discipline.

6. The provisions of chapter 621, RSMo, and any amendments thereto, except those provisions or amendments that are in conflict with this chapter, shall apply to and govern the proceedings of the administrative hearing commission and pursuant to this section the rights and duties of the parties involved.

590.090. 1. The director shall have cause to suspend immediately the peace officer license of any licensee who:

- (1) Is under indictment for, is charged with, or has been convicted of the commission of any felony;
- (2) Is subject to an order of another state, territory, the federal government, or any peace officer licensing authority suspending or revoking a peace officer license or certification; or
- (3) Presents a clear and present danger to the public health or safety if commissioned as a peace officer.

2. At any time after the filing of a disciplinary complaint pursuant to section 590.080, if the director determines that probable cause exists to suspend immediately the peace officer license of the subject of the complaint, the director may, without notice or hearing, issue an emergency order suspending such license until final determination of the disciplinary complaint. Such order shall state the probable cause for the suspension and shall be served upon the licensee by certified mail at the licensee's address of record pursuant to subdivision

(2) of subsection 3 of section 590.130. Proof of refusal of the licensee to accept delivery or the inability of postal authorities to deliver such certified mail shall be evidence that required notice has been given. The director shall also notify the chief executive officer of any law enforcement agency currently commissioning the officer. The director shall have authority to dissolve an emergency order of suspension at any time for any reason.

3. A licensee subject to an emergency order of suspension may petition the administrative hearing commission for review of the director's determination of probable cause, in which case the administrative hearing commission shall within five business days conduct an emergency hearing, render its decision, and issue findings of fact and conclusions of law. Sworn affidavits or depositions shall be admissible on the issue of probable cause and may be held sufficient to establish probable cause. The administrative hearing commission shall have no authority to stay or terminate an emergency order of suspension without a hearing pursuant to this subsection. Findings and conclusions made in determining probable cause for an emergency suspension shall not be binding on any party in any proceeding pursuant to section 590.080.

4. Any party aggrieved by a decision of the administrative hearing commission pursuant to this section may appeal to the circuit court of Cole County as provided in section 536.100, RSMo.

590.100. 1. The director shall have cause to deny any application for a peace officer license or entrance into a basic training course when the director has knowledge that would constitute cause to discipline the applicant if the applicant were licensed.

2. When the director has knowledge of cause to deny an application pursuant to this section, the director may grant the application subject to probation or may deny the application. The director shall notify the applicant in writing of the reasons for such action and of the right to appeal pursuant to this section.

3. Any applicant aggrieved by a decision of the director pursuant to this section may appeal within thirty days to the administrative hearing commission, which shall conduct a hearing to determine whether the director has cause for denial, and which shall issue findings of fact and conclusions of law on the matter. The administrative hearing commission shall not consider the relative severity of the cause for denial or any rehabilitation of the applicant or otherwise impinge upon the discretion of the director to determine whether to grant the application subject to probation or deny the application when cause exists pursuant to this section. Failure to submit a written request for a hearing to the administrative hearing commission within thirty days after a decision of the director pursuant to this section shall constitute a waiver of the right to appeal such decision.

4. Upon a finding by the administrative hearing commission that cause for denial exists, the director shall not be bound by any prior action on the matter and shall, within thirty days, hold a hearing to determine whether to grant the application subject to probation or deny the application. If the licensee fails to appear at the director's hearing, this shall constitute a waiver of the right to such hearing.

5. The provisions of chapter 621, RSMo, and any amendments thereto, except those provisions or amendments that are in conflict with this chapter, shall apply to and govern the proceedings of the administrative hearing commission pursuant to this section and the rights and duties of the parties involved.

[590.100. As used in sections 590.100 to 590.180, the following terms mean:

(1) "Certified training academy", any academy located within the state of Missouri which has been certified by the director to provide training programs for peace officers in this state;

(2) "Chief executive officer", the chief of police, director of public safety, sheriff, department head or chief administrator of any law enforcement or public safety agency of the state or any political subdivision thereof who is responsible for the prevention and detection of crime and the enforcement of the general criminal laws of the state or for violation of ordinances of a county or municipality;

(3) "Director", the director of the Missouri department of public safety;

(4) "Peace officer", members of the state highway patrol, all state, county, and municipal law enforcement officers possessing the duty and power of arrest for violation of any criminal laws of the state or for violation of ordinances of counties or municipalities of the state who serve full time, with pay;

(5) "Reserve officer", any person who serves in a less than full-time law enforcement capacity, with or without pay, and who, without certification, has no power of arrest and who, without certification, must be under the direct and immediate accompaniment of a certified peace officer of the same agency at all times while on duty. In a county of the first class adjoining a city not within a county, reserve peace officers may engage in all nonprimary enforcement activities without being under direct or immediate accompaniment of a certified peace officer.]

[590.101. In any county of the first classification with a charter form of government with a population of nine hundred thousand or more inhabitants, the definitions contained in section 590.100 shall apply, except that as used in

sections 590.100 to 590.180, the following terms shall mean:

(1) "Bailiff", an assigned officer of the court subject to control and supervision and responsible for preserving order and decorum, taking charge of the jury, guarding prisoners, and other services which are reasonably necessary for the proper functioning of the court;

(2) "Nonprimary enforcement activities", activities which include, but are not limited to, traffic control, crowd control, checking abandoned, vacated and temporarily vacated structures, conveyance of motor vehicles, public appearances, and public educational presentations;

(3) "Primary enforcement activities", activities used to enforce the police powers of the state, including, but not limited to, a direct or indirect involvement in the activities of arrest, detention, vehicular pursuit, search, interrogations or the administration of first aid; and

(4) "Reserve officer", any person who serves in a less than full-time law enforcement capacity, with or without pay, and who, without certification, has no power of arrest and who, without certification, must be under direct and immediate accompaniment of a certified peace officer of the same agency in order to engage in primary enforcement activities.]

[590.105. 1. A program of mandatory standards for the basic training and certification of peace officers and a program of optional standards for the basic training and certification of reserve officers in this state is hereby established. The peace officer standards and training commission shall establish the minimum number of hours of training and core curriculum. In no event, however, shall the commission require more than one thousand hours of such training for either peace or reserve officers employed by any state law enforcement agency, or more than six hundred hours of such training for other peace or reserve officers; provided, however, that the minimum hours of training shall be no lower than the following:

(1) One hundred twenty hours as of August 28, 1993;

(2) Three hundred hours as of August 28, 1994; and

(3) Four hundred seventy hours as of August 28, 1996.

The higher standards provided in this section for certification after August 28, 1993, shall not apply to any peace or reserve officer certified prior to August 28, 1993, or to deputies of any sheriff's department in any city not within a county requiring no more or less than one hundred twenty hours of training. Certified peace and reserve officers between January 1, 1992, and August 28, 1995, shall only meet the hours of training applicable to the year in which the officer was employed or appointed.

2. Beginning on August 28, 1996, peace officers shall be required to complete the four hundred fifty hours of training as peace officers and be certified to be eligible for employment. Park rangers appointed pursuant to section 64.335, RSMo, who do not carry firearms shall be exempt from the training requirements of this section.

3. Bailiffs who are not certified peace officers shall be required to complete a minimum of sixty hours of mandated training, except that any person who has served as a bailiff prior to January 1, 1995, shall not be required to complete the training requirements mandated by this subsection, provided such person's training or experience is deemed adequate by the peace officer standards and training commission in accordance with current standards.

4. All political subdivisions within this state may adopt standards which are higher than the minimum standards implemented pursuant to sections 590.100 to 590.180, and such minimum standards shall in no way be deemed adequate in those cases in which higher standards have been adopted.

5. Any federal officer who has the duty and power of arrest on any federal military installation in this state may, at the option of the federal military installation in which the officer is employed, participate in the training program required under the provisions of sections 590.100 to 590.180 and, upon satisfactory completion of such training program, shall be certified by the director in the same manner provided for peace officers, as defined in section 590.100, except that the duty and power of arrest of military officers for violation of the general criminal laws of the state or for violation of ordinances of counties or municipalities of the state shall extend only to the geographical boundaries within which the federal military installation is located. Any costs involved in the training of a federal officer shall be borne by the participating federal military installation.

6. Notwithstanding any provision of this chapter to the contrary, any peace officer who is employed by a law enforcement agency located within a county of the third classification shall be required to have no more or less than one hundred twenty hours of training for certification if the respective city or county adopts an order or ordinance to that effect.

7. The peace officers standards and training commission with input from the department of health and the division of family services shall provide a minimum of thirty hours of initial education to all prospective law enforcement officers, except for agents of the conservation commission, concerning domestic and family violence.

8. The course of instruction and the objectives in learning and performance for the education of law enforcement officers required pursuant to subsection 6 of this section shall be developed and presented in consultation with public and private providers of programs for victims of domestic and family violence, persons who have demonstrated expertise in training and education concerning domestic and family violence, and the Missouri coalition against domestic violence. The peace officers standards and training commission shall consider the expertise and grant money of the national council of juvenile and family court judges, with their domestic and family violence project, as well as other federal funds and grant moneys available for training.

9. The course of instruction shall include, but is not limited to:

(1) The investigation and management of cases involving domestic and family violence and writing of reports in such cases, including:

- (a) Physical abuse;
- (b) Sexual abuse;
- (c) Child fatalities;
- (d) Child neglect;
- (e) Interviewing children and alleged perpetrators;
- (2) The nature, extent and causes of domestic and family violence;
- (3) The safety of officers investigating incidents of domestic and family violence;
- (4) The safety of the victims of domestic and family violence and other family and household members;
- (5) The legal rights and remedies available to victims of domestic and family violence, including but not limited to rights and compensation of victims of crime, and enforcement of civil and criminal remedies;
- (6) The services available to victims of domestic and family violence and their children;
- (7) Sensitivity to cultural, racial and sexual issues and the effect of cultural, racial, and gender bias on the response of law enforcement officers and the enforcement of laws relating to domestic and family violence; and
- (8) The provisions of applicable state statutes concerning domestic and family violence.]

590.110. 1. The director may investigate any cause for the discipline of any license or denial of any application pursuant to this chapter. During the course of such investigation, the director shall have the power to inspect any training center, require by subpoena the attendance and sworn deposition of any witness and the production of any documents, records, or evidence that the director deems relevant. Subpoenas shall be served by a person authorized to serve subpoenas of courts of record. In lieu of the production of any document or record, the director may require that a sworn copy of such document or record be delivered to the director.

2. The director may apply to the circuit court of Cole County or of any county where the person resides or may be found for an order upon any person who shall fail to obey a subpoena to show cause why such subpoena should not be enforced. A show cause order and a copy of the application shall be served upon the person in the same manner as a summons in a civil action. If, after a hearing, the circuit court determines that the subpoena should be enforced, the court shall proceed to enforce the subpoena in the same manner as in a civil case.

[590.110. 1. No person shall be appointed as a peace officer by any public law enforcement agency, which is possessed of the duty and power to enforce the general criminal laws of the state or the ordinances of any political subdivision of this state, unless he has been certified by the director as provided in sections 590.100 to 590.180, unless he is appointed on a probationary basis, and the hiring agency, within one year after his initial appointment, takes all necessary steps to qualify him for certification by the director. Unless a peace officer is certified within the one-year period after appointment, his appointment shall be terminated and he shall not be eligible for appointment by any other law enforcement agency as a peace officer. Beginning on August 28, 1995, peace officers shall be required to complete the four hundred fifty hours of training as peace officers and be certified to be eligible for employment.

2. The chief executive officer of each law enforcement agency shall notify the director of the appointment of any peace or reserve officer not later than thirty days after the date of the appointment and include with such notification a copy of a fingerprint card verified by the Missouri state highway patrol pertaining to the results of a criminal background check of the officer appointed and evidence of the completion of the standards necessary for employment as provided in sections 590.100 to 590.180.

3. Training and certification requirements specified in sections 590.100 to 590.180 are recommended but not required of a reserve officer; however, any person who serves as a reserve officer in any public law enforcement agency which is possessed of the duty and power to enforce the general criminal laws of this state or the ordinances of any political subdivision of this state may, at the option of the political subdivision in which the reserve officer is appointed, participate in the basic training program required under the provisions of sections 590.100 to 590.180, and, upon

completion of such training program, shall be certified by the director in the same manner as provided for peace officers.]

[590.112. 1. This section applies to any employees of the sheriff's department of any county of the first classification with a population of two hundred thousand or more inhabitants, who have been certified in a program of training, including but not limited to a training and certification program established pursuant to this chapter.

2. If any person subject to subsection 1 of this section is transferred to a department of public safety or similar agency as a result of the passage of a charter form of government in the county, then notwithstanding the provisions of this chapter, or any local ordinance or order to the contrary, such person's training certification shall remain in effect and shall not lapse, and the training and certification required for the person to be employed by the sheriff's department shall be deemed adequate to be appointed to the department of public safety or similar agency. If such person is thereafter reassigned to the sheriff's department, such person shall be deemed certified for appointment to such position, notwithstanding the provisions of section 590.110, to the contrary; and the chief executive officer as defined in section 590.100, shall not be required to furnish to the director of the department of public safety evidence that such person has satisfactorily completed instruction in a course of training for peace officers.]

[590.115. 1. Training and certification requirements specified in sections 590.100 to 590.180 are recommended but not required of a peace officer who has been consistently employed as a full-time peace officer and was appointed before December 31, 1978, whether or not such officer changes his place of employment.

2. Training and certification requirements specified in sections 590.100 to 590.180 are recommended but not required of a reserve officer who was appointed as a reserve officer prior to August 15, 1988. Requirements for certification of such reserve officers may be determined by the commission. A certified reserve officer may transfer from one similar jurisdiction to another as a certified reserve officer without any additional training requirements unless or until the certified reserve officer becomes or attempts to become a full-time peace officer, at which time the individual must satisfy the requirements of this chapter to become a certified full-time police officer, or unless or until the certified reserve officer attempts to become a certified reserve officer in a jurisdiction wherein the basic training requirement is higher than the previous jurisdiction's basic training requirement, at which time the individual must satisfy the higher basic training requirements of the new jurisdiction to become a certified reserve officer.

3. Except as provided in subsections 1, 2 and 4 of this section, in the event that a peace officer claims to have had prior basic training, the chief executive officer shall furnish to the director evidence that the noncertified officer has satisfactorily completed instruction in a course of basic training for peace officers conducted by a law enforcement training academy or institute which is approved by the director as providing basic training equivalent to standards set for jurisdictions within this state. The basic training course satisfactorily completed by the noncertified officer shall meet the minimum basic training requirements of the jurisdiction in which he is appointed or is to be appointed as required under the provisions of sections 590.100 to 590.180.

4. The director may certify a chief executive officer as qualified under sections 590.100 to 590.180, if the person's employer furnishes the director with evidence that the chief executive officer has training or experience equivalent to the standards set forth in subsection 1, 2, or 3 of this section or is a graduate of the FBI National Academy or its equivalent as determined by the director, or holds a bachelor of science degree in criminal justice or a related field received from an accredited college or university or a doctor of jurisprudence degree received from a college or university approved by the American Bar Association.

5. Peace officers and reserve officers meeting the basic training requirements under sections 590.100 to 590.180 shall be eligible to be certified by the director.

6. Beginning August 28, 1996, the peace officer standards and training commission shall establish a program of continuing law enforcement education and training. Each peace officer or reserve officer subject to the training provisions of sections 590.100 to 590.180 shall participate in continuing law enforcement education to maintain certification. The providers of continuing law enforcement education and training, as well as the contents and subject matter thereof, shall be subject to the approval of the peace officer standards and training commission. The costs of the continuing law enforcement education and training offered by certified providers to persons entitled to receive such education and training shall be reimbursed by moneys from the peace officer standards and training commission fund created in section 590.178. The peace officer standards and training commission shall require by rule that all peace officers or reserve officers, subject to the training provisions herein, contribute, based on standards set by the commission, to the cost of said training.

7. The peace officer standards and training commission may provide by rule for the reciprocal recognition of equivalent entry level core basic training at a training center by law enforcement officers of the federal government or other states or territories of the United States, and may require such additional training prior to certification as the

commission deems necessary.]

[590.117. The department shall provide by administrative rule for the requirements for continuing certification of an inactive or unemployed peace officer during the term of such inactivity or unemployment, provided that the certification of such peace officers shall expire after five consecutive years of such inactivity or unemployment. The cost of any continuing law enforcement education and training required to maintain such certification shall be paid by the inactive or unemployed peace officer.]

590.120. 1. There is hereby established within the department of public safety a "Peace Officer Standards and Training Commission" which shall be composed of nine members, including a voting public member, appointed by the governor, by and with the advice and consent of the senate, from a list of qualified candidates submitted to the governor by the director of the department of public safety. No member of the **POST** commission shall reside in the same congressional district as any other at the time of their appointments but this provision shall not apply to the public member. Three members of the **POST** commission shall be police chiefs, three members [of the commission] shall be sheriffs, one member [of the commission] shall represent a state law enforcement agency covered by the provisions of [sections 590.100 to 590.180] **this chapter**, and one member shall be a chief executive officer of a certified training academy. The public member shall be at the time of appointment a registered voter; a person who is not and never has been a member of any profession certified or regulated under this chapter or the spouse of such person; and a person who does not have and never has had a material financial interest in either the providing of the professional services regulated by [sections 590.100 to 590.180] **this chapter**, or an activity or organization directly related to any profession certified or regulated under [sections 590.100 to 590.180] **this chapter**. Each member of the **POST** Commission shall have been at the time of his appointment a citizen of the United States and a resident of this state for a period of at least one year, and members who are peace officers shall be qualified as established by [sections 590.100 to 590.180] **this chapter**. No member of the **POST** commission serving a full term of three years may be reappointed to the **POST** commission until at least one year after the expiration of his most recent term.

2. Three of the original members of the **POST** commission shall be appointed for terms of one year, three of the original members shall be appointed for terms of two years, and three of the original members shall be appointed for terms of three years. Thereafter the terms of the members of the **POST** commission shall be for three years or until their successors are appointed. The director may remove any member of the **POST** commission for misconduct or neglect of office. Any member of the **POST** commission may be removed for cause by the director but such member shall first be presented with a written statement of the reasons thereof, and shall have a hearing before the **POST** commission if the member so requests. Any vacancy in the membership of the commission shall be filled by appointment for the unexpired term.

3. Annually the director shall appoint one of the members as chairperson. The **POST** commission shall meet at least twice each year as determined by the director or a majority of the members to perform its duties. A majority of the members of the **POST** commission shall constitute a quorum.

4. No member of the **POST** commission shall receive any compensation for the performance of his official duties.

5. The **POST** commission shall [establish the core curriculum and shall also formulate definitions, rules and regulations for the administration of peace officer standards and training and] guide and advise the director concerning duties [as outlined by sections 590.100 to 590.180. No rule or portion of a rule promulgated under the authority of this chapter shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo] **pursuant to this chapter**.

[590.121. The director shall certify such academies, core curriculum and instruction as necessary to fulfill the purposes of sections 590.100 to 590.180. The certification shall be made by the director on the basis of the experience and educational background of the instructors, the quality and aptness of curriculum, the educational equipment and materials used in the training and the methods and measurements used in such training. The director shall adopt and publish rules pertaining to the establishment of minimum standards for certification pursuant to sections 590.100 to 590.180.]

[590.123. 1. The peace officer standards and training commission may promulgate rules and regulations to effectuate the purposes of this chapter. No rule or portion of a rule promulgated under the authority of this section shall become effective until it has been approved by the joint committee on administrative rules in accordance with the procedures provided in this section, and the delegation of the legislative authority to enact law by the adoption of such rules is dependent upon the power of the joint committee on administrative rules to review and suspend rules pending ratification by the senate and the house of representatives as provided in this section.

2. Upon filing any proposed rule with the secretary of state, the commission shall concurrently submit such

proposed rule to the committee which may hold hearings upon any proposed rule or portion thereof at any time.

3. A final order of rulemaking shall not be filed with the secretary of state until thirty days after such final order of rulemaking has been received by the committee. The committee may hold one or more hearings upon such final order of rulemaking during the thirty-day period. If the committee does not disapprove such order of rulemaking within the thirty-day period, the commission may file such order of rulemaking with the secretary of state and the order of rulemaking shall be deemed approved.

4. The committee may, by majority vote of the members, suspend the order of rulemaking or portion thereof by action taken prior to the filing of the final order of rulemaking only for one or more of the following grounds:

- (1) An absence of statutory authority for the proposed rule;
- (2) An emergency relating to public health, safety or welfare;
- (3) The proposed rule is in conflict with state law;
- (4) A substantial change in circumstance since enactment of the law upon which the proposed rule is based;
- (5) That the rule is arbitrary and capricious.

5. If the committee disapproves any rule or portion thereof, the commission shall not file such disapproved portion of any rule with the secretary of state and the secretary of state shall not publish in the Missouri Register any final order of rulemaking containing the disapproved portion.

6. If the committee disapproves any rule or portion thereof, the committee shall report its findings to the senate and the house of representatives. No rule or portion thereof disapproved by the committee shall take effect so long as the senate and the house of representatives ratify the act of the joint committee by resolution adopted in each house within thirty legislative days after such rule or portion thereof has been disapproved by the joint committee.

7. Upon adoption of a rule as provided in this section, any such rule or portion thereof may be suspended or revoked by the general assembly either by bill or, pursuant to section 8, article IV of the Constitution of Missouri, by concurrent resolution upon recommendation of the joint committee on administrative rules. The committee shall be authorized to hold hearings and make recommendations pursuant to the provisions of section 536.037, RSMo. The secretary of state shall publish in the Missouri Register, as soon as practicable, notice of the suspension or revocation.]

[590.125. The director may:

- (1) Publish and distribute to all Missouri law enforcement agencies bulletins, pamphlets, and educational materials relating to training of peace officers;
- (2) Provide seminars, in-service training and supervisory training to ensure that officers of all ranks, both appointed and elected, may be offered training in current enforcement and related subjects on a voluntary enrollment basis;
- (3) Consult with and cooperate with any law enforcement agency or division of the state government or the federal government for the development of training programs for the fulfillment of specific needs in law enforcement;
- (4) Issue or authorize the issuance of, suspend or revoke diplomas, certificates or other appropriate indicia of compliance and qualification to peace officers who complete specialized training courses offered by the department of public safety;
- (5) Encourage the further professionalization of peace officers through training and education.]

[590.130. No elected county peace officer or official shall be required to be certified under sections 590.100 to 590.180 to seek or hold such office, but all appointive deputies or assistants of such officer or official who are employed as peace officers, provided that such county has five or more full-time peace officers, shall be certified as a condition of appointment in the same manner as other peace officers are required to be certified. No arrest shall be deemed unlawful in any criminal or civil proceeding solely because the peace officer is not certified under the terms of sections 590.100 to 590.180. Evidence on the question cannot be received in any civil or criminal case.]

[590.131. The chief executive officer of each law enforcement agency shall notify the director of a peace officer's separation from the agency, whether voluntary or involuntary, and shall set forth in detail the facts and reasons for the separation on a form to be provided by the director.]

[590.135. 1. The director or any of his designated representatives may:

- (1) Visit and inspect any certified academy or training program requesting certification for the purpose of determining whether or not the minimum standards established pursuant to sections 590.100 to 590.180 are being complied with, and may issue, suspend or revoke certificates indicating such compliance;
- (2) Issue, suspend or revoke certificates for instructors under the provisions of sections 590.100 to 590.180;
- (3) Issue or authorize the issuance of diplomas, certificates and other appropriate indicia of compliance and qualification to peace officers trained under the provisions of sections 590.100 to 590.180.

2. The director may refuse to issue, or may suspend or revoke any diploma, certificate or other indicia of

compliance and qualification to peace officers or bailiffs issued pursuant to subdivision (3) of subsection 1 of this section of any peace officer for the following:

- (1) Conviction of a felony including the receiving of a suspended imposition of a sentence following a plea or finding of guilty to a felony charge;
- (2) Conviction of a misdemeanor involving moral turpitude;
- (3) Falsification or a willful misrepresentation of information in an employment application, or records of evidence, or in testimony under oath;
- (4) Dependence on or abuse of alcohol or drugs;
- (5) Use or possession of, or trafficking in, any illegal substance;
- (6) Gross misconduct indicating inability to function as a peace officer;
- (7) Failure to comply with the continuing education requirements as promulgated by rule of the peace officers standards and training commission.

3. Any person aggrieved by a decision of the director under this section may appeal as provided in chapter 536, RSMo.

4. Any person or agency authorized to submit information pursuant to this section to the director shall be immune from liability arising from the submission of the information so long as the information was submitted in good faith and without malice.

5. The director may refuse to certify any law enforcement school, academy, or training program, any law enforcement instructor or any peace officer not meeting the requirements for certification under the provisions of sections 590.100 to 590.180. The director shall notify the applicant in writing of the reasons for the refusal. The applicant shall have the right to appeal the refusal by filing a complaint with the administrative hearing commission as provided by chapter 621, RSMo, and the director shall advise the applicant of this right of appeal.

6. The director shall cause a complaint to be filed with the administrative hearing commission as provided by chapter 621, RSMo, against any law enforcement instructor or any peace officer not in compliance with the requirements for certification under the provisions of sections 590.100 to 590.180.

7. After the filing of the complaint, the proceeding will be conducted in accordance with the provisions of chapter 621, RSMo. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 5 of this section for disciplinary action are met, the director may revoke the certification of any such law enforcement school, academy, or training program, law enforcement instructor or any peace officer.]

[590.150. The provisions of sections 590.100 to 590.180 shall not apply to a political subdivision having a population of less than two thousand persons or which does not have at least four full-time paid peace officers unless such political subdivision is located in a county of the first class having a charter form of government; provided, however, the governing body of the political subdivision may by order or ordinance elect to come under the provisions of sections 590.100 to 590.180 or such election may be later rescinded and, provided further, that upon election to come under the provisions of sections 590.100 to 590.180 the political subdivision shall be entitled to authorize the fees allowed by section 590.140, otherwise, such fees shall not be collected.]

[590.170. 1. The director shall consult with Missouri sheriffs and their professional organizations and after such consultation shall formulate a training program for persons elected for the first time to the office of sheriff for the purpose of developing improved law enforcement procedures throughout the state.

2. The training program shall consist of at least one hundred twenty hours of instruction covering all major phases of law enforcement with emphasis on the duties and responsibilities of sheriffs.]

[590.175. 1. Any person who is elected to his first term as sheriff in a general election or in a special election in any county of this state shall, within eighteen months of such election, cause to be filed with the presiding circuit judge of the county and director of the department of public safety proof that he has completed the training program formulated pursuant to sections 590.170 and 590.175 or some other comparable training program of not less than one hundred twenty hours instruction approved by the director of the department of public safety.

2. Whether any person elected to his first term as sheriff attends such a training program prior to or after assuming the duties of his office shall be left to the discretion of the governing body of the county from which he was elected. During the time that a sheriff-elect is enrolled in such a training program, he shall be hired as a county employee and receive as full compensation from the county from which he was elected, compensation at a rate equal to that of the sheriff of the county. Tuition and room and board for newly elected sheriffs and sheriffs-elect enrolled in such a training program shall be paid by the state.]

590.180. 1. No arrest shall be deemed unlawful solely because of the licensure status of a peace officer, and evidence on the question cannot be received in any civil or criminal case.

2. The name, licensure status, and commissioning or employing law enforcement agency, if any, of applicants and licensees pursuant to this chapter shall be an open record. All other records retained by the director pertaining to any applicant or licensee shall be confidential and shall not be disclosed to the public or any member of the public, except with written consent of the person or entity whose records are involved, provided, however, that the director may disclose such information in the course of voluntary interstate exchange of information, during the course of litigation involving the director, to other state agencies, or, upon a final determination of cause to discipline, to law enforcement agencies. No closed record conveyed to the director pursuant to this chapter shall lose its status as a closed record solely because it is retained by the director. Nothing in this section shall be used to compel the director to disclose any record subject to attorney-client privilege or work-product privilege.

3. In any investigation, hearing, or other proceeding pursuant to this chapter, any record relating to any applicant or licensee shall be discoverable by the director and shall be admissible into evidence, regardless of any statutory or common law privilege or the status of any record as open or closed, including records in criminal cases whether or not a sentence has been imposed. No person or entity shall withhold records or testimony bearing upon the fitness to be commissioned as a peace officer of any applicant or licensee on the ground of any privilege involving the applicant or licensee, with the exception of attorney-client privilege.

4. Any person or entity submitting information to the director pursuant to this chapter and doing so in good faith and without negligence shall be immune from all criminal and civil liability arising from the submission of such information and no cause of action of any nature shall arise against such person.

5. No person shall make any unauthorized use of any testing materials or certification examination administered pursuant to subsection 2 of section 590.030.

[590.180. 1. Any person who purposely violates any of the provisions of section 590.110, 590.115 or 590.175 is guilty of a class B misdemeanor.

2. Any law enforcement agency which employs a peace officer who is not certified as required by sections 590.100 to 590.180 or who is otherwise in violation of any provision of sections 590.100 to 590.180 shall not be eligible to receive state or federal funds which would otherwise be paid to it for purposes of training and certifying peace officers or for other law enforcement, safety or criminal justice purposes.]

590.190. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void.

590.195. 1. A person commits a class B misdemeanor if, in violation of this chapter, such person knowingly:

- (1) Holds a commission as a peace officer without a peace officer license valid for such commission; or**
- (2) Grants or continues the commission of a peace officer not validly licensed for such commission.**

2. Any person who purposely violates any other provision of this chapter shall be guilty of a class B misdemeanor.

3. Any law enforcement agency that commissions a peace officer in violation of this chapter or that is otherwise in violation of any provision of this chapter shall not be eligible to receive state or federal funds that would otherwise be paid to it for the purpose of training and licensing peace officers or for any other law enforcement, safety, or criminal justice purpose.

590.650. 1. As used in this section "minority group" means individuals of African, Hispanic, Native American or Asian descent.

2. Each time a peace officer stops a driver of a motor vehicle for a violation of any motor vehicle statute or ordinance, that officer shall report the following information to the law enforcement agency that employs the officer:

- (1) The age, gender and race or minority group of the individual stopped;
- (2) The traffic violation or violations alleged to have been committed that led to the stop;
- (3) Whether a search was conducted as a result of the stop;
- (4) If a search was conducted, whether the individual consented to the search, the probable cause for the search, whether the person was searched, whether the person's property was searched, and the duration of the search;
- (5) Whether any contraband was discovered in the course of the search and the type of any contraband

discovered;

- (6) Whether any warning or citation was issued as a result of the stop;
- (7) If a warning or citation was issued, the violation charged or warning provided;
- (8) Whether an arrest was made as a result of either the stop or the search;
- (9) If an arrest was made, the crime charged; and
- (10) The location of the stop.

Such information may be reported using a format determined by the department of public safety which uses existing citation and report forms.

3. (1) Each law enforcement agency shall compile the data described in subsection 2 of this section for the calendar year into a report to the attorney general.

(2) Each law enforcement agency shall submit the report to the attorney general no later than March first of the following calendar year.

(3) The attorney general shall determine the format that all law enforcement agencies shall use to submit the report.

4. (1) The attorney general shall analyze the annual reports of law enforcement agencies required by this section and submit a report of the findings to the governor, the general assembly and each law enforcement agency no later than June first of each year.

(2) The report of the attorney general shall include at least the following information for each agency:

(a) The total number of vehicles stopped by peace officers during the previous calendar year;

(b) The number and percentage of stopped motor vehicles that were driven by members of each particular minority group;

(c) A comparison of the percentage of stopped motor vehicles driven by each minority group and the percentage of the state's population that each minority group comprises; and

(d) A compilation of the information reported by law enforcement agencies pursuant to subsection 2 of this section.

5. Each law enforcement agency shall adopt a policy on race-based traffic stops that:

(1) Prohibits the practice of routinely stopping members of minority groups for violations of vehicle laws as a pretext for investigating other violations of criminal law;

(2) Provides for periodic reviews by the law enforcement agency of the annual report of the attorney general required by subsection 4 of this section that:

(a) Determine whether any peace officers of the law enforcement agency have a pattern of stopping members of minority groups for violations of vehicle laws in a number disproportionate to the population of minority groups residing or traveling within the jurisdiction of the law enforcement agency; and

(b) If the review reveals a pattern, require an investigation to determine whether any peace officers of the law enforcement agency routinely stop members of minority groups for violations of vehicle laws as a pretext for investigating other violations of criminal law; **and**

(3) Provides for appropriate counseling and training of any peace officer found to have engaged in race-based traffic stops within ninety days of the review[; and

(4) Provides for annual sensitivity training for any employees who may conduct stops of motor vehicles regarding the prohibition against racial profiling].

The course or courses of instruction and the guidelines shall stress understanding and respect for racial and cultural differences, and development of effective, noncombative methods of carrying out law enforcement duties in a racially and culturally diverse environment.

6. If a law enforcement agency fails to comply with the provisions of this section, the governor may withhold any state funds appropriated to the noncompliant law enforcement agency.

7. Each law enforcement agency in this state may utilize federal funds from community-oriented policing services grants or any other federal sources to equip each vehicle used for traffic stops with a video camera and voice-activated microphone."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 13

AMEND Senate Committee Substitute for House Bill No. 80, Page 14, Section 70.833, Line 35, by inserting after all of said line the following:

"570.320. 1. No person shall operate a website on the Internet that causes another person's computer to dial a long distance telephone number without that other person's knowledge.

2. Any person who violates the provisions of subsection 1 of this section is guilty of a class A misdemeanor unless the long distance charges exceed one hundred fifty dollars, in which case the person is guilty of a class C felony."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 14

AMEND Senate Committee Substitute for House Bill No. 80, Page 14, Section 70.833, Line 35, by adding after the end of said line the following:

"544.170. 1. Except as provided in subsection 2 of this section, all persons arrested and confined in any jail[, calaboose] or other place of confinement by any peace officer, without warrant or other process, for any alleged breach of the peace or other criminal offense, or on suspicion thereof, shall be discharged from said custody within twenty hours from the time of such arrest, unless they shall be charged with a criminal offense by the oath of some credible person, and be held by warrant to answer to such offense[; and every such person shall, while so confined, be permitted at all reasonable hours during the day to consult with counsel or other persons in his behalf; and any person or officer who shall violate the provisions of this section, by refusing to release any person who shall be entitled to such release, or by refusing to permit him to see and consult with counsel or other persons, or who shall transfer any such prisoner to the custody or control of another, or to another place, or prefer against such person a false charge, with intent to avoid the provisions of this section, shall be deemed guilty of a misdemeanor].

2. Upon a determination by the commanding officer, or the delegate thereof, of the law enforcement agency making such an arrest, a person arrested for any of the following offenses without warrant or other process of law, shall be released from custody within thirty-two hours of arrest, unless the person is charged and held pursuant to a warrant to answer for such offense:

- (1) First degree murder pursuant to section 565.020, RSMo;**
- (2) Second degree murder pursuant to section 565.021, RSMo;**
- (3) First degree assault pursuant to section 565.050, RSMo;**
- (4) Forcible rape pursuant to section 566.030, RSMo;**
- (5) Forcible sodomy pursuant to section 566.060, RSMo;**
- (6) First degree robbery pursuant to section 659.020, RSMo; or**
- (7) Distribution of drugs pursuant to section 195.211, RSMo.**

3. In any confinement to which the provisions of this section apply, the confinee shall be permitted at any reasonable time to consult with counsel or other persons acting on the confinee's behalf.

4. Any person who violates the provisions of this section, by refusing to release any person who is entitled to release pursuant to this section, or by refusing to permit a confinee to consult with counsel or other persons, or who transfers any such confinees to the custody or control of another, or to another place, or who falsely charges such person, with intent to avoid the provisions of this section, is guilty of a class A misdemeanor."; and

Further amend said bill, by amending the titling and enacting clauses accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HS HCS SCS SB 236, as amended**: Senators Sims, Bentley, Steelman, Johnson and Mathewson.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HS HCS SS SCS SB 369, as amended**: Senators Steelman, Stoll, Scott, Klarich and Klindt.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SS SB 193, as amended**, and has taken up and passed **HCS SS SB 193, as amended by the CCR**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 319, as amended**, and has taken up and passed **CCS HCS SB 319**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SCS SB 266, as amended**, and requests the House to recede from its position or, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SS SCS SB 48, as amended**, and requests the House to recede from its position or, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HS SCS SB 374** and has taken up and passed **HS SCS SB 374**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS SCS SB 393, as amended**, and requests the House to recede from its position or, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 586**, entitled:

An act to repeal sections 128.345 and 128.346, RSMo 2000, and to enact in lieu thereof eleven new sections relating to the composition of congressional districts.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 471**, entitled:

An act to repeal sections 195.017, 195.070, 195.222, 195.223 and 195.400, RSMo 2000, and to enact in lieu thereof five new sections relating to drug trafficking, with penalty provisions.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3 and Senate Amendment No. 4

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Bill No. 471, Page 25, Section 195.400, Line 118, by inserting after all of said line the following:

"478.009. 1. In order to coordinate the allocation of resources available to drug courts throughout the state, there is hereby established a "Drug Courts Coordinating Commission" in the judicial department. The drug courts coordinating commission shall consist of one member selected by the director of the department of corrections; one member selected by the director of the department of social services; one member selected by the director of the department of mental health; one member selected by the director of the department of public safety; one member selected by the state courts administrator; and three members selected by the supreme court. The supreme court shall designate the chair of the commission. The commission shall periodically meet at the call of the chair; evaluate resources available for assessment and treatment of persons assigned to drug courts or for operation of drug courts; secure grants, funds and other property and services necessary or desirable to facilitate drug court operation; and allocate such resources among the various drug courts operating within the state.

2. There is hereby established in the state treasury a "Drug Court Resources Fund", which shall be administered by the drug courts coordinating commission. Funds available for allocation or distribution by the drug courts coordinating commission may be deposited into the drug court resources fund. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the drug court resources fund shall not be transferred or placed to the credit of the general revenue fund of the state at the end of each biennium, but shall remain deposited to the credit of the drug court resources fund."; and

Further amend said title, enacting clause and intersectional references accordingly.

Senate Amendment No. 2

Amend Senate Committee Substitute for House Bill No. 471, Page 25, Section 195.400, Line 118, by inserting immediately after said line the following:

"441.236. In the event that any premises to be rented, leased, sold, transferred or conveyed is or was used as a site for methamphetamine production, the owner, seller, landlord or other transferor shall disclose in writing to the prospective lessee, purchaser or transferee the fact that methamphetamine was produced on the premises, provided that the owner, seller, landlord or other transferor has knowledge of such prior methamphetamine production. The owner shall disclose any prior knowledge of methamphetamine production, regardless of whether the persons involved in the production were convicted for such production."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

Amend Senate Committee Substitute for House Bill No. 471, Page 25, Section 195.400, Line 118, by inserting immediately after said line the following:

"537.297. 1. The following words as used in this section shall have the following meanings:
(1) "Owner", all of the following persons:
(a) Any person who lawfully owns anhydrous ammonia;
(b) Any person who lawfully owns a container, equipment or storage facility containing anhydrous ammonia;
(c) Any person responsible for the installation or operation of such containers, equipment or storage facilities;

- (d) Any person lawfully selling anhydrous ammonia;
- (e) Any person lawfully purchasing anhydrous ammonia for agricultural purposes;
- (f) Any person who operates or uses anhydrous ammonia containers, equipment or storage facilities when lawfully applying anhydrous ammonia for agricultural purposes;

(2) "Tamperer", a person who commits or assists in the commission of tampering, or is related to a person who commits or assists in the commission of tampering;

(3) "Tampering", transferring or attempting to transfer anhydrous ammonia from its present container, equipment or storage facility to another container, equipment or storage facility, without prior authorization from the owners.

2. A tamperer assumes the risk of any personal injury, death and other economic and noneconomic loss arising from his or her participation in the act of tampering. A tamperer shall not commence a direct or derivative action against any owner. Owners are immune from suit by a tamperer and shall not be held liable for any negligent act or omission which may cause personal injury, death or other economic or noneconomic loss to a tamperer.

3. The immunity from liability and suit authorized by this section is expressly waived for owners whose acts or omissions constitute willful or wanton negligence.

570.030. 1. A person commits the crime of stealing if he or she appropriates property or services of another with the purpose to deprive him or her thereof, either without his or her consent or by means of deceit or coercion.

2. Evidence of the following is admissible in any criminal prosecution under this section on the issue of the requisite knowledge or belief of the alleged stealer:

- (1) That he or she failed or refused to pay for property or services of a hotel, restaurant, inn or boardinghouse;
- (2) That he or she gave in payment for property or services of a hotel, restaurant, inn or boardinghouse a check or negotiable paper on which payment was refused;
- (3) That he or she left the hotel, restaurant, inn or boardinghouse with the intent to not pay for property or services;
- (4) That he or she surreptitiously removed or attempted to remove his or her baggage from a hotel, inn or boardinghouse.

3. Stealing is a class C felony if:

- (1) The value of the property or services appropriated is seven hundred fifty dollars or more; or
- (2) The actor physically takes the property appropriated from the person of the victim; or
- (3) The property appropriated consists of:
 - (a) Any motor vehicle, watercraft or aircraft; or
 - (b) Any will or unrecorded deed affecting real property; or
 - (c) Any credit card or letter of credit; or
 - (d) Any firearms; or
 - (e) A United States national flag designed, intended and used for display on buildings or stationary flagstaffs in the open; or
 - (f) Any original copy of an act, bill or resolution, introduced or acted upon by the legislature of the state of Missouri; or
 - (g) Any pleading, notice, judgment or any other record or entry of any court of this state, any other state or of the United States; or
 - (h) Any book of registration or list of voters required by chapter 115, RSMo; or
 - (i) Any animal of the species of horse, mule, ass, cattle, swine, sheep, or goat; or
 - (j) Live fish raised for commercial sale with a value of seventy-five dollars; or
 - (k) Any controlled substance as defined by section 195.010, RSMo.

4. If an actor appropriates any material with a value less than one hundred fifty dollars in violation of this section with the intent to use such material to manufacture, compound, produce, prepare, test or analyze amphetamine or methamphetamine or any of their analogues, then such violation is a class D felony. The theft of any amount of anhydrous ammonia **or liquid nitrogen, or any attempt to steal any amount of anhydrous ammonia or liquid nitrogen**, is a class D felony. **The theft of any amount of anhydrous ammonia by appropriation of a tank truck, tank trailer, rail tank car, bulk storage tank, field (nurse) tank or field applicator is a class A felony.**

5. The theft of any item of property or services under subsection 3 of this section which exceeds seven hundred fifty dollars may be considered a separate felony and may be charged in separate counts.

6. Any person with a prior conviction of paragraph (i) of subdivision (3) of subsection 3 of this section and who

violates the provisions of paragraph (i) of subdivision (3) of subsection 3 of this section when the value of the animal or animals stolen exceeds three thousand dollars is guilty of a class B felony.

7. Any violation of this section for which no other penalty is specified in this section is a class A misdemeanor.

578.154. 1. A person commits the crime of possession of anhydrous ammonia in a nonapproved container if he or she possesses any quantity of anhydrous ammonia in any container other than a tank truck, tank trailer, rail tank car, bulk storage tank, field (nurse) tank or field applicator or any container approved for anhydrous ammonia by the department of agriculture or the United States Department of Transportation.

2. A violation of this section is a class D felony.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

Amend Senate Committee Substitute for House Bill No. 471, Page 1, Section A, Line 3, by inserting immediately after said line the following:

"195.010. The following words and phrases as used in sections 195.005 to 195.425, unless the context otherwise requires, mean:

(1) "Addict", a person who habitually uses one or more controlled substances to such an extent as to create a tolerance for such drugs, and who does not have a medical need for such drugs, or who is so far addicted to the use of such drugs as to have lost the power of self-control with reference to his addiction;

(2) "Administer", to apply a controlled substance, whether by injection, inhalation, ingestion, or any other means, directly to the body of a patient or research subject by:

(a) A practitioner (or, in his presence, by his authorized agent); or

(b) The patient or research subject at the direction and in the presence of the practitioner;

(3) "Agent", an authorized person who acts on behalf of or at the direction of a manufacturer, distributor, or dispenser. The term does not include a common or contract carrier, public warehouseman, or employee of the carrier or warehouseman while acting in the usual and lawful course of the carrier's or warehouseman's business;

(4) "Attorney for the state", any prosecuting attorney, circuit attorney, or attorney general authorized to investigate, commence and prosecute an action under sections 195.005 to 195.425;

(5) "Controlled substance", a drug, substance, or immediate precursor in Schedules I through V listed in sections 195.005 to 195.425;

(6) "Controlled substance analogue", a substance the chemical structure of which is substantially similar to the chemical structure of a controlled substance in Schedule I or II and:

(a) Which has a stimulant, depressant, or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance included in Schedule I or II; or

(b) With respect to a particular individual, which that individual represents or intends to have a stimulant, depressant, or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance included in Schedule I or II. The term does not include a controlled substance; any substance for which there is an approved new drug application; any substance for which an exemption is in effect for investigational use, for a particular person, under Section 505 of the federal Food, Drug and Cosmetic Act (21 U.S.C. 355) to the extent conduct with respect to the substance is pursuant to the exemption; or any substance to the extent not intended for human consumption before such an exemption takes effect with respect to the substance;

(7) "Counterfeit substance", a controlled substance which, or the container or labeling of which, without authorization, bears the trademark, trade name, or other identifying mark, imprint, number or device, or any likeness thereof, of a manufacturer, distributor, or dispenser other than the person who in fact manufactured, distributed, or dispensed the substance;

(8) "Deliver" or "delivery", the actual, constructive, or attempted transfer from one person to another of drug paraphernalia or of a controlled substance, or an imitation controlled substance, whether or not there is an agency relationship, and includes a sale;

(9) "Dentist", a person authorized by law to practice dentistry in this state;

(10) "Depressant or stimulant substance":

(a) A drug containing any quantity of barbituric acid or any of the salts of barbituric acid or any derivative of barbituric acid which has been designated by the United States Secretary of Health and Human Services as habit forming under 21 U.S.C. 352(d);

(b) A drug containing any quantity of:

a. Amphetamine or any of its isomers;

b. Any salt of amphetamine or any salt of an isomer of amphetamine; or

c. Any substance the United States Attorney General, after investigation, has found to be, and by regulation designated as, habit forming because of its stimulant effect on the central nervous system;

(c) Lysergic acid diethylamide; or

(d) Any drug containing any quantity of a substance that the United States Attorney General, after investigation, has found to have, and by regulation designated as having, a potential for abuse because of its depressant or stimulant effect on the central nervous system or its hallucinogenic effect;

(11) "Dispense", to deliver a narcotic or controlled dangerous drug to an ultimate user or research subject by or pursuant to the lawful order of a practitioner including the prescribing, administering, packaging, labeling, or compounding necessary to prepare the substance for such delivery. "Dispenser" means a practitioner who dispenses;

(12) "Distribute", to deliver other than by administering or dispensing a controlled substance;

(13) "Distributor", a person who distributes;

(14) "Drug":

(a) Substances recognized as drugs in the official United States Pharmacopoeia, Official Homeopathic Pharmacopoeia of the United States, or Official National Formulary, or any supplement to any of them;

(b) Substances intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in humans or animals;

(c) Substances, other than food, intended to affect the structure or any function of the body of humans or animals; and

(d) Substances intended for use as a component of any article specified in this subdivision. It does not include devices or their components, parts or accessories;

(15) "Drug-dependent person", a person who is using a controlled substance and who is in a state of psychic or physical dependence, or both, arising from the use of such substance on a continuous basis. Drug dependence is characterized by behavioral and other responses which include a strong compulsion to take the substance on a continuous basis in order to experience its psychic effects or to avoid the discomfort caused by its absence;

(16) "Drug enforcement agency", the Drug Enforcement Administration in the United States Department of Justice, or its successor agency;

(17) "Drug paraphernalia", all equipment, products, **substances** and materials of any kind which are used, intended for use, or designed for use, in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance or an imitation controlled substance in violation of sections 195.005 to 195.425. It includes, but is not limited to:

(a) Kits used, intended for use, or designed for use in planting, propagating, cultivating, growing or harvesting of any species of plant which is a controlled substance or from which a controlled substance can be derived;

(b) Kits used, intended for use, or designed for use in manufacturing, compounding, converting, producing, processing, or preparing controlled substances or imitation controlled substances;

(c) Isomerization devices used, intended for use, or designed for use in increasing the potency of any species of plant which is a controlled substance or an imitation controlled substance;

(d) Testing equipment used, intended for use, or designed for use in identifying, or in analyzing the strength, effectiveness or purity of controlled substances or imitation controlled substances;

(e) Scales and balances used, intended for use, or designed for use in weighing or measuring controlled substances or imitation controlled substances;

(f) Dilutents and adulterants, such as quinine hydrochloride, mannitol, mannite, dextrose and lactose, used, intended for use, or designed for use in cutting controlled substances or imitation controlled substances;

(g) Separation gins and sifters used, intended for use, or designed for use in removing twigs and seeds from, or in otherwise cleaning or refining, marijuana;

(h) Blenders, bowls, containers, spoons and mixing devices used, intended for use, or designed for use in compounding controlled substances or imitation controlled substances;

(i) Capsules, balloons, envelopes and other containers used, intended for use, or designed for use in packaging

small quantities of controlled substances or imitation controlled substances;

(j) Containers and other objects used, intended for use, or designed for use in storing or concealing controlled substances or imitation controlled substances;

(k) Hypodermic syringes, needles and other objects used, intended for use, or designed for use in parenterally injecting controlled substances or imitation controlled substances into the human body;

(l) Objects used, intended for use, or designed for use in ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, or hashish oil into the human body, such as:

a. Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls;

b. Water pipes;

c. Carburetion tubes and devices;

d. Smoking and carburetion masks;

e. Roach clips meaning objects used to hold burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand;

f. Miniature cocaine spoons and cocaine vials;

g. Chamber pipes;

h. Carburetor pipes;

i. Electric pipes;

j. Air-driven pipes;

k. Chillums;

l. Bongs;

m. Ice pipes or chillers;

(m) Substances used, intended for use, or designed for use in the manufacture of a controlled substance;

In determining whether an object, **product, substance or material** is drug paraphernalia, a court or other authority should consider, in addition to all other logically relevant factors, the following:

(a) Statements by an owner or by anyone in control of the object concerning its use;

(b) Prior convictions, if any, of an owner, or of anyone in control of the object, under any state or federal law relating to any controlled substance or imitation controlled substance;

(c) The proximity of the object, in time and space, to a direct violation of sections 195.005 to 195.425;

(d) The proximity of the object to controlled substances or imitation controlled substances;

(e) The existence of any residue of controlled substances or imitation controlled substances on the object;

(f) Direct or circumstantial evidence of the intent of an owner, or of anyone in control of the object, to deliver it to persons who he knows, or should reasonably know, intend to use the object to facilitate a violation of sections 195.005 to 195.425; the innocence of an owner, or of anyone in control of the object, as to direct violation of sections 195.005 to 195.425 shall not prevent a finding that the object is intended for use, or designed for use as drug paraphernalia;

(g) Instructions, oral or written, provided with the object concerning its use;

(h) Descriptive materials accompanying the object which explain or depict its use;

(i) National or local advertising concerning its use;

(j) The manner in which the object is displayed for sale;

(k) Whether the owner, or anyone in control of the object, is a legitimate supplier of like or related items to the community, such as a licensed distributor or dealer of tobacco products;

(l) Direct or circumstantial evidence of the ratio of sales of the object to the total sales of the business enterprise;

(m) The existence and scope of legitimate uses for the object in the community;

(n) Expert testimony concerning its use;

(o) The quantity, form or packaging of the product, substance or material in relation to the quantity, form or packaging associated with any legitimate use for the product, substance or material;

(18) "Federal narcotic laws", the laws of the United States relating to controlled substances;

(19) "Hospital", a place devoted primarily to the maintenance and operation of facilities for the diagnosis, treatment or care, for not less than twenty-four hours in any week, of three or more nonrelated individuals suffering from illness, disease, injury, deformity or other abnormal physical conditions; or a place devoted primarily to provide, for not less than twenty-four consecutive hours in any week, medical or nursing care for three or more nonrelated individuals. The term "hospital" does not include convalescent, nursing, shelter or boarding homes as defined in chapter 198, RSMo;

- (20) "Immediate precursor", a substance which:
- (a) The state department of health has found to be and by rule designates as being the principal compound commonly used or produced primarily for use in the manufacture of a controlled substance;
 - (b) Is an immediate chemical intermediary used or likely to be used in the manufacture of a controlled substance; and
 - (c) The control of which is necessary to prevent, curtail or limit the manufacture of the controlled substance;
- (21) "Imitation controlled substance", a substance that is not a controlled substance, which by dosage unit appearance (including color, shape, size and markings), or by representations made, would lead a reasonable person to believe that the substance is a controlled substance. In determining whether the substance is an "imitation controlled substance" the court or authority concerned should consider, in addition to all other logically relevant factors, the following:
- (a) Whether the substance was approved by the federal Food and Drug Administration for over-the-counter (nonprescription or nonlegend) sales and was sold in the federal Food and Drug Administration approved package, with the federal Food and Drug Administration approved labeling information;
 - (b) Statements made by an owner or by anyone else in control of the substance concerning the nature of the substance, or its use or effect;
 - (c) Whether the substance is packaged in a manner normally used for illicit controlled substances;
 - (d) Prior convictions, if any, of an owner, or anyone in control of the object, under state or federal law related to controlled substances or fraud;
 - (e) The proximity of the substances to controlled substances;
 - (f) Whether the consideration tendered in exchange for the noncontrolled substance substantially exceeds the reasonable value of the substance considering the actual chemical composition of the substance and, where applicable, the price at which over-the-counter substances of like chemical composition sell. An imitation controlled substance does not include a placebo or registered investigational drug either of which was manufactured, distributed, possessed or delivered in the ordinary course of professional practice or research;
- (22) "Laboratory", a laboratory approved by the department of health as proper to be entrusted with the custody of controlled substances but does not include a pharmacist who compounds controlled substances to be sold or dispensed on prescriptions;
- (23) "Manufacture", the production, preparation, propagation, compounding or processing of drug paraphernalia or of a controlled substance, or an imitation controlled substance, either directly or by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling or relabeling of its container. This term does not include the preparation or compounding of a controlled substance or an imitation controlled substance or the preparation, compounding, packaging or labeling of a narcotic or dangerous drug:
- (a) By a practitioner as an incident to his administering or dispensing of a controlled substance or an imitation controlled substance in the course of his professional practice, or
 - (b) By a practitioner or his authorized agent under his supervision, for the purpose of, or as an incident to, research, teaching or chemical analysis and not for sale;
- (24) "Marijuana", all parts of the plant genus *Cannabis* in any species or form thereof, including, but not limited to *Cannabis Sativa* L., *Cannabis Indica*, *Cannabis Americana*, *Cannabis Ruderalis*, and *Cannabis Gigantea*, whether growing or not, the seeds thereof, the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil or cake, or the sterilized seed of the plant which is incapable of germination;
- (25) **"Methamphetamine precursor drug", any drug containing ephedrine, pseudoephedrine, phenylpropanolamine, or any of their salts, optical isomers, or salts of optical isomers;**
- (26) "Narcotic drug", any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical analysis:
- (a) Opium, opiate, and any derivative, of opium or opiate, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of the isomers, esters, ethers, and salts is possible within the specific chemical designation. The term does not include the isoquinoline alkaloids of opium;
 - (b) Coca leaves, but not including extracts of coca leaves from which cocaine, ecgonine, and derivatives of

ecgonine or their salts have been removed;

- (c) Cocaine or any salt, isomer, or salt of isomer thereof;
- (d) Ecgonine, or any derivative, salt, isomer, or salt of isomer thereof;
- (e) Any compound, mixture, or preparation containing any quantity of any substance referred to in paragraphs (a) to (d) of this subdivision;

[(26)] (27) "Official written order", an order written on a form provided for that purpose by the United States Commissioner of Narcotics, under any laws of the United States making provision therefor, if such order forms are authorized and required by federal law, and if no such order form is provided, then on an official form provided for that purpose by the department of health;

[(27)] (28) "Opiate", any substance having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having addiction-forming or addiction-sustaining liability. The term includes its racemic and levorotatory forms. It does not include, unless specifically controlled under section 195.017, the dextrorotatory isomer of 3-methoxy-n-methyl-morphinan and its salts (dextromethorphan);

[(28)] (29) "Opium poppy", the plant of the species *Papaver somniferum* L., except its seeds;

(30) **"Over-the-counter sale", a retail sale licensed pursuant to chapter 144, RSMo, of a drug other than a controlled substance;**

[(29)] (31) "Person", an individual, corporation, government or governmental subdivision or agency, business trust, estate, trust, partnership, joint venture, association, or any other legal or commercial entity;

[(30)] (32) "Pharmacist", a licensed pharmacist as defined by the laws of this state, and where the context so requires, the owner of a store or other place of business where controlled substances are compounded or dispensed by a licensed pharmacist; but nothing in sections 195.005 to 195.425 shall be construed as conferring on a person who is not registered nor licensed as a pharmacist any authority, right or privilege that is not granted to him by the pharmacy laws of this state;

[(31)] (33) "Poppy straw", all parts, except the seeds, of the opium poppy, after mowing;

[(32)] (34) "Possessed" or "possessing a controlled substance", a person, with the knowledge of the presence and nature of a substance, has actual or constructive possession of the substance. A person has actual possession if he has the substance on his person or within easy reach and convenient control. A person who, although not in actual possession, has the power and the intention at a given time to exercise dominion or control over the substance either directly or through another person or persons is in constructive possession of it. Possession may also be sole or joint. If one person alone has possession of a substance possession is sole. If two or more persons share possession of a substance, possession is joint;

[(33)] (35) "Practitioner", a physician, dentist, optometrist, podiatrist, veterinarian, scientific investigator, pharmacy, hospital or other person licensed, registered or otherwise permitted by this state to distribute, dispense, conduct research with respect to or administer or to use in teaching or chemical analysis, a controlled substance in the course of professional practice or research in this state, or a pharmacy, hospital or other institution licensed, registered, or otherwise permitted to distribute, dispense, conduct research with respect to or administer a controlled substance in the course of professional practice or research;

[(34)] (36) "Production", includes the manufacture, planting, cultivation, growing, or harvesting of drug paraphernalia or of a controlled substance or an imitation controlled substance;

[(35)] (37) "Registry number", the number assigned to each person registered under the federal controlled substances laws;

[(36)] (38) "Sale", includes barter, exchange, or gift, or offer therefor, and each such transaction made by any person, whether as principal, proprietor, agent, servant or employee;

[(37)] (39) "State" when applied to a part of the United States, includes any state, district, commonwealth, territory, insular possession thereof, and any area subject to the legal authority of the United States of America;

[(38)] (40) "Ultimate user", a person who lawfully possesses a controlled substance or an imitation controlled substance for his own use or for the use of a member of his household or for administering to an animal owned by him or by a member of his household;

[(39)] (41) "Wholesaler", a person who supplies drug paraphernalia or controlled substances or imitation controlled substances that he himself has not produced or prepared, on official written orders, but not on prescriptions."; and

Further amend said bill, Page 22, Section 195.223, Line 102, by inserting immediately after said line the following:

"195.235. 1. It is unlawful for any person to deliver, possess with intent to deliver, or manufacture, with intent to deliver, drug paraphernalia, knowing, or under circumstances where one reasonably should know, that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance or an imitation controlled substance in violation of sections 195.005 to 195.425.

2. Possession of more than twenty-four grams of any methamphetamine precursor drug or combination of methamphetamine precursor drugs shall be prima facie evidence of intent to violate this section. This subsection shall not apply to any practitioner or to any product possessed in the course of a legitimate business.

3. A person who violates this section is guilty of a class D felony.

195.246. 1. It is unlawful for any person to possess [ephedrine, its salts, optical isomers and salts of optical isomers or pseudoephedrine, its salts, optical isomers and salts of optical isomers] **any methamphetamine precursor drug** with the intent to manufacture **amphetamine**, methamphetamine or any of [its] **their** analogs.

2. Possession of more than twenty-four grams of any methamphetamine precursor drug or combination of methamphetamine precursor drugs shall be prima facie evidence of intent to violate this section. This subsection shall not apply to any practitioner or to any product possessed in the course of a legitimate business.

3. A person who violates this section is guilty of a class D felony."; and

Further amend said bill, Page 25, Section 195.400, Line 118, by inserting immediately after said line the following:

"195.417. 1. No person shall deliver in any single over-the-counter sale more than three packages of any methamphetamine precursor drug or any combination of methamphetamine precursor drugs.

2. This section shall not apply to any product labeled pursuant to federal regulation for use only in children under twelve years of age, or to any products that the state department of health, upon application of a manufacturer, exempts by rule from this section because the product has been formulated in such a way as to effectively prevent the conversion of the active ingredient into methamphetamine, or its salts or precursors.

3. Any person who is considered the general owner or operator of the outlet where ephedrine, pseudoephedrine, or phenylpropanolamine products are available for sale who violates subsection 1 of this section shall not be penalized pursuant to this section if such person documents that an employee training program was in place to provide the employee with information on the state and federal regulations regarding ephedrine, pseudoephedrine, or phenylpropanolamine.

4. Any person who knowingly or recklessly violates this section is guilty of a class A misdemeanor.

195.418. 1. The retail sale of methamphetamine precursor drugs shall be limited to:

(1) Sales in packages containing not more than a total of three grams of one or more methamphetamine precursor drugs, calculated in terms of ephedrine base, pseudoephedrine base and phenylpropanolamine base; and

(2) For nonliquid products, sales in blister packs, each blister containing not more than two dosage units, or where the use of blister packs is technically infeasible, sales in unit dose packets or pouches.

2. Any person holding a retail sales license pursuant to chapter 144, RSMo, who knowingly violates subsection 1 of this section is guilty of a class A misdemeanor.

570.030. 1. A person commits the crime of stealing if he or she appropriates property or services of another with the purpose to deprive him or her thereof, either without his or her consent or by means of deceit or coercion.

2. Evidence of the following is admissible in any criminal prosecution under this section on the issue of the requisite knowledge or belief of the alleged stealer:

(1) That he or she failed or refused to pay for property or services of a hotel, restaurant, inn or boardinghouse;

(2) That he or she gave in payment for property or services of a hotel, restaurant, inn or boardinghouse a check or negotiable paper on which payment was refused;

(3) That he or she left the hotel, restaurant, inn or boardinghouse with the intent to not pay for property or services;

(4) That he or she surreptitiously removed or attempted to remove his or her baggage from a hotel, inn or boardinghouse.

3. Stealing is a class C felony if:

(1) The value of the property or services appropriated is seven hundred fifty dollars or more; or

(2) The actor physically takes the property appropriated from the person of the victim; or

- (3) The property appropriated consists of:
- (a) Any motor vehicle, watercraft or aircraft; or
 - (b) Any will or unrecorded deed affecting real property; or
 - (c) Any credit card or letter of credit; or
 - (d) Any firearms; or
 - (e) A United States national flag designed, intended and used for display on buildings or stationary flagstaffs in the open; or
 - (f) Any original copy of an act, bill or resolution, introduced or acted upon by the legislature of the state of Missouri; or
 - (g) Any pleading, notice, judgment or any other record or entry of any court of this state, any other state or of the United States; or
 - (h) Any book of registration or list of voters required by chapter 115, RSMo; or
 - (i) Any animal of the species of horse, mule, ass, cattle, swine, sheep, or goat; or
 - (j) Live fish raised for commercial sale with a value of seventy-five dollars; or
 - (k) Any controlled substance as defined by section 195.010, RSMo.
4. If an actor appropriates any material with a value less than one hundred fifty dollars in violation of this section with the intent to use such material to manufacture, compound, produce, prepare, test or analyze amphetamine or methamphetamine or any of their analogues, then such violation is a class D felony. The theft of any amount of anhydrous ammonia or liquid nitrogen, or any attempt to steal any amount of anhydrous ammonia or liquid nitrogen, is a class [D] C felony. **The theft of any amount of anhydrous ammonia by appropriation of a tank truck, tank trailer, rail tank car, bulk storage tank, field (nurse) tank or field applicator is a class B felony.**
5. The theft of any item of property or services under subsection 3 of this section which exceeds seven hundred fifty dollars may be considered a separate felony and may be charged in separate counts.
6. Any person with a prior conviction of paragraph (i) of subdivision (3) of subsection 3 of this section and who violates the provisions of paragraph (i) of subdivision (3) of subsection 3 of this section when the value of the animal or animals stolen exceeds three thousand dollars is guilty of a class B felony.
7. Any violation of this section for which no other penalty is specified in this section is a class A misdemeanor.
- 578.154. 1. A person commits the crime of possession of anhydrous ammonia in a nonapproved container if he or she possesses any quantity of anhydrous ammonia in any container other than a tank truck, tank trailer, rail tank car, bulk storage tank, field (nurse) tank or field applicator.**
- 2. A violation of this section is a class D felony."**; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

THIRD READING OF SENATE BILLS

HCS SCS SB 617, relating to enterprise zones, was taken up by Representative Rizzo.

Representative Rizzo offered **HS HCS SCS SB 617**.

Representative Rizzo offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 617, Page 80, Section 135.406, Line 3, by inserting after the word "sections" the number "**135.400**".

On motion of Representative Rizzo, **House Amendment No. 1** was adopted.

Representative Rizzo offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 617, Page 6, Section 67.1442, Line 17 of said page, by deleting from said line the word "**forty-nine**" and inserting in lieu thereof the following: "**forty**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Rizzo, **House Amendment No. 2** was adopted.

Representative Rizzo offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 617, Pages 136 to 141, Section 319.129, Lines 18 to 24 of Page 136, Lines 1 to 24 of Pages 137, 138, 139, and 149, and Lines 1 to 17 of Page 141, by deleting all of said lines; and

Further amend said bill, Pages 141 to 150, Section 319.131, Lines 18 to 24 of Page 141, Lines 1 to 24 of Pages 142 to 149, and Lines 1 to 5 of Page 150, by deleting all of said lines; and

Further amend said bill, Pages 150 to 152, Section 319.132, Lines 6 to 24 of Page 150, Lines 1 to 24 of Page 151, and Lines 1 to 21 of Page 152, by deleting all of said lines; and

Further amend said bill, Pages 152 and 153, Section 319.133, Lines 22 to 24 of Page 152, and Lines 1 to 19 of Page 153, by deleting all of said lines; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Rizzo, **House Amendment No. 3** was adopted.

Representative Rizzo offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 617, Pages 99 to 106, Section 135.500, Lines 6 to 24 of Page 99, Lines 1 to 24 of Pages 100 to 105, and Lines 1 to 6 of Page 106, by deleting all of said lines and inserting in lieu thereof the following:

"135.500. 1. Sections 135.500 to 135.529 shall be known and may be cited as the "Missouri Certified Capital Company Law".

2. As used in sections 135.500 to 135.529, the following terms mean:

(1) "Affiliate of a certified company":

(a) Any person, directly or indirectly owning, controlling or holding power to vote [ten] **fifteen** percent or more of the outstanding voting securities or other ownership interests of the Missouri certified capital company;

(b) Any person [ten] **fifteen** percent or more of whose outstanding voting securities or other ownership interest are directly or indirectly owned, controlled or held with power to vote by the Missouri certified capital company;

(c) Any person directly or indirectly controlling, controlled by, or under common control with the Missouri certified capital company;

(d) A partnership in which the Missouri certified capital company is a general partner;

(e) Any person who is an officer, director or agent of the Missouri certified capital company or an immediate family member of such officer, director or agent;

(2) "Applicable percentage", one hundred percent;

(3) "Capital in a qualified Missouri business", any debt, equity or hybrid security, of any nature and description whatsoever, including a debt instrument or security which has the characteristics of debt but which provides for conversion into equity or equity participation instruments such as options or warrants which are acquired by a Missouri certified capital company as a result of a transfer of cash to a business[. Capital in a qualified Missouri business shall not include secured debt instruments];

(4) "Certified capital **investment**", an investment of cash by an investor in a Missouri certified capital company **that fully funds either the investor's equity interest in a certified capital company, a qualified debt instrument that a certified capital company issues, or both;**

(5) "Certified capital company", any partnership, corporation, trust or limited liability company, whether organized on a profit or not-for-profit basis, that is located, headquartered and registered to conduct business in Missouri that has as its primary business activity, the investment of cash in qualified Missouri businesses, and which is certified by the department as meeting the criteria of sections 135.500 to 135.529;

(6) "Department", the Missouri department of economic development;

(7) "Director", the director of the department of economic development or a person acting under the supervision of the director;

(8) "Investor", any insurance company that contributes cash;

(9) "Liquidating distribution", payments to investors or to the certified capital company from earnings;

(10) "Person", any natural person or entity, including a corporation, general or limited partnership, trust or limited liability company;

(11) "**Qualified debt instrument**", a debt instrument that a certified capital company issues at par value or at a premium that:

(a) **Has an original maturity date of at least five years from the date on which it was issued;**

(b) **Has a repayment schedule that is no faster than a level principal amortization; and**

(c) **Until the certified capital company may make distributions other than qualified distributions, the interest, distribution or payment features of which are not related to the certified capital company's profitability or the performance of its investment portfolio;**

(12) "Qualified distribution", any distribution of payment to equity holders of a certified capital company in connection with the following:

(a) Reasonable costs and expenses of forming, syndicating, managing and operating the certified capital company;

(b) Management fees for managing and operating the certified capital company [; and] **which, on an annual basis, do not exceed two and one-half percent of the certified capital company's total certified capital;**

(c) **Reasonable and necessary fees paid for professional services related to the operation of the certified capital company; and**

[(c)] (d) Any increase in federal or state taxes, penalties and interest, including those related to state and federal income taxes, of equity owners of a certified capital company which related to the ownership, management or operation of a certified capital company;

[(12)] (13) "Qualified investment", the investment of cash by a Missouri certified capital company in such a manner as to acquire capital in a qualified Missouri business. **The investment must also be for the purchase of an equity security of the qualified business or a debt security of the qualified business, provided the debt has a maturity of at least one year. The debt security must be unsecured or be convertible into equity securities or equity participation instruments such as options or warrants, unless the debt security is issued by:**

(a) **A qualified Missouri agricultural business; or**

(b) **A qualified business located in a distressed community and has been approved by the director. Such approval by the director shall not be unreasonably withheld and shall be granted or denied within fifteen business days of request by the certified capital company.**

As a condition of the investment, the qualified business must agree to retain its headquarters and principal business operations in the state, or in a distressed community, if the investment is to be credited to a distressed community allocation, for three years following any qualified investment;

(14) "**Qualified Missouri agricultural business**", any independently owned and operated business, which

is headquartered and located in Missouri, which has at least eighty percent of its employees working in Missouri, which is involved in commerce for the purpose of manufacturing, processing or assembling products, conducting research and development, or providing services in interstate commerce, but excluding retail, real estate, real estate development, insurance and professional services provided by accountants, lawyers or physicians, and meets the requirements of paragraphs (a), (b), (e) and (f) of subdivision (15) of subsection 2 of this section, and which is either:

(a) A rural agricultural business whose projects add value to agricultural products and aid the economy of a rural community, including any development facility as defined in subdivision (3) of subsection 2 of section 348.430, RSMo, and whose gross sales during its most recent complete fiscal year shall not have exceeded five million dollars; or

(b) Any business that is an eligible borrower as described pursuant to Section 4279.108 of the Rural Development Instructions of the United States Department of Agriculture and whose gross sales during its most recent complete fiscal year shall not have exceeded five million dollars;

[(13)] (15) "Qualified Missouri business", an independently owned and operated business, which is headquartered and [located] **has its principal business operations** in Missouri and which is in need of venture capital and cannot obtain conventional financing. Such business:

(a) Shall have no more than two hundred employees[.];

(b) **Shall have at least** eighty percent of [which are] **its employees** employed in Missouri[. Such business];

(c) Shall be involved in commerce for the purpose of manufacturing, processing or assembling products, conducting research and development, or providing services in interstate commerce, but excluding retail, real estate, real estate development, insurance and professional services provided by accountants, lawyers or physicians[.];

(d) If [such business] **it** has been in existence for three years or less, its gross sales during its most recent complete fiscal years shall not have exceeded four million dollars. If such business has been in existence for longer than three years, its gross sales during its most recent complete fiscal year shall not have exceeded three million dollars[.];

(e) **Shall certify that it will maintain its headquarters and principal business operations in this state, or in a distressed community, if the investment is to be credited to a distressed community allocation, for three years following any qualified investment; and**

(f) **If any business which is classified as a qualified Missouri business at the time of the first investment in such business by a Missouri certified capital company shall, for a period of seven years from the date of such first investment, remain classified as a qualified Missouri business and may receive follow-on investments from any Missouri certified capital company and such follow-on investments shall be qualified investments even though such business may not meet the [other] qualifications of paragraphs (a), (b) and (d) of this [subsection] subdivision at the time of such follow-on investments, provided, however, that such business continues to meet the other requirements set forth in this subdivision, and such business reaffirms its intention to maintain its headquarters and its principal business operations in this state, or in a distressed community, if the investment is to be credited to a distressed community allocation;**

[(14)] (16) "State premium tax liability", any liability incurred by an insurance company pursuant to the provisions of section 148.320, 148.340, 148.370 or 148.376, RSMo, and any other related provisions, which may impose a tax upon the premium income of insurance companies after January 1, 1997."; and

Further amend said bill, Pages 114 to 122, Section 135.516, Lines 23 to 24 of Page 114, Lines 1 to 24 of Pages 115 to 121, and Lines 1 to 9 of Page 122, by deleting all of said lines and inserting in lieu thereof the following:

"135.516. 1. To continue to be certified, a Missouri certified capital company shall make qualified investments according to the following schedule:

(1) Within two years after the date on which a Missouri certified capital company is designated as a Missouri certified capital company at least twenty-five percent of its certified capital shall be, or have been, placed in qualified investments;

(2) Within three years after the date on which a Missouri certified capital company is designated as a Missouri certified capital company at least forty percent of its certified capital shall be, or have been, placed in qualified investments;

(3) Within four years after the date on which a Missouri certified capital company is designated as a Missouri certified capital company, at least fifty percent of its total certified capital shall be, or have been, placed in qualified investments. A Missouri certified capital company may not make an investment in an affiliate of the certified capital

company. For the purposes of this subsection, if a legal entity is not an affiliate before a certified capital company initially invests in the entity, it will not be an affiliate if a certified capital company provides additional investment in such entity subsequent to its initial investment;

(4) A certified capital company, at least fifteen working days prior to making what it determines to be an initial qualified investment in a specific qualified Missouri business, shall certify to the department that the company in which it proposes to invest meets the definition of a qualified Missouri business pursuant to subdivision (14) of subsection 2 of section 135.500. The certified capital company shall state the amount of capital it intends to invest and the name of the business in which it intends to invest. The certified capital company shall also provide to the department an explanation of its determination that the business meets the definition of a qualified Missouri business. If the department determines that the business does not meet the definition of a qualified Missouri business, it shall, within the fifteen-working-day period prior to the making of the proposed investment, notify the certified capital company of its determination and an explanation thereof. If the department fails to notify the certified capital company with respect to the proposed investment within the fifteen-working-day period prior to the making of the proposed investment, the company in which the certified capital company proposes to invest shall be deemed to be a qualified Missouri business. If a certified capital company fails to notify the department prior to making an initial investment in a business, the department may subsequently determine that the business in which the certified capital company invested was not a qualified Missouri business even though the business, at the time of the investment, met the requirements of subdivision (14) of subsection 2 of section 135.500;

(5) All certified capital which is not required to be placed in qualified investments or which has been placed in qualified investments and can be received by the company[, may be held or invested in such manner as the Missouri certified capital company, in its discretion, deems appropriate]:

- (a) **Shall be held in a financial institution or held by a registered broker-dealer;**
- (b) **Shall not be invested in a certified investor of the certified capital company or any affiliate of the certified investor of the certified capital company;**
- (c) **Shall be invested only in:**
 - a. **Any United States Treasury obligations;**
 - b. **Certificates of deposit or other obligations, maturing within three years after acquisitions of such certificates or obligations, issued by a financial institution or trust company incorporated pursuant to the laws of the United States;**
 - c. **Obligations which (i) are rated "A" or better by any nationally recognized credit rating agency, or (ii) issued by, or guaranteed with respect to payment by, an entity whose unsecured indebtedness is rated "A" or better by any nationally recognized credit rating agency and which is not subordinated to other unsecured indebtedness of the issuer or guarantor, as the case may be;**
 - d. **Mortgage-backed securities, with an average life of five years or less, after the acquisition of such securities, which are rated "A" or better by any nationally recognized credit rating agency;**
 - e. **Collateralized mortgage obligations and real estate mortgage investment conduits that are direct obligations of an agency of the United States government, are not private-label issues, are in book-entry form, and do not include the classes of interest only, principal only, residual or zero; or**
 - f. **Interests in money market funds, the portfolio of which is limited to cash and obligations described in subparagraphs a to e of this paragraph.**

2. The proceeds of all certified capital which is received by a certified capital company after it was originally placed in qualified investments may be placed again in qualified investments and shall count toward any requirement in sections 135.500 to 135.529 with respect to placing certified capital in qualified investments.

[2.] 3. A certified capital company may make qualified distributions at any time. In order to make distributions, other than qualified distributions, a certified capital company must have placed an amount cumulatively equal to one hundred percent of its certified capital in qualified investments, **and, with respect to qualified investments made with certified capital raised after August 28, 2001, twenty-five percent of such qualified investment must be in qualified Missouri agricultural businesses.** Cumulative distributions to equity holders, other than qualified distributions, in excess of the certified capital company's original certified capital and any additional capital contributions to the certified capital company shall be subject to audit by a nationally recognized certified public accounting firm acceptable to the department, at the expense of the certified capital company. The audit shall determine whether aggregate cumulative distributions to all investors and equity holders, other than qualified distributions, when combined with all tax credits utilized by investors pursuant to sections 135.500 to 135.529, have resulted in an annual internal rate of return of fifteen percent computed on the sum of total original certified capital of the certified capital

company and any additional capital contributions to the certified capital company. Twenty-five percent of distributions made, other than qualified distributions, in excess of the amount required to produce a fifteen percent annual internal rate of return, as determined by the audit, shall be payable by the certified capital company to the Missouri development finance board. Distributions or payments to debt holders of a certified capital company, however, may be made without restriction with respect to debt owed to them by a certified capital company. A debt holder that is also an investor or equity holder of a certified capital company may receive distributions or payments with respect to such debt without restriction.

4. In the event that a business in which a qualified investment is made fails to comply with its agreement to retain its headquarters and principal business operations in the state, or in a distressed community, if the investment is to be credited to a distressed community allocation, for three years following any qualified investment, by relocating its headquarters or principal business operations of such business within the state to another state, the cumulative amount of qualified investment shall be reduced for purposes of this subsection only by the amount of such qualified investment, unless:

(1) The certified capital company invests an amount of at least equal to the investment of certified capital in the relocated business in a qualified business located in the state or in a distressed community, if the investment is to be credited to a distressed community allocation, within six months of the relocation; or

(2) The business demonstrates that it has returned its principal business operations to Missouri or a distressed community, if the investment is to be credited to a distressed community allocation, within three months of such relocation.

[3.] **5.** No qualified investment may be made at a cost to a Missouri certified capital company greater than fifteen percent of the total certified capital under management of the Missouri certified capital company at the time of investment.

[4.] **6.** Documents and other materials submitted by Missouri certified capital companies or by businesses for purposes of the continuance of certification may be deemed "closed records" pursuant to the provisions of section 620.014, RSMo.

[5.] **7.** Each Missouri certified capital company shall report the following to the department:

(1) As soon as practicable after the receipt of certified capital, the name of each investor from which the certified capital was received, the amount of each investor's investment of certified capital and tax credits computed without regard to any limitations under subsection [3] **4** of section 135.503, and the date on which the certified capital was received;

(2) On a quarterly basis, the amount of the Missouri certified capital company's certified capital at the end of the quarter, whether or not the Missouri certified capital company has invested more than fifteen percent of the total certified capital under management in any one company, and all qualified investments that the Missouri certified capital company has made;

(3) Each Missouri certified capital company shall provide annual audited financial statements to the department which include an opinion of an independent certified public accountant to the department within ninety days of the close of the fiscal year. The audit shall address the methods of operation and conduct of the business of the Missouri certified capital company to determine if the Missouri certified capital company is complying with the statutes and program rules and that the funds received by the Missouri certified capital company have been invested as required within the time limits provided by sections 135.500 to 135.529."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Rizzo, **House Amendment No. 4** was adopted.

Representative Wright offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 617, Page 32, Section 135.200, Line 8, by inserting after all of said line the following:

"135.207. 1. (1) Any city with a population of at least three hundred fifty thousand inhabitants which is located in more than one county and any city not within a county, which includes an existing state designated enterprise zone within the corporate limits of the city may each, upon approval of the local governing authority of the city and the director of the department of economic development, designate up to three satellite zones within its corporate limits. A prerequisite for the designation of a satellite zone shall be the approval by the director of a plan submitted by the local governing authority of the city describing how the satellite zone corresponds to the city's overall enterprise zone strategy.

(2) Any Missouri community classified as a village whose borders lie adjacent to a city with a population in excess of three hundred fifty thousand inhabitants as described in subdivision (1) of this subsection, and which has within the corporate limits of the village a factory, mining operation, office, mill, plant or warehouse which has at least three thousand employees and has an investment in plant, machinery and equipment of at least two hundred million dollars may, upon securing approval of the director and the local governing authorities of the village and the adjacent city which contains an existing state designated enterprise zone, designate one satellite zone to be located within the corporate limits of the village, such zone to be in addition to the six authorized in subdivision (1) of this subsection.

(3) Any geographical area partially contained within any city not within a county and partially contained within any county of the first classification with a charter form of government with a population of nine hundred thousand or more inhabitants, which area is comprised of a total population of at least four thousand inhabitants but not more than seventy-two thousand inhabitants, and which area consists of at least one fourth class city, and has within its boundaries a military reserve facility and a utility pumping station having a capacity of ten million cubic feet, may, upon securing approval of the director and the appropriate local governing authorities as provided for in section 135.210, be designated as a satellite zone, such zone to be in addition to the six authorized in subdivision (1) of this subsection.

(4) Any city with a population of at least one hundred and forty thousand inhabitants that is located in a county of the first classification with a noncharter form of government with a population of less than two hundred and seventy thousand which includes an existing state designated enterprise zone within the corporate limits of the city may, upon approval of the local governing authority of the city and the director of the department of economic development, designate up to three satellite zones within its corporate limits, one of which shall be east of and adjacent to its municipally owned airport and one on land owned by the city which contains a wastewater treatment plant with a treatment capacity of five million six hundred thousand cubic feet per day and an electric power plant having a capacity of at least two hundred seventy-five megawatts. A prerequisite for the designation of a satellite zone shall be the approval by the director of a plan submitted by the local governing authority of the city describing how the satellite zone corresponds to the city's overall enterprise zone strategy.

2. For satellite zones designated pursuant to the provisions of subdivisions (1) and (3) of subsection 1 of this section, the satellite zones, in conjunction with the existing state-designated enterprise zone shall meet the following criteria:

(1) The area is one of pervasive poverty, unemployment, and general distress, or one in which a large number of jobs have been lost, a large number of employers have closed, or in which a large percentage of available production capacity is idle. For the purpose of this subdivision, "large number of jobs" means one percent or more of the area's population according to the most recent decennial census, and "large number of employers" means over five;

(2) At least fifty percent of the residents living in the area have incomes below eighty percent of the median income of all residents within the state of Missouri according to the last decennial census or other appropriate source as approved by the director;

(3) The resident population of the existing state designated enterprise zone and its satellite zones must be at least four thousand but not more than seventy-two thousand at the time of designation;

(4) The level of unemployment of persons, according to the most recent data available from the division of employment security or from the United States Bureau of Census and approved by the director, within the area exceeds one and one-half times the average rate of unemployment for the state of Missouri over the previous twelve months, or the percentage of area residents employed on a full-time basis is less than sixty percent of the statewide percentage of residents employed on a full-time basis.

3. A qualified business located within a satellite zone shall be subject to the same eligibility criteria and can be eligible to receive the same benefits as a qualified facility in sections 135.200 to 135.255."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Wright, **House Amendment No. 5** was adopted.

Representative Griesheimer offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 617, Page 157, Section 348.302, Line 17, by inserting after all of said line the following:

"447.700. As used in sections 447.700 to 447.718, the following terms mean:

(1) "Abandoned property", real property previously used for, or which has the potential to be used for, commercial or industrial purposes which reverted to the ownership of the state, a county, or municipal government, or an agency thereof, through donation, purchase, tax delinquency, foreclosure, default or settlement, including conveyance by deed in lieu of foreclosure; or a privately owned property endorsed by the city, or county if the property is not in a city, for inclusion in the program which will be transferred to a person other than the potentially responsible party as defined in chapter 260, RSMo, and has been vacant for a period of not less than three years from the time an application is made to the department of economic development;

(2) "Allowable cost", all or part of the costs of project facilities, including the costs of acquiring the property, relocating any remaining occupants, constructing, reconstructing, rehabilitating, renovating, enlarging, improving, equipping or furnishing project facilities, demolition, site clearance and preparation, supplementing and relocating public capital improvements or utility facilities, designs, plans, specifications, surveys, studies and estimates of costs, expenses necessary or incident to determining the feasibility or practicability of assisting an eligible project or providing project facilities, architectural, engineering and legal service fees and expenses, the costs of conducting any other activities as part of a voluntary remediation and such other expenses as may be necessary or incidental to the establishment or development of an eligible project and reimbursement of moneys advanced or applied by any governmental agency or other person for allowable costs. **In any third class city with a population of more than eleven thousand but less than twelve thousand inhabitants located in a county of the first classification with a population of more than eighty thousand but less than eighty-two thousand inhabitants, allowable costs shall also include twenty-five percent of the demolition costs up to one hundred twenty-five thousand dollars of any building or structure which is located on the site of an abandoned or underutilized property;**

(3) "Applicant", the person that submits an application for consideration of a project or location or real property for financial, tax credit or other assistance pursuant to sections 447.700 to 447.718; an applicant may not be any party who intentionally or negligently caused the release or potential release of hazardous substances at the eligible project as that term is defined pursuant to chapter 260, RSMo;

(4) "Eligible project", abandoned or underutilized property to be acquired, established, expanded, remodeled, rehabilitated or modernized for industry, commerce, distribution or research or any combination thereof, the operation of which, alone or in conjunction with other facilities, will create new jobs or preserve existing jobs and employment opportunities, attract new businesses to the state, prevent existing businesses from leaving the state and improve the economic welfare of the people of the state. The term "eligible project", without limitation, includes voluntary remediation conducted pursuant to sections 260.565 to 260.575, RSMo. To be an "eligible project" pursuant to sections 447.700 to 447.718, the obligations of the prospective applicant and the governmental agency shall be defined in a written agreement signed by both parties. The facility, when completed, shall be operated in compliance with applicable federal, state and local environmental statutes, regulations and ordinances. An "eligible project" shall be determined by consideration of the entire project. The definition or identification of an "eligible project" shall not be segmented into parts to separate commercial and industrial uses from residential uses;

(5) "Financial assistance", direct loans, loan guarantees, and grants pursuant to sections 447.702 to 447.706; and tax credits, inducements and abatements pursuant to section 447.708;

(6) "Governmental action", any action by a state, county or municipal agency relating to the establishment, development or operation of an eligible project and project facilities that the governmental agency has authority to take or provide for the purpose under law, charter or ordinance, including but not limited to, actions relating to contracts and agreements, zoning, building, permits, acquisition and disposition of property, public capital improvements, utility and transportation service, taxation, employee recruitment and training, and liaison and coordination with and among governmental agencies;

(7) "Governmental agency", the state, county and municipality and any department, division, commission, agency, institution or authority, including a municipal corporation, township, and any agency thereof and any other political subdivision or public corporation; the United States or any agency thereof; any agency, commission or authority established pursuant to an interstate compact or agreement and any combination of the above;

(8) "Person", any individual, firm, partnership, association, limited liability company, corporation or governmental agency, and any combination thereof;

(9) "Project facilities", buildings, structures and other improvements and equipment and other property or fixtures, excluding small tools, supplies and inventory, and public capital improvements;

(10) "Public capital improvements", capital improvements or facilities owned by a governmental agency and which such agency has authority to acquire, pay the costs of, maintain, relocate or operate, or to contract with other persons to have the same done, including but not limited to, highways, roads, streets, electrical, gas, water and sewer facilities, railroad and other transportation facilities, and air and water pollution control and solid waste disposal facilities;

(11) "Underutilized", real property of which less than thirty-five percent of the commercially usable space of the property and improvements thereon, are used for their most commercially profitable and economically productive use; or property that was used by the state of Missouri as a correctional center for a period of at least one hundred years and which requires environmental remediation before redevelopment can occur, if approval from the general assembly has been given for any improvements to, or remediation, lease or sale of, said property;

(12) "Voluntary remediation", an action to remediate hazardous substances and hazardous waste pursuant to sections 260.565 to 260.575, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Griesheimer, **House Amendment No. 6** was adopted.

Representative Gambaro offered **House Amendment No. 7**.

Speaker Kreider resumed the Chair.

Representative Lograsso raised a point of order that **House Amendment No. 7** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Skaggs offered **House Amendment No. 7**.

Representative Scheve raised a point of order that **House Amendment No. 7** goes beyond the scope and is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Hohulin offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 617, Page 84, Section 620.1450, Line 21, by inserting after all of said section the following:

"Section 1. In third class counties with a population of fewer than 30,000 people and bordered by a state line and at least two other third class counties, a tax credit shall be granted to the owner of a recreation facility with at least six baseball diamonds, equal to eighty percent of costs incurred for improvements made to such facility, with an annual cap on the tax credit of \$10,000. The credit must be claimed the same calendar year in which the costs were incurred. A claimant must apply to the Department of Economic Development, as prescribed by the director, who shall certify the credit to the taxpayer and to the Department of Revenue. The credit is nonrefundable and cannot be carried forward or back."; and

Further amend the title, enacting clause and intersectional references accordingly.

Representative Hohulin moved that **House Amendment No. 7** be adopted.

Which motion was defeated.

Representative Luetkenhaus offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 617, Page 136, Section 135.545, Line 17 of said page, by inserting after all of said line the following:

"135.552. 1. As used in this section, the following terms shall mean:

- (1) "Contribution", a donation of cash, stock, bonds or other marketable securities, or real property;
- (2) "Director", the director of the department of public safety;
- (3) "Sexual violence crisis service center", a nonprofit organization having a primary function of serving sexual violence victims, or running a discrete, separate program that serves sexual violence victims, or two or more nonprofit organizations operating under a formal arrangement to provide sexual violence services to victims of rape, sexual assault and sexual abuse, their significant others, secondary victims and the community. For purposes of this section, eligible services of a sexual violence crisis service center, include, but shall not be limited to, the operation of a twenty-four-hour crisis hotline promoted as a service for sexual violence victims and the provision of information, referrals, medical and justice system advocacy, crisis intervention and support groups at no charge and community education and prevention education;
- (4) "State tax liability", in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapters 143, 147, 148 and 153, RSMo, exclusive of the provisions relating to withholding tax contained in sections 143.191 to 143.265, RSMo, and in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, RSMo, exclusive of the provisions relating to withholding tax contained in sections 143.191 to 143.265, RSMo;
- (5) "Taxpayer", a person, firm, a partner in a firm, corporation or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, RSMo, a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, RSMo, an insurance company paying an annual tax on its gross premium receipts in this state or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, RSMo, an express company which pays an annual tax on its gross receipts in this state pursuant to chapter 153, RSMo, or an individual subject to the state income tax imposed by the provisions of chapter 143, RSMo.

2. A taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability, in an amount equal to fifty percent of the amount such taxpayer contributed to a sexual violence crisis service center.

3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year that the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty thousand dollars per taxable year. However, any tax credit that cannot be claimed in the taxable year the contribution was made may be carried over to the next three succeeding taxable years until the full credit has been claimed.

4. Except for any excess credit which is carried over pursuant to subsection 3 of this section, a taxpayer

shall not be allowed to claim a tax credit unless the total amount of such taxpayer's contribution or contributions to a sexual violence crisis service center or centers in such taxpayer's taxable year has a value of at least one hundred dollars.

5. The director shall determine, at least annually, which organizations and programs in this state may be classified as sexual violence crisis service centers. The director may require an organization or program seeking to be classified as a sexual violence crisis service center to submit any information which is reasonably necessary to make such a determination. The director shall classify an organization or program as a sexual violence crisis service center if such organization or program meets the definition set forth in subsection 1 of this section.

6. The director shall establish a procedure by which a taxpayer can determine if an organization or program has been classified as a sexual violence crisis service center, and by which such taxpayer can then contribute to such centers and claim a tax credit. Sexual violence crisis service centers shall be permitted to decline a contribution from a taxpayer. The cumulative amount of tax credits which may be claimed by all the taxpayers contributing to sexual violence crisis service centers in any one fiscal year shall not exceed two million dollars. Tax credits shall be issued based on the order in which accepted contributions are received.

7. The director shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director, the cumulative amount of tax credits are equally apportioned among all organizations and programs classified as sexual violence crisis service centers. If a sexual violence crisis service center fails to use all, or some percentage to be determined by the director, of its apportioned tax credits during this predetermined period of time, the director may reapportion these unused tax credits to those sexual violence crisis service centers that have used all, or some percentage to be determined by the director, of their apportioned tax credits during this predetermined period of time. The director may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

8. Each sexual violence crisis service center shall provide information to the director concerning the identity of each taxpayer making a contribution to the sexual violence crisis service center who is claiming a tax credit pursuant to this section and the amount of the contribution. The director shall provide the information to the director of revenue. The director shall be subject to the confidentiality and penalty provisions of section 32.057, RSMo, relating to the disclosure of tax information.

9. This section shall become effective January 1, 2002, and shall apply to tax years after December 31, 2001.

135.630. 1. As used in this section, the following terms shall mean:

(1) "Contribution", a donation of cash, stock, bonds or other marketable securities, or real property;
 (2) "Director", the director of the department of social services;
 (3) "State tax liability", in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapters 143, 147, 148 and 153, RSMo, exclusive of the provisions relating to withholding tax contained in sections 143.191 to 143.265, RSMo, and in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, RSMo, exclusive of the provisions relating to withholding tax contained in sections 143.191 to 143.265, RSMo;

(4) "Taxpayer", a person, firm, a partner in a firm, corporation or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, RSMo, a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, RSMo, an insurance company paying an annual tax on its gross premium receipts in this state or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, RSMo, an express company which pays an annual tax on its gross receipts in this state pursuant to chapter 153, RSMo, or an individual subject to the state income tax imposed by the provisions of chapter 143, RSMo;

(5) "Unplanned pregnancy resource center", a nonresidential facility located in this state:

(a) Established and operating primarily to provide assistance to women with crisis pregnancies or unplanned pregnancies by offering pregnancy testing, counseling, emotional and material support, and other similar services to encourage and assist such women in carrying their pregnancies to term; and

(b) Where childbirths are not performed; and

(c) Which does not perform or refer for abortions and which does not hold itself out as performing or referring for abortions; and

(d) Which provides direct client services, as opposed to merely providing counseling or referral services by telephone; and

(e) Which provides its services at no cost; and

(f) Which is exempt from income taxation pursuant to the United States Internal Revenue Code.

2. A taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability, in an amount equal to fifty percent of the amount such taxpayer contributed to an unplanned pregnancy resource center.

3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year that the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty thousand dollars per taxable year. However, any tax credit that cannot be claimed in the taxable year the contribution was made may be carried over to the next three succeeding taxable years until the full credit has been claimed.

4. Except for any excess credit which is carried over pursuant to subsection 3 of this section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such taxpayer's contribution or contributions to an unplanned pregnancy resource center or centers in such taxpayer's taxable year has a value of at least one hundred dollars.

5. The director shall determine, at least annually, which facilities in this state may be classified as unplanned pregnancy resource centers. The director may require a facility seeking to be classified as an unplanned pregnancy resource center to submit any information which is reasonably necessary to make such a determination. The director shall classify a facility as an unplanned pregnancy resource center if such facility meets the definition set forth in subsection 1 of this section.

6. The director shall establish a procedure by which a taxpayer can determine if a facility has been classified as an unplanned pregnancy resource center, and by which such taxpayer can then contribute to such centers and claim a tax credit. Unplanned pregnancy resource centers shall be permitted to decline a contribution from a taxpayer. The cumulative amount of tax credits which may be claimed by all the taxpayers contributing to unplanned pregnancy resource centers in any one fiscal year shall not exceed two million dollars. Tax credits shall be issued based on the order in which accepted contributions are received.

7. The director shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director, the cumulative amount of tax credits are equally apportioned among all facilities classified as unplanned pregnancy resource centers. If an unplanned pregnancy resource center fails to use all, or some percentage to be determined by the director, of its apportioned tax credits during this predetermined period of time, the director may reapportion these unused tax credits to those unplanned pregnancy resource centers that have used all, or some percentage to be determined by the director, of their apportioned tax credits during this predetermined period of time. The director may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

8. Each unplanned pregnancy resource center shall provide information to the director concerning the identity of each taxpayer making a contribution to the unplanned pregnancy resource center who is claiming a tax credit pursuant to this section and the amount of the contribution. The director shall provide the information to the director of revenue. The director shall be subject to the confidentiality and penalty provisions of section 32.057, RSMo, relating to the disclosure of tax information.

9. This section shall become effective January 1, 2002, and shall apply to tax years after December 31, 2001.

135.631. The tax credits available pursuant to sections 135.552 and 135.630 shall not be available in any tax year beginning after December 31, 2006, but any tax credit claimed pursuant to section 135.552 or 135.630 prior to that date may be carried forward as otherwise provided by those sections."; and

Further amend said bill, Page 157, Section 348.302, Line 17 of said page, by inserting after all of said line the following:

"620.1039. 1. As used in this section, the term "taxpayer" means an individual, a partnership, or a corporation as described in section 143.441 or 143.471, RSMo, or section 148.370, RSMo, and the term "qualified research expenses" has the same meaning as prescribed in 26 U.S.C. 41.

2. For tax years beginning on or after January 1, 2001, the director of the department of economic development may authorize a taxpayer to receive a tax credit against the tax otherwise due pursuant to chapter 143, RSMo, or chapter 148, RSMo, other than the taxes withheld pursuant to sections 143.191 to 143.265, RSMo, in an amount up to six and one-half percent of the excess of the taxpayer's qualified research expenses, as certified by the director of the department of economic development, within this state during the taxable year over the average of the taxpayer's qualified research expenses within this state over the immediately preceding three taxable years; except that, no tax credit shall be allowed on that portion of the taxpayer's qualified research expenses incurred within this state during the taxable year in which the credit is being claimed, to the extent such expenses exceed two hundred percent of the taxpayer's average qualified research expenses incurred during the immediately preceding three taxable years.

3. The director of economic development shall prescribe the manner in which the tax credit may be applied for. The tax credit authorized by this section may be claimed by the taxpayer to offset the tax liability imposed by chapter 143, RSMo, or chapter 148, RSMo, that becomes due in the tax year during which such qualified research expenses were incurred. Where the amount of the credit exceeds the tax liability, the difference between the credit and the tax liability may only be carried forward for the next five succeeding taxable years or until the full credit has been claimed, whichever first occurs. The application for tax credits authorized by the director pursuant to subsection 2 of this section shall be made no later than the end of the taxpayer's tax period immediately following the tax period for which the credits are being claimed.

4. Certificates of tax credit issued pursuant to this section may be transferred, sold or assigned by filing a notarized endorsement thereof with the department which names the transferee and the amount of tax credit transferred. The director of economic development may allow a taxpayer to transfer, sell or assign up to forty percent of the amount of the certificates of tax credit issued to and not claimed by such taxpayer pursuant to this section during any tax year commencing on or after January 1, 1996, and ending not later than December 31, 1999. Such taxpayer shall file, by December 31, 2001, an application with the department which names the transferee, the amount of tax credit desired to be transferred, and a certification that the funds received by the applicant as a result of the transfer, sale or assignment of the tax credit shall be expended within three years at the state university for the sole purpose of conducting research activities agreed upon by the department, the taxpayer and the state university. Failure to expend such funds in the manner prescribed pursuant to this section shall cause the applicant to be subject to the provisions of section 620.017.

5. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo. All rulemaking authority delegated prior to June 27, 1997, is of no force and effect and repealed; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to June 27, 1997, if such rule complied with the provisions of chapter 536, RSMo. The provisions of this section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, including the ability to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule, are subsequently held unconstitutional, then the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void.

6. The aggregate of all tax credits authorized pursuant to this section shall not exceed [nine] **five** million seven hundred thousand dollars in any year."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Luetkenhaus, **House Amendment No. 8** was adopted.

Representative Kelly (144) offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 617, by inserting the following in the appropriate location:

"135.211. In addition to the number of enterprise zones authorized pursuant to the provisions of sections 135.206 and 135.210, the department of economic development shall designate one such zone in any county of the third classification with a population of at least sixteen thousand seven hundred but no more than sixteen thousand eight hundred inhabitants. Such enterprise zone designation shall only be made if the area in the county which is to be included in the enterprise zone meets all the requirements of section 135.205."; and

Further amend said bill, by amending the title and enacting clause accordingly.

Representative Kelly (144) moved that **House Amendment No. 9** be adopted.

Which motion was defeated.

Representative Hohulin offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 617, Page 84, Section 620.1450, Line 21, by inserting after all of said section the following:

"Section 1. In third class counties with a population of fewer than 30,000 people and bordered by a state line and at least two other third class counties, a tax credit shall be granted to the owner of a recreation facility with at least six baseball diamonds, equal to eighty-five percent of costs incurred for improvements and/or repairs made to such facility, with an annual cap on the tax credit of \$10,000. The credit must be claimed the same calendar year in which the costs were incurred. A claimant must apply to the Department of Economic Development, as prescribed by the director, who shall certify the credit to the taxpayer and to the Department of Revenue. The credit is nonrefundable and cannot be carried forward or back."; and

Further amend the title, enacting clause and intersectional references accordingly.

Representative Campbell raised a point of order that **House Amendment No. 10** is dilatory.

The Chair ruled the point of order not well taken.

On motion of Representative Hohulin, **House Amendment No. 10** was adopted.

Representative Merideth offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 617, Page 60, Section 135.200, Line 21, by inserting after said line the following:

"135.205. For purposes of sections 135.200 to 135.256, an area must meet all the following criteria in order to qualify as an enterprise zone:

- (1) The area is one of pervasive poverty, unemployment, and general distress;**
- (2) At least sixty-five percent of the residents living in the area have incomes below eighty percent of the median income of all residents within the state of Missouri according to the last decennial census or other appropriate source as approved by the director;**
- (3) The resident population of the area must be at least four thousand but not more than seventy-two thousand at the time of designation as an enterprise zone if the area lies within a metropolitan statistical area, as established by the United States Census Bureau; or, if the area does not lie within a metropolitan statistical area, the resident population**

of the area at the time of designation must be at least one thousand but not more than [twenty] **twenty-five** thousand inhabitants. If the population of the jurisdiction of the governing authority does not meet the minimum population requirements set forth in this subdivision, the population of the area must be at least fifty percent of the population of the jurisdiction; provided, however, no enterprise zone shall be created which consists of the total area within the political boundaries of a county; and

(4) The level of unemployment of persons, according to the most recent data available from the division of employment security or from the United States Bureau of Census and approved by the director, within the area exceeds one and one-half times the average rate of unemployment for the state of Missouri over the previous twelve months, or the percentage of area residents employed on a full-time basis is less than fifty percent of the statewide percentage of residents employed on a full-time basis.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Merideth, **House Amendment No. 11** was adopted.

Representative Burcham offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 617, Page 157, Line 20, by inserting after all of said line the following:

"Section 1. 1. The governor is hereby authorized and empowered to sell, transfer, grant and convey all interest in fee simple absolute in property owned by the state in the County of St. Francois, State of Missouri, to the St. Francois County Habitat for Humanity, Inc. The property to be conveyed is more particularly described as follows:

A tract of land situated in the city of Farmington and the state of Missouri, lying in part of Lot 70 of the Subdivision of United States Survey 2969, Township 35 North, Range 5 East of the fifth Principal Meridian, described as follows, to wit: Commencing at the Southeast corner of Lot 4 of Crosswinds - Amended Plat 1, a subdivision filed for record in Plat Book 14 at Page 42, being on the West right-of-way line of Perrine Road, the POINT OF BEGINNING of the tract herein described; thence South 07°05'05" West 150.00' along said West right-of-way line; thence leaving said West right-of-way line, North 82°45'45" West 167.67'; thence North 07°05'05" East 150.00' to the Southwest corner of Lot 42 of Crosswinds - Plat 2, a subdivision filed for record in Plat Book 15 at Page 163; thence South 82°45'45" East 167.67' along the South line of said Lot 42 and said Lot 4 to the point of beginning. Containing 0.58 acres, more or less.

SUBJECT TO ALL easements, conditions, restrictions and right-of-ways of record and those not of record.

2. The commissioner of administration shall set the terms and conditions for the sale as the commissioner deems reasonable. Such terms and conditions may include, but are not limited to, the number of appraisals required, the time, place and terms of the sale.

3. The attorney general shall approve as to form the instrument of conveyance.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Burcham, **House Amendment No. 12** was adopted.

Representative Bearden offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 617, Page 157, Section 348.300, Line 17, by inserting after all of said section the following:

"620.010. 1. There is hereby created a "Department of Economic Development" to be headed by a director appointed by the governor, by and with the advice and consent of the senate. All of the general provisions, definitions and powers enumerated in section 1 of the Omnibus State Reorganization Act of 1974 shall continue to apply to this department and its divisions, agencies and personnel.

2. The office of director of the department of business and administration, chapter 35, RSMo, and others, is abolished and all powers, duties, personnel and property of that office, not previously reassigned by executive reorganization plan no. 1 of 1973 as submitted by the governor pursuant to chapter 26, RSMo, are transferred by type I transfer to the director of the department of economic development. The department of business and administration is hereby abolished.

3. The duties and responsibilities relating to subsection 2 of section 35.010, RSMo, are transferred by type I transfer to the personnel division, office of administration.

4. The powers, duties and functions vested in the public service commission, chapters 386, 387, 388, 389, 390, 392, and 393, RSMo, and others, and the administrative hearing commission, sections 621.015 to 621.198, RSMo, and others, are transferred by type III transfers, and the state banking board, chapter 361, RSMo, and others, and the savings and loan commission, chapter 369, RSMo, and others, are transferred by type II transfers to the department of economic development. The director of the department is directed to provide and coordinate staff and equipment services to these agencies in the interest of facilitating the work of the bodies and achieving optimum efficiency in staff services common to all the bodies. Nothing in the Reorganization Act of 1974 shall prevent the chairman of the public service commission from presenting additional budget requests or from explaining or clarifying its budget requests to the governor or general assembly.

5. The powers, duties and functions vested in the office of the public counsel are transferred by type III transfer to the department of economic development. Funding for the general counsel's office shall be by general revenue.

6. The public service commission is authorized to employ such staff as it deems necessary for the functions performed by the general counsel other than those powers, duties and functions relating to representation of the public before the public service commission.

7. There is hereby created a "Division of Credit Unions" in the department of economic development, to be headed by a director, nominated by the department director and appointed by the governor with the advice and consent of the senate. All the powers, duties and functions vested in the state supervisor of credit unions in chapter 370, RSMo, and the powers and duties relating to credit unions vested in the commissioner of finance in chapter 370, RSMo, are transferred to the division of credit unions of the department of economic development, by a type II transfer, and the office of the state supervisor of credit unions is abolished. The salary of the director of the division of credit unions shall be set by the director of the department within the limits of the appropriations therefor. The director of the division shall assume all the duties and functions of the state supervisor of credit unions and the commissioner of finance only where the director has duties and responsibilities relating to credit unions as set out in chapter 370, RSMo.

8. The powers, duties and functions vested in the division of finance, chapters 361, 362, 364, 365, 367, and 408, RSMo, and others, are transferred by type II transfer to the department of economic development. There shall be a director of the division who shall be nominated by the department director and appointed by the governor with the advice and consent of the senate.

9. All the powers, duties and functions vested in the director of the division of savings and loan supervision in chapter 369, RSMo, sections 443.700 to 443.712, RSMo, or by any other provision of law are transferred to the division of finance of the department of economic development by a type I transfer. The position of the director of the division of savings and loan supervision is hereby abolished. The director of the division of finance shall assume all the duties and functions of the director of the division of savings and loan supervision as provided in chapter 369, RSMo, sections 443.700 to 443.712, RSMo, and by any other provision of law. The division of savings and loan is hereby abolished. The powers of the savings and loan commission are hereby limited to hearing appeals from decisions of the director of the division of finance approving or denying applications to incorporate savings and loan associations or to establish branches of savings and loan associations and approving regulations pertaining to savings and loan associations. Any appeals shall be held in accordance with section 369.319, RSMo.

10. On and after August 28, 1990, the status of the division is modified under a specific type transfer pursuant

to section 1 of the Omnibus Reorganization Act of 1974. The status of the division is modified from that of a division transferred to the department of economic development pursuant to a type II transfer, as provided for in this section, to that of an agency possessing the characteristics of a division transferred pursuant to a type III transfer; provided, however, that the division will remain within the department of economic development. The division of insurance shall be assigned to the department of economic development as a type III division, and the director of the department of economic development shall have no supervision, authority or control over the actions or decisions of the director of the division. All authority, records, property, personnel, powers, duties, functions, matter pending and all other pertinent vestiges pertaining thereto shall be retained by the division except as modified by this section. If the division of insurance becomes a department by operation of a constitutional amendment, the department of economic development shall continue until December 31, 1991, to provide at least the same assistance as was provided in previous fiscal years for personnel, data processing support and other benefits from appropriations.

11. All the powers, duties and functions of the commerce and industrial development division and the industrial development commission, chapters 184 and 255, RSMo, and others, not otherwise transferred, are transferred by type I transfer to the department of economic development, and the industrial development commission is abolished. All powers, duties and functions of the division of commerce and industrial development and the division of community development are transferred by a type I transfer to the department of economic development, and the division of commerce and industrial development and the division of community development are abolished.

12. All the powers, duties and functions vested in the tourism commission, chapter 258, RSMo, and others, are transferred to the "Division of Tourism", which is hereby created, by type III transfer.

13. All the powers, duties and functions of the department of community affairs, chapter 251, RSMo, and others, not otherwise assigned, are transferred by type I transfer to the department of economic development, and the department of community affairs is abolished. The director of the department of economic development may assume all the duties of the director of community affairs or may establish within the department such subunits and advisory committees as may be required to administer the programs so transferred. The director of the department shall appoint all members of such committees and heads of subunits.

14. (1) There is hereby established a "Division of Professional Registration" assigned to the department of economic development as a type III division, headed by a director appointed by the director of the department with the advice and consent of the senate.

(2) The director of the division of professional registration shall promulgate rules and regulations which designate for each board or commission assigned to the division the renewal date for licenses or certificates. After the initial establishment of renewal dates, no director of the division shall promulgate a rule or regulation which would change the renewal date for licenses or certificates if such change in renewal date would occur prior to the date on which the renewal date in effect at the time such new renewal date is specified next occurs. Each board or commission shall by rule or regulation establish licensing periods of one, two, or three years. Registration fees set by a board or commission shall be effective for the entire licensing period involved, and shall not be increased during any current licensing period. Persons who are required to pay their first registration fees shall be allowed to pay the pro rata share of such fees for the remainder of the period remaining at the time the fees are paid. Each board or commission shall provide the necessary forms for initial registration, and thereafter the director may prescribe standard forms for renewal of licenses and certificates. Each board or commission shall by rule and regulation require each applicant to provide the information which is required to keep the board's records current. Each board or commission shall issue the original license or certificate.

(3) The division shall provide clerical and other staff services relating to the issuance and renewal of licenses for all the professional licensing and regulating boards and commissions assigned to the division. The division shall perform the financial management and clerical functions as they each relate to issuance and renewal of licenses and certificates. "Issuance and renewal of licenses and certificates" means the ministerial function of preparing and delivering licenses or certificates, and obtaining material and information for the board or commission in connection with the renewal thereof. It does not include any discretionary authority with regard to the original review of an applicant's qualifications for licensure or certification, or the subsequent review of licensee's or certificate holder's qualifications, or any disciplinary action contemplated against the licensee or certificate holder. The division may develop and implement microfilming systems and automated or manual management information systems.

(4) The director of the division shall establish a system of accounting and budgeting, in cooperation with the director of the department, the office of administration, and the state auditor's office, to ensure proper charges are made to the various boards for services rendered to them. The general assembly shall appropriate to the division and other state agencies from each board's funds, moneys sufficient to reimburse the division and other state agencies for all

services rendered and all facilities and supplies furnished to that board.

(5) For accounting purposes, the appropriation to the division and to the office of administration for the payment of rent for quarters provided for the division shall be made from the "Professional Registration Fees Fund", which is hereby created, and is to be used solely for the purpose defined in subdivision (4) of subsection 14 of this section. The fund shall consist of moneys deposited into it from each board's fund. Each board shall contribute a prorated amount necessary to fund the division for services rendered and rent based upon the system of accounting and budgeting established by the director of the division as provided in subdivision (4) of this subsection. Transfers of funds to the professional registration fees fund shall be made by each board on July first of each year; provided, however, that the director of the division may establish an alternative date or dates of transfers at the request of any board. Such transfers shall be made until they equal the prorated amount for services rendered and rent by the division. The provisions of section 33.080, RSMo, to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of general revenue.

(6) The director of the division shall be responsible for collecting and accounting for all moneys received by the division or its component agencies. Any money received by a board or commission shall be promptly given, identified by type and source, to the director. The director shall keep a record by board and state accounting system classification of the amount of revenue the director receives. The director shall promptly transmit all receipts to the department of revenue for deposit in the state treasury to the credit of the appropriate fund. The director shall provide each board with all relevant financial information in a timely fashion. Each board shall cooperate with the director by providing necessary information.

(7) All educational transcripts, test scores, complaints, investigatory reports, and information pertaining to any person who is an applicant or licensee of any agency assigned to the division of professional registration by statute or by the department of economic development are confidential and may not be disclosed to the public or any member of the public, except with the written consent of the person whose records are involved. The agency which possesses the records or information shall disclose the records or information if the person whose records or information is involved has consented to the disclosure. Each agency is entitled to the attorney-client privilege and work-product privilege to the same extent as any other person. Provided, however, that any board may disclose confidential information without the consent of the person involved in the course of voluntary interstate exchange of information, or in the course of any litigation concerning that person, or pursuant to a lawful request, or to other administrative or law enforcement agencies acting within the scope of their statutory authority. Information regarding identity, including names [and addresses], registration, and currency of the license of the persons possessing licenses to engage in a professional occupation and the names [and addresses] of applicants for such licenses is not confidential information.

15. (1) The division of registration and examination, department of education, within chapter 161, RSMo, and others, is abolished and the following boards and commissions are transferred by specific type transfers to the division of professional registration, department of economic development: state board of accountancy, chapter 326, RSMo; state board of barber examiners, chapter 328, RSMo; state board of registration for architects, professional engineers and land surveyors, chapter 327, RSMo; state board of chiropractic examiners, chapter 331, RSMo; state board of cosmetology, chapter 329, RSMo; state board of healing arts, chapter 334, RSMo; Missouri dental board, chapter 332, RSMo; state board of embalmers and funeral directors, chapter 333, RSMo; state board of optometry, chapter 336, RSMo; state board of nursing, chapter 335, RSMo; board of pharmacy, chapter 338, RSMo; state board of podiatry, chapter 330, RSMo; Missouri real estate commission, chapter 339, RSMo; and Missouri veterinary medical board chapter 340, RSMo. The governor shall appoint members of these boards by and with the advice and consent of the senate from nominees submitted by the director of the department.

(2) The boards and commissions assigned to the division shall exercise all their respective statutory duties and powers, except those clerical and other staff services involving collecting and accounting for moneys and financial management relating to the issuance and renewal of licenses, which services shall be provided by the division, within the appropriation therefor.

All clerical and other staff services relating to the issuance and renewal of licenses of the individual boards and commissions are abolished. All clerical and other staff services pertaining to collecting and accounting for moneys and to financial management relative to the issuance and renewal of licenses of the individual boards and commissions are abolished. Nothing herein shall prohibit employment of professional examining or testing services from professional associations or others as required by the boards or commissions on contract. Nothing herein shall be construed to affect the power of a board or commission to expend its funds as appropriated. However, the division shall review the expense vouchers of each board. The results of such review shall be submitted to the board reviewed and to the house and senate appropriations committees annually.

(3) Notwithstanding any other provisions of law, the director of the division shall exercise only those management functions of the boards and commissions specifically provided in the Reorganization Act of 1974, and those relating to the allocation and assignment of space, personnel other than board personnel, and equipment.

(4) "Board personnel", as used in this section or chapters 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 338, 339 and 340, RSMo, shall mean personnel whose functions and responsibilities are in areas not related to the clerical duties involving the issuance and renewal of licenses, to the collecting and accounting for moneys, or to financial management relating to issuance and renewal of licenses; specifically included are executive secretaries (or comparable positions), consultants, inspectors, investigators, counsel, and secretarial support staff for these positions; and such other positions as are established and authorized by statute for a particular board or commission. Boards and commissions may employ legal counsel, if authorized by law, and temporary personnel if the board is unable to meet its responsibilities with the employees authorized above. Any board or commission which hires temporary employees shall annually provide the division director and the appropriation committees of the general assembly with a complete list of all persons employed in the previous year, the length of their employment, the amount of their remuneration and a description of their responsibilities.

(5) Board personnel for each board or commission shall be employed by and serve at the pleasure of the board or commission, shall be supervised as the board or commission designates, and shall have their duties and compensation prescribed by the board or commission, within appropriations for that purpose, except that compensation for board personnel shall not exceed that established for comparable positions as determined by the board or commission pursuant to the job and pay plan of the department of economic development. Nothing herein shall be construed to permit salaries for any board personnel to be lowered except by board action.

(6) Each board or commission shall receive complaints concerning its licensees' business or professional practices. Each board or commission shall establish by rule a procedure for the handling of such complaints prior to the filing of formal complaints before the administrative hearing commission. The rule shall provide, at a minimum, for the logging of each complaint received, the recording of the licensee's name, the name of the complaining party, the date of the complaint, and a brief statement of the complaint and its ultimate disposition. The rule shall provide for informing the complaining party of the progress of the investigation, the dismissal of the charges or the filing of a complaint before the administrative hearing commission.

16. All the powers, duties and functions of the division of athletics, chapter 317, RSMo, and others, are transferred by type I transfer to the division of professional registration. The athletic commission is abolished.

17. The state council on the arts, chapter 185, RSMo, and others, is transferred by type II transfer to the department of economic development, and the members of the council shall be appointed by the director of the department.

18. The Missouri housing development commission, chapter 215, RSMo, is assigned to the department of economic development, but shall remain a governmental instrumentality of the state of Missouri and shall constitute a body corporate and politic.

19. All the authority, powers, duties, functions, records, personnel, property, matters pending and other pertinent vestiges of the division of manpower planning of the department of social services are transferred by a type I transfer to the "Division of Job Development and Training", which is hereby created, within the department of economic development. The division of manpower planning within the department of social services is abolished. The provisions of section 1 of the Omnibus State Reorganization Act of 1974, Appendix B, relating to the manner and procedures for transfers of state agencies shall apply to the transfers provided in this section.

20. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this chapter shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. All rulemaking authority delegated prior to August 28, 1999, is of no force and effect and repealed. Nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to August 28, 1999, if it fully complied with all applicable provisions of law. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void.

620.145. 1. The division of professional registration shall maintain, for each board in the division, a registry of each person holding a current license, permit or certificate issued by that board. The registry shall contain the name, Social Security number and address of each person licensed or registered together with other relevant information as determined by the board. The registry for each board shall at all times be available to the board and copies shall be

supplied to the board on request. Copies of the registry, except for the registrant's Social Security number **and address**, shall be available from the division or the board to any individual who pays the reasonable copying cost. Any individual may copy the registry during regular business hours. The information in the registry shall be furnished upon request to the division of child support enforcement. Questions concerning the currency of license of any individual shall be answered, without charge, by the appropriate board. Each year each board may publish, or cause to be published, a directory containing the name [and address] of each person licensed or registered for the current year together with any other information the board deems necessary. Any expense incurred by the state relating to such publication shall be charged to the board. An official copy of any such publication shall be filed with the director of the department of economic development.

2. Notwithstanding any provision of law to the contrary, each board shall require each person applying for a license, permit or certificate, or a renewal of a license, permit or certificate to furnish the board with the applicant's Social Security number."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Bearden, **House Amendment No. 13** was adopted.

Representative Campbell offered **House Amendment No. 14**.

House Amendment No. 14

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 617, Page 84, Section 620.1450, Line 21, by inserting after all of said line the following:

"Section 1. In any city not within a county, or any county with a charter form of government, the owners of any major or minor league season tickets for any recreational events shall be granted a tax credit up to the amount of such tickets. The credit must be claimed in the same calendar year in which the costs are incurred. A claimant must supply a receipt showing such tickets have been paid for by the claimant."

Representative Rizzo raised a point of order that **House Amendment No. 14** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Campbell moved that **House Amendment No. 14** be adopted.

Which motion was defeated.

Representative Riback Wilson (25) offered **House Amendment No. 15**.

Representative Rizzo raised a point of order that **House Amendment No. 15** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Franklin offered **House Amendment No. 15**.

House Amendment No. 15

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 617, Page 86, Section 135.460, Line 8 of said page, by deleting the following: “**schools, including schools**” and inserting in lieu thereof the following: “**public schools, including public schools**”; and

Further amend said bill, Page 86, Section 135.460, Line 11 of said page, by inserting after the word “**initiatives**” the following:

“**. Any public school may reject any donation made pursuant to this subdivision, or subdivisions (4), (5) or (6) of this subsection**”; and

Further amend said bill, Page 86, Section 135.460, Line 13 of said page, by inserting after the word “**to**” the following: “**public**”; and

Further amend said bill, Page 86, Section 135.460, Line 15 of said page, by inserting after the word “**of**” the following: “**public**”; and

Further amend said bill, Page 86, Section 135.460, Line 22, by inserting at the end of said line the following: “**public**”; and

Further amend said bill, Page 87, Section 135.460, Line 4, by inserting after “**housing a**” the following “**public**”.

On motion of Representative Franklin, **House Amendment No. 15** was adopted.

Representative Byrd offered **House Amendment No. 16**.

Representative Rizzo raised a point of order that **House Amendment No. 16** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Speaker Pro Tem Abel resumed the Chair.

On motion of Representative Rizzo, **HS HCS SCS SB 617, as amended**, was adopted.

On motion of Representative Rizzo, **HS HCS SCS SB 617, as amended**, was read the third time and passed by the following vote:

AYES: 141

Abel	Ballard	Barnett	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood

Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelly 144	Kelly 27	Kelly 36	Kennedy
Koller	Lawson	Legan	Liese	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Selby	Shelton	Shoemyer	Skaggs
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Williams	Willoughby	Wilson 42	Wright
Mr. Speaker				

NOES: 009

Boatright	Cunningham	Franklin	Fraser	Green 73
Linton	Seigfreid	Smith	Wilson 25	

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 009

Baker	Barnitz	Harlan	Kelley 47	King
Levin	Shields	St. Onge	Wiggins	

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HCS SB 288, relating to regulated business procedures, was taken up by Representative Monaco.

Representative Monaco offered **HS HCS SB 288**.

Representative Monaco offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Bill No. 288, Section A, Page 4, Line 4, by inserting all the following immediately after said line:

“28.681. 1. Any statement, document or notice required or permitted to be filed with or transmitted by the secretary of state, or any judicial decree requiring the filing of such document, except any document or judicial decree relating to his or her statutory or constitutional duties relating to elections, may be filed, transmitted, stored and maintained in an electronic format prescribed by the secretary of state. No statement, document or notice submitted or filed in an electronic format need be submitted or filed in duplicate. Nothing in this section shall require the secretary of state to accept or transmit any statement, document or notice in an electronic format.

2. Any statutory requirement that a statement, document or notice **filed with the secretary of state** be signed by any person shall be satisfied by an electronically transmitted **identification in a format prescribed by the secretary of state**. [signature that is:

- (1) Unique to the person using it;
- (2) Capable of verification;
- (3) Under the sole control of the person using it;
- (4) Linked to the document in such a manner that if the data is changed, the signature is invalidated; and
- (5) Intended by the party using it to have the same force and effect as the use of a manual signature.]

3. Any requirement that a statement, document or notice filed with the secretary of state be notarized may be satisfied by a properly authenticated [digital signature] **identification in a format prescribed by the secretary of state**. The execution of any statement, document or notice [with a digital signature] pursuant to this subsection constitutes an affirmation under penalty of perjury that the facts stated therein are true and that such person or persons are duly authorized to execute such statement, document or notice, or are otherwise required to file such statement, document or notice.

4. The secretary of state may promulgate rules pursuant to the provisions of Section 536.024, RSMo, to effectuate the provisions of this section.

[28.681. 1. Any statement, document or notice, except any document or judicial decree relating to the secretary of state's statutory or constitutional duties regarding elections, required or permitted to be filed with or transmitted by the secretary of state, or any judicial decree requiring the filing of such document, may be filed, transmitted, stored and maintain in an electronic format prescribed by the secretary of state. No statement, document or notice submitted or filed in an electronic format need e submitted or filed in duplicate. Nothing in this section shall require the secretary of state to accept or transmit any statement, document or notice in an electronic format.

2. Any statutory requirement that a statement, document or notice be signed by any person shall be satisfied by an electronically transmitted signature that is:

- (1) Unique to the person using it;
- (2) Capable of verification;
- (3) Under the sole control of the person using it;
- (4) Linked to the document in such a manner that if the data are changed, the signature is invalidated; and
- (5) Intended by the party using it to have the same force and effect as the use of a manual signature.

3. Any requirement that a statement, document or notice filed with the secretary of state be notarized may be satisfied by a properly authenticated digital signature. The execution of any statement, document or notice with a digital signature pursuant to this subsection constitutes an affirmation under penalty of perjury that the facts stated therein are true and that such person or persons are duly authorized to execute such statement, document or notice or are otherwise required to file such statement, document or notice.]; and

Further amend said house substitute, Section 417.018, Page 271, Line 1, by inserting all the following immediately after said line:

"Section 1. The Secretary of State may adopt rules to authorize the electronic facsimile filing of any document filed with the Secretary under any provision administered by the Secretary. The rules may set forth standards for the acceptance of a form of signature other than the proper handwriting of a person. A signature or document filed by electronic facsimile in accordance with rules promulgated pursuant to this section shall be prima facie evidence for all purposes that the document actually was signed by the person whose signature appears on the facsimile."; and

Further amend the title, enacting clause, and intersectional references accordingly.

On motion of Representative Monaco, **House Amendment No. 1** was adopted.

Representative Lograsso offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Bill No. 288, Section 59.800, Page 11, Line 16, by deleting “**seven**” and inserting in lieu thereof “**five**”; and

Further amend said section, Page 11, Line 20, by deleting “**fifty**” and inserting in lieu thereof “**twenty-five**”; and

Further amend said section, Page 12, Line 2, by deleting all of said line and inserting in lieu thereof the following:

“(2) **One dollar and seventy-five cents to the county general revenue fund; and**”; and

Further amend said section, Page 12, Lines 3-10, by deleting all of said lines; and

Further amend said section, Page 12, Line 11, by deleting all of said line and inserting in lieu thereof the following:

“(3) **Two dollars to the fund established in**”; and

Further amend said section, Page 12, Line 16, by deleting “(4)” and inserting in lieu thereof “(3)”; and

Further amend said section, Page 12, Line 20, by inserting “**or have heretofore elected**” after “**elect**”; and

Further amend said section, Page 12, Line 22, by deleting “(1), (2) and (3)” and inserting in lieu thereof “(1) and (2)”; and

Further amend said section, Page 12, Line 23, by deleting “**sixty**” and inserting in lieu thereof “**fifty-five**”; and

Further amend said section, Page 13, Line 3, by inserting “**or has heretofore elected**” after “**elects**”; and

Further amend said section, Page 13, Line 5, by deleting “**sixty**” and inserting in lieu thereof “**fifty-five**”; and

Further amend said section, Page 13, Line 6, by deleting “(1), (2) and (3)” and inserting in lieu thereof “(1) and (2)”; and

Further amend said house substitute, Section 400.9-525, Page 217, Line 18, by deleting “**five**” and inserting in lieu thereof “**twelve**”; and

Further amend said section, Page 217, Line 20, by deleting “**rule**”; and inserting in lieu thereof the following:

“**rule, of which fee seven dollars is received and collected by the secretary of state on behalf of the county employees retirement fund established pursuant to section 50.1010, RSMo., provided, however, that in any charter county or city not within a county whose employees are not members of the county employees’ retirement fund, the fee collected for the county employees retirement fund established pursuant to section 50.1010, RSMo, shall go to the general revenue fund of that charter county or city not within a county;**”; and

Further amend said section, Page 218, Line 4, by deleting “**five**” and inserting in lieu thereof “**twelve**”; and

Further amend said section, Page 218, Line 6, by deleting “**rule;**” and inserting in lieu thereof the following:

“rule, of which fee seven dollars is received and collected by the secretary of state on behalf of the county employees retirement fund established pursuant to section 50.1010, RSMo., provided, however, that in any charter county or city not within a county whose employees are not members of the county employees’ retirement fund, the fee collected for the county employees retirement fund established pursuant to section 50.1010, RSMo., shall go to the general revenue fund of that charter county or city not within a county;”; and

Further amend said section, Page 218, Line 16, by deleting “**fifteen**” and inserting in lieu thereof “**twenty-two**”; and

Further amend said section, Page 218, Line 18, by deleting “**rule;**” and inserting in lieu thereof the following:

“rule, of which fee seven dollars is received and collected by the secretary of state on behalf of the county employees retirement fund established pursuant to section 50.1010, RSMo., provided, however, that in any charter county or city not within a county whose employees are not members of the county employees’ retirement fund, the fee collected for the county employees retirement fund established pursuant to section 50.1010, RSMo., shall go to the general revenue fund of that charter county or city not within a county;”; and

Further amend said section, Page 219, Line 3, by inserting all the following immediately after said line:

“(f) The secretary of state shall administer a special trust fund, which is hereby established, to be known as the “Uniform Commercial Code Transition Fee Trust Fund”, and which shall be funded by seven dollars of each of the fees received and collected pursuant to subdivisions (a), (b) and (c) of this section on behalf of the county employees retirement fund established pursuant to section 50.1010, RSMo. or the general revenue fund of any charter county or city not within a county whose employees are not members of the county employees’ retirement fund.

(1) The secretary of state shall keep accurate record of the moneys in the uniform commercial code transition fee trust fund allocated to each county and city not within a county on the basis of where such record, financing statement or other document would have been filed prior to the effective date of this act, and shall distribute the moneys pursuant to subdivision (2) of this subsection on that basis.

(2) The moneys in the uniform commercial code transition fee trust fund shall be distributed to the county employees retirement fund established pursuant to section 50.1010, RSMo. or the general revenue fund of any charter county or city not within a county whose employees are not members of the county employees’ retirement fund.

(3) The moneys in the uniform commercial code transition fee trust fund shall not be deemed to be state funds, provided, however that interest, if any, earned by the money in the trust fund shall be deposited into the general revenue fund in the state treasury.”; and

Further amend said house substitute, Section 400.9-710, Page 270, Lines 5-6, by deleting “**June 30, 2001**” and inserting in lieu thereof “**the effective date of this act**”; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Lograsso, **House Amendment No. 2** was adopted.

Representative Merideth offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Bill No. 288, Page 5, Section 59.042, Line 20, by deleting the number “**1.**”; and

Further amend said bill, Page 6, Section 59.042, Lines 1 through 19, by deleting all of said lines; and

Further amend said bill, Page 6, Section 59.043, Line 22, by inserting between the words “the” and “November” the word “**next**”; and

Further amend said line by placing an opening bracket in front of the word “**following**”; and

Further amend said bill, Page 7, Section 59.043, Line 1, by placing a closing bracket after the word “**clerk**”.

Representative Smith offered **House Substitute Amendment No. 1 for House Amendment No. 3**.

Representative Lograsso raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 3** amends previously amended material.

The Chair ruled the point of order well taken.

Representative Smith raised a point of order that **House Amendment No. 3** amends previously amended material.

The Chair ruled the point of order untimely.

On motion of Representative Merideth, **House Amendment No. 3** was adopted by the following vote:

AYES: 149

Abel	Ballard	Barnett	Barry 100	Bartelsmeyer
Bartle	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelly 144	Kelly 27	Kelly 36	Kennedy	Koller
Lawson	Legan	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs

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Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 001

Bearden

ABSENT WITH LEAVE: 010

Baker	Barnitz	Green 73	Hosmer	Kelley 47
King	Levin	Liese	Ostmann	Wiggins

VACANCIES: 003

Representative Clayton offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Bill No. 288, Section 347.740, Pages 13-14, by deleting said section from the substitute; and

Further amend said house substitute, Section 351.127, Page 15, by deleting said section from the substitute; and

Further amend said house substitute, Sections 355.023, 356.233 and 359.653, Page 29, by deleting said sections from the substitute; and

Further amend said house substitute, Section 400.9-118, Page 113, by deleting said section from the substitute; and

Further amend said house substitute, Section 417.018, Pages 270-271, by deleting said section from the substitute; and

Further amend the title, enacting clause and intersectional references accordingly.

Representative Seigfreid offered **House Substitute Amendment No. 1 for House Amendment No. 4.**

House Substitute Amendment No. 1 for House Amendment No. 4. was withdrawn.

Representative Clayton moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 30

Abel	Barry 100	Bray 84	Clayton	Copenhaver
Crump	Foley	Fraser	George	Green 73
Hagan-Harrell	Harding	Haywood	Hollingsworth	Johnson 90
Jolly	Kelly 27	Kelly 36	Mays 50	O'Toole

Relford	Rizzo	Roark	Scheve	Selby
Shelton	Smith	Thompson	Wilson 25	Wilson 42

NOES: 116

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkowitz	Berkstresser	Black	Bland
Boatright	Bonner	Boucher	Bowman	Boykins
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Coleman	Cooper
Crawford	Crowell	Cunningham	Curls	Davis
Dempsey	Enz	Fares	Farnen	Ford
Froelker	Gambaro	Gaskill	Graham	Gratz
Green 15	Griesheimer	Hampton	Hanaway	Hartzler
Hegeman	Henderson	Hendrickson	Hilgemann	Holand
Holt	Hoppe	Hunter	Jetton	Johnson 61
Kelly 144	Kennedy	Koller	Lawson	Legan
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Reynolds	Richardson	Ridgeway	Robirds	Ross
Schwab	Scott	Secrest	Seigfreid	Shields
Shoemyer	Skaggs	St. Onge	Surface	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Willoughby	Wright

Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker	Barnitz	Britt	Dolan	Franklin
Harlan	Hickey	Hohulin	Hosmer	Kelley 47
King	Levin	Wiggins	Williams	

VACANCIES: 003

Representative Villa offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Bill No. 288, Page 271, Section 417.018, Line 1, by inserting after all of said line the following:

"488.449. 1. The circuit judges of the circuit court in any city not within a county shall require each defendant party filing an answer in a circuit civil case in the circuit court, excluding cases filed pursuant to chapter 452, RSMo, to pay a surcharge in the amount of one hundred dollars to the circuit clerk within three months from the date of filing an answer, and a defendant's failure to pay such surcharge may result in that defendant's answer being stricken from the case record. This section shall not apply to proceedings when costs are waived or paid by the state, county or municipality.

2. Any funds collected pursuant to subsection 1 of this section may be expended at the circuit clerk's discretion to employ people to perform work within the circuit clerk's office. Such employees shall be employees of the circuit clerk. The terms of employment for such employees shall be at the sole discretion of the circuit clerk, who shall be solely responsible for payment of any and all payroll taxes.

3. The balance of funds receipted that are not budgeted for use, if any, shall be paid into the general revenue fund of the county in which the circuit court sits.

4. For the purposes of this section the term "defendant", shall be defined as any person named as a defendant in a lawsuit, except that defendants who are lawfully married at the time of filing of the answer, employees of another party named as a defendant and any subsidiary of another party named as a defendant shall be considered as one defendant.

5. The provisions of this section shall expire August 27, 2004."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Lograsso raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Villa moved that **House Amendment No. 5** be adopted.

Which motion was defeated by the following vote:

AYES: 013

Bowman	Boykins	Bray 84	Carnahan	Coleman
Gambaro	Haywood	Hilgemann	Johnson 61	Kennedy
Shelton	Villa	Walton		

NOES: 137

Abel	Ballard	Barnett	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boatright	Bonner	Britt	
Burcham	Burton	Campbell	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gaskill
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Hegeman	Henderson	Hendrickson	Hickey
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hunter	Jetton	Johnson 90	Jolly	Kelly 144
Kelly 27	Kelly 36	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Vogel	Wagner
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

PRESENT: 002

Brooks Byrd

ABSENT WITH LEAVE: 008

Baker	Barnitz	Boucher	Green 73	Hosmer
Kelley 47	King	Wiggins		

VACANCIES: 003

Representative Byrd offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Bill No. 288, Page 271, Line 1, by adding a new section after said line as follows:

“431.202. 1. A reasonable covenant in writing promising not to solicit, recruit, hire or otherwise interfere with the employment of one or more employees shall be enforceable and not a restraint of trade pursuant to subsection 1 of section 416.031, RSMo, if:

(1) Between two or more corporations or other business entities seeking to preserve workforce stability (which shall be deemed to be among the protectable interests of each corporation or business entity) during, and for a reasonable period following, negotiations between such corporations or entities for the acquisition of all or a part of one or more of such corporations or entities;

(2) Between two or more corporations or business entities engaged in a joint venture or other legally permissible business arrangement where such covenant seeks to protect against possible misuse of confidential or trade secret business information shared or to be shared between or among such corporations or entities;

(3) Between an employer and one or more employees seeking on the part of the employer to protect:

(a) Confidential or trade secret business information; or

(b) Customer or supplier relationships, goodwill or loyalty, which shall be deemed to be among the protectable interests of the employer; or

(4) Between an employer and one or more employees, notwithstanding the absence of the protectable interests described in subdivision (3) of this subsection, so long as such covenant does not continue for more than one year following the employee's employment; provided, however, that this subdivision shall not apply to covenants signed by employees who provide only secretarial or clerical services.

2. Whether a covenant covered by this section is reasonable shall be determined based upon the facts and circumstances pertaining to such covenant, but a covenant covered exclusively by subdivision (3) or (4) of subsection 1 of this section shall be conclusively presumed to be reasonable if its post-employment duration is no more than one year.

3. Nothing in this subdivision (3) or (4) of subsection 1 of this section is intended to create, or to affect the validity or enforceability of, employer-employee covenants not to compete.

4. Nothing in this section shall preclude a covenant described in subsection 1 of this section from being enforceable in circumstances other than those described in subdivisions (1) to (4) of subsection 1 of this section, where such covenant is reasonably necessary to protect a party's legally permissible business interests.

5. This section shall have retrospective as well as prospective effect.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Johnson (90) offered **House Substitute Amendment No. 1 for House Amendment No. 6.**

*House Substitute Amendment No. 1
for
House Amendment No. 6*

AMEND House Substitute for House Committee Substitute for Senate Bill No. 288, Page 271, Line 1, by adding a new section after said line as follows:

“431.202. 1. A reasonable covenant in writing promising not to solicit, recruit, hire or otherwise interfere with the employment of one or more employees shall be enforceable and not a restraint of trade pursuant to subsection 1 of section 416.031, RSMo, if:

(1) Between two or more corporations or other business entities seeking to preserve workforce stability (which shall be deemed to be among the protectable interests of each corporation or business entity) during, and for a reasonable period following, negotiations between such corporations or entities for the acquisition of all or a part of one or more of such corporations or entities;

(2) Between two or more corporations or business entities engaged in a joint venture or other legally permissible business arrangement where such covenant seeks to protect against possible misuse of confidential or trade secret business information shared or to be shared between or among such corporations or entities;

(3) Between an employer and one or more employees seeking on the part of the employer to protect:

(a) Confidential or trade secret business information; or

(b) Customer or supplier relationships, goodwill or loyalty, which shall be deemed to be among the protectable interests of the employer; or

(4) Between an employer and one or more employees, notwithstanding the absence of the protectable interests described in subdivision (3) of this subsection, so long as such covenant does not continue for more than one year following the employee's employment; provided, however, that this subdivision shall not apply to covenants signed by employees who provide only secretarial or clerical services.

2. Whether a covenant covered by this section is reasonable shall be determined based upon the facts and circumstances pertaining to such covenant, but a covenant covered exclusively by subdivision (3) or (4) of subsection 1 of this section shall be conclusively presumed to be reasonable if its post-employment duration is no more than one year.

3. Nothing in this subdivision (3) or (4) of subsection 1 of this section is intended to create, or to affect the validity or enforceability of, employer-employee covenants not to compete.

4. Nothing in this section shall preclude a covenant described in subsection 1 of this section from being enforceable in circumstances other than those described in subdivisions (1) to (4) of subsection 1 of this section, where such covenant is reasonably necessary to protect a party's legally permissible business interests.

5. Nothing in this section shall be construed to limit an employee's ability to seek or accept employment with another employer immediately upon, or at any time subsequent to, termination of employment, whether said termination was voluntary or non-voluntary.

6. This section shall have retrospective as well as prospective effect.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Johnson (90), **House Substitute Amendment No. 1 for House Amendment No. 6** was adopted.

Representative Clayton offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for Senate Bill No. 288, Section 59.041, Page 5, Line 12, by inserting **“1.”** before **“Notwithstanding”**; and

Further amend said section, Page 5, Line 19, by inserting all of the following immediately after said line:

“2. Notwithstanding the provisions of this chapter or chapter 478, RSMo., or any other provision of law in conflict with the provisions of this section, in any county of the third classification without a township form of government and having a population of more than 27,600 but less than 28,600 and wherein the offices of the District I circuit clerk and recorder of deeds are combined, the circuit court shall appoint such circuit clerk ex officio recorder of deeds. The circuit court may recommend to the governing body of such county whether the combined offices of the District I circuit clerk and recorder of deeds should be separated pursuant to subsection 1 of section 59.042; provided however, that if the governing body of such county authorizes the separation of offices and notwithstanding the provisions of subsection 2 of section 59.042, the office of District I clerk of the circuit court shall remain appointed by the circuit court.”; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Clayton, **House Amendment No. 7** was adopted.

Representative Clayton offered **House Amendment No. 8**.

Representative Monaco raised a point of order that **House Amendment No. 8** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Monaco, **HS HCS SB 288, as amended**, was adopted.

On motion of Representative Monaco, **HS HCS SB 288, as amended**, was read the third time and passed by the following vote:

AYES: 147

Abel	Ballard	Barnett	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Hollingsworth
Holt	Hoppe	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelly 144	Kelly 36	Kennedy
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby

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Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 001

Berkowitz

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Barnitz	Franklin	Green 73	Harlan
Holand	Hosmer	Kelley 47	Kelly 27	King
Ward	Wiggins			

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 149

Abel	Ballard	Barnett	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelly 144	Kelly 36	Kennedy	Koller
Lawson	Legan	Liese	Linton	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Barnitz	Franklin	Hosmer	Kelley 47
Kelly 27	King	Levin	Long	Ward
Wiggins				

VACANCIES: 003

HCS SB 365, relating to tourism, was taken up by Representative Overschmidt.

Representative Overschmidt offered **HS HCS SB 365**.

Representative Overschmidt offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Bill No. 365, Page 67, Section 311.178, Line 24 of said page, by deleting all of said line and inserting in lieu thereof the following: "**the following day.**"; and

Further amend said bill, Page 68, Section 311.178, Lines 1 to 5 of said page, by deleting all of said lines and inserting in lieu thereof the following: "**The time of opening on Sunday may be 11:00 a.m.**"; and

Further amend said bill, Page 68, Section 311.178, Line 13 of said page, by deleting all of said line and inserting in lieu thereof the following: "**equals one hundred thousand dollars or more; and**"; and

Further amend said bill Page 68, Section 311.178, Line 18 of said page, by deleting all of said line and inserting in lieu thereof the following:

"**meeting space and having a restaurant located on the premises.**

3. While open between the hours of 1:30 a.m. and 3:00 a.m. under a special permit issued pursuant to subsection 2 of this section, it shall be unlawful for a licensee or any employee of a licensee to sell intoxicating liquor to or permit the consumption of intoxicating liquor by any person except a guest with overnight accommodations at the licensee's resort." and renumber remaining subsections accordingly; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Koller offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for Senate Bill No. 365, Page 67, Section 311.178, Line 24 of said page, by deleting all of said line and inserting in lieu thereof the following: "**the following day.**"; and

Further amend said bill, Page 68, Section 311.178, Lines 1 to 5 of said page, by deleting all of said lines and inserting in lieu thereof the following: "**The time of opening on Sunday may be 11:00 a.m.**"; and

Further amend said bill, Page 68, Section 311.178, Line 13 of said page, by deleting all of said line and inserting in lieu thereof the following: "**equals one hundred thousand dollars or more**"; and

Further amend said bill, Page 68, Section 311.178, Line 18 of said page, by deleting all of said line and inserting in lieu thereof the following:

"**meeting space and having a restaurant located on the premises; and**

(3) **The applicant shall develop, and if granted a special permit shall implement, a plan ensuring that between the hours of 1:30 a.m. and 3:00 a.m. no sale of intoxicating liquor shall be made except to guests with overnight accommodations at the licensee's resort. The plan shall be subject to approval by the supervisor of liquor control and shall provide a practical method for the division of liquor control and other law enforcement agencies to enforce the provisions of subsection 3 of this section.**

3. While open between the hours of 1:30 a.m. and 3:00 a.m. under a special permit issued pursuant to subsection 2 of this section, it shall be unlawful for a licensee or any employee of a licensee to sell intoxicating liquor to or permit the consumption of intoxicating liquor by any person except a guest with overnight accommodations at the licensee's resort."; and renumber subsections accordingly; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Koller, **House Substitute Amendment No. 1 for House Amendment No. 1** was adopted.

Representative Overschmidt offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Bill No. 365, Page 10, Section 67.576, Line 9, by deleting from said line the number "**144.510**" and inserting in lieu thereof the following: "**144.525**"; and

Further amend said bill, Page 10, Section 67.576, Line 15, by deleting from said line the number "**144.510**" and inserting in lieu thereof the following: "**144.525**"; and

Further amend said bill, Page 10, Section 67.576, Line 19, by deleting from said line the number "**144.510**" and inserting in lieu thereof the following: "**144.525**"; and

Further amend said bill, Page 11, Section 67.576, Line 8, by deleting from said line the number "**144.510**" and inserting in lieu thereof the following: "**144.525**"; and

Further amend said bill, Page 11, Section 67.576, Line 23, by deleting from said line the number "**144.510**" and inserting in lieu thereof the following: "**144.525**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Overschmidt, **House Amendment No. 2** was adopted.

Representative Williams offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Bill No. 365, Page 3, Section A, Line 1, by inserting after all of said line the following:

"26.730. 1. There is hereby established within the office of the lieutenant governor a "Missouri Multicultural Center and Program", which shall serve as an all-purpose all-encompassing resource for local political subdivisions and government agencies, including but not limited to counties, municipalities, judicial circuits, law enforcement agencies, school districts, public health agencies or any other political subdivisions or local government agencies, state governmental agencies, nongovernmental community agencies, businesses, advocacy groups, immigrants, refugees and international tourists in this state. The center and program, as directed by the multicultural citizens' advisory committee, may develop outreach materials, in various formats, and shall serve as a communications link to direct persons to where materials are available, which describe the resources, opportunities, informational sites or other informational sources that the committee determines would be of assistance to the entities listed in this subsection. The materials and links described in this subsection shall, at minimum, be made available in electronic format, or in any other form the committee deems appropriate. The center and program may contract, subject to approval by the office of administration, for the provision of the information and services described in this subsection with any higher educational facility in the state or any other outside source it deems capable of adequately providing such services and information.

2. There is hereby established within the office of the lieutenant governor a "Multicultural Citizens' Advisory Committee", which shall develop and implement, or facilitate the development and implementation of, the program authorized pursuant to subsection 1 of this section. The committee shall consist of twenty-five members, to be appointed as follows:

(1) Five persons employed by state executive departments, one from each of the following five departments, to be designated by the director of the appropriate department: elementary and secondary education, social services, health, economic development and public safety;

(2) Four members of the general assembly, as follows:

(a) Two members of the house of representatives appointed by the speaker of the house of representatives, one from each major political party; and

(b) Two members of the senate appointed by the president pro tem of the senate, one from each major political party;

(3) Fifteen citizens of this state who work directly with the multicultural population of this state, appointed by the lieutenant governor; and

(4) The lieutenant governor, who shall serve as an ex officio member of the committee.

3. The initial members of the committee shall be appointed between September 1, 2001, and December 31, 2001. Beginning January 1, 2002, all appointees shall become members of the committee, and the lieutenant governor shall cause the committee to meet no later than sixty days after that date. Upon the first meeting constituting a quorum of the committee, the committee shall select one of its members as chair. The chair shall serve as chair for two years, and the committee may reappoint the chair for an additional term or select a new chair at the expiration of such term. The committee shall meet on a regular basis until the program described in this section has been developed, and then the committee shall meet only as needed. The members of the committee shall serve four-year terms, except that the first term of the following members shall be for two years:

(1) The members appointed by the department of economic development and the department of public safety;

(2) One member appointed by the speaker of the house of representatives and one member appointed by the president pro tem of the senate, as selected by the speaker and the president pro tem prior to the appointment of the committee member;

(3) Eight members appointed by the governor, as selected by the governor prior to the appointment of the committee member.

4. Vacancies on the committee shall be filled as soon as is practicable by the person charged with the appointment of the person who vacated the position. Members of the committee shall not be compensated for their duties as members, but shall receive reimbursement for all actual and necessary expenses incurred in the course of performing such duties, provided that the lieutenant governor shall not receive such expenses.

5. The committee shall submit to the lieutenant governor a list of three names, one of which the lieutenant governor shall employ as an executive director, who shall serve as the executive officer of the committee. As a priority, the director shall have a background and knowledge of the experiences and transition faced by individuals with multicultural backgrounds moving to Missouri and international tourists visiting in Missouri. The salary and office space for the executive director, as well as the expenses for committee hearings, shall be provided by the office of the lieutenant governor."; and

Further amend said bill, Page 58, Section 311.178, Line 58, by inserting after all of said section the following:

"Section B. Because immediate action is necessary to provide full, meaningful and expedited access for immigrants and refugees to the public services of this state, section 26.730 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section 26.730 of this act shall be in full force and effect upon its passage and approval."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Williams, **House Amendment No. 3** was adopted.

Representative Bray offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Bill No. 365, Page 59, Section 135.200, Line 9, by inserting after all of said line the following:

"311.094. 1. Notwithstanding any other provisions of this chapter to the contrary, any person who possesses the qualifications required by this chapter, and who now or hereafter meets the requirements of and complies with the provisions of this chapter, may apply for, and the supervisor of liquor control may issue, a license to sell intoxicating liquor, as defined in this chapter, between the hours of 11:00 a.m. and midnight on Sunday by the drink at retail for consumption on the premises of any establishment located in an international airport and owned or leased, and operated by an airline.

2. The authority for the collection of fees by cities and counties as provided in section 311.220, and all other laws and regulations of the state relating to the sale of liquor by the drink for consumption on the premises where sold, shall apply to an international airport license in the same manner as they apply to establishments licensed pursuant to sections 311.085, 311.090 and 311.095, and in addition to all other fees required by law, an international airport shall pay an additional fee of two hundred dollars a year payable at the same time and in the same manner as its other fees."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Bray, **House Amendment No. 4** was adopted.

Representative Dolan offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Bill No. 365, Page 70, by inserting the following in the appropriate place:

"644.038. Where applicable, pursuant to Section 404 of the Federal Clean Water Act, and where the United States Army Corps of Engineers has determined that a nationwide permit may be utilized for the construction of highways and bridges located in a city, county, or on state lands."; and

Further amend the title, enacting clause and intersectional references accordingly.

Representative Dolan moved that **House Amendment No. 5** be adopted.

Which motion was defeated.

Representative Hanaway offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Bill No. 365, Page 1, In the Title, Line 27 of said page, by inserting after the word "tourism" the following: ", **with an effective date for a certain section**"; and

Further amend said bill, Page 63, Section 135.200, Line 12 of said page, by inserting after all of said line the following:

"137.102. 1. This section shall be known and may be cited as "The Missouri Homestead Preservation Act".

2. As used in this section, the following terms mean:

(1) "Homestead", the owner's principal residence and the adjacent real property not to exceed five acres of land as is reasonably necessary for use of the residence as a dwelling home; and

(2) "Owner", a person who holds possession and unconditional fee simple title in the subject residential property, whether individually, or as one or more tenants by the entireties, joint tenants, or tenants in common, and who declared ownership of the property on each of the five immediately preceding annual property declaration statements, and who actually paid the five immediately preceding annual property tax assessments.

3. Beginning in any tax year which begins on or after January 1, 2002, the assessed value of property in class 1, excluding any value added by new construction or improvements, owned by any owner who is sixty-five years of age or older and who has used that property as a homestead for a period of five years or longer shall not increase during the period of time that owner resides on that property after attaining the age of sixty-five years."; and

Further amend said bill, Page 70, Section 1, Line 5 of said page, by inserting after all of said line the following:

"Section B. The enactment of section 137.102 of section A of this act shall become effective January 1, 2002, and shall apply to all taxable years beginning after December 31, 2001."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hanaway, **House Amendment No. 6** was adopted by the following vote:

AYES: 146

Abel	Barnett	Barry 100	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Bland
Boatright	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelly 144	Kelly 36	Kennedy

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Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker	Ballard	Barnitz	Black	Franklin
Green 73	Harlan	Hartzler	Kelley 47	Kelly 27
King	Long	Lowe	Relford	

VACANCIES: 003

Representative Byrd offered **House Amendment No. 7**.

Representative Overschmidt raised a point of order that **House Amendment No. 7** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Overschmidt, **HS HCS SB 365, as amended**, was adopted.

On motion of Representative Overschmidt, **HS HCS SB 365, as amended**, was read the third time and passed by the following vote:

AYES: 148

Abel	Baker	Ballard	Barnett	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Fares	Farnen
Foley	Ford	Franklin	Fraser	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin

Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelly 144	Kelly 27	Kelly 36	Kennedy	Koller
Lawson	Legan	Levin	Liese	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 001

Reynolds

PRESENT: 000

ABSENT WITH LEAVE: 011

Barnitz	Boucher	Cierpiot	Enz	Froelker
Kelley 47	King	Linton	Long	Ridgeway
Wiggins				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HCS SB 275, relating to the hearing impaired, was taken up by Representative Levin.

Representative Crump offered **HS HCS SB 275**.

Representative Froelker offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Bill No. 275, Page 22, Section 306.112, Line 4, by deleting the following: "second violation" and inserting in lieu thereof the following:

"[section violation] **first subsequent violation occurring within five years of the occurrence that resulted in the first conviction**"; and

Further amend said bill, Page 22, Section 306.112, Lines 5 and 6, by deleting the following: "third and subsequent violations" and inserting in lieu thereof the following:

"[third and subsequent violations] **second or any subsequent violation occurring within ten years of the occurrence that resulted in the first conviction**".

On motion of Representative Froelker, **House Amendment No. 1** was adopted.

Speaker Kreider resumed the Chair.

Representative Levin offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Bill No. 275, Page 1, Section 209.251, by deleting all of said section; and

Further amend title and enacting clause accordingly.

On motion of Representative Levin, **House Amendment No. 2** was adopted.

Representative Levin offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Bill No. 275, Page 4, Section 302.174, Line 10, by deleting the word "**a**" before the word "**deaf**" and deleting the word "**is**" after the word "**or**"; and

Further amend said bill, Page 2, Section 302.174, Line 10, by deleting the word "**who**" and inserting in lieu thereof the word "**and**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Speaker Pro Tem Abel resumed the Chair.

On motion of Representative Levin, **House Amendment No. 3** was adopted.

Representative Campbell offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Bill No. 275, Page 21, Section 302.541, Line 14, by inserting after all of said line the following:

“304.145. 1. No person shall operate any hand-held wireless telephone or telecommunications device, except citizens band radio devices technically limited to transmit and receive frequency of between 26.985 megahertz and 27.405 megahertz, while operating any moving motor vehicle, unless such telephone or device is used with a hands-free feature that leaves both the operator’s hands available to operate the motor vehicle. This section shall not apply to emergency personnel in the course of performing their duties, nor shall it apply to any individual dialing 911 or any other law enforcement or medical assistance number.

2. The general assembly hereby occupies and preempts the entire field of legislation touching in any way on the regulation of the use of hand-held wireless telephone or telecommunications devices by operators of moving motor vehicles, except radio devices, and except insofar as the state is preempted by federal law, to the complete exclusion of any order, ordinance or regulation by any political subdivision of this state. Any existing or future orders, ordinances or regulations in this field are hereby and shall be null and void.

3. Any person who violates the provisions of subsection 1 of this section is guilty of a class B misdemeanor, unless an accident is involved, in which case the person shall be guilty of a class A misdemeanor. Section B. The provisions of section A of this act shall become effective August 28, 2004.”.

Representative Gratz raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Speaker Kreider resumed the Chair.

Representative Shields offered **House Substitute Amendment No. 1 for House Amendment No. 4**.

House Substitute Amendment No. 1 for House Amendment No. 4 was withdrawn.

Representative Graham offered **House Substitute Amendment No. 1 for House Amendment No. 4**.

*House Substitute Amendment No. 1
for
House Amendment No. 4*

AMEND House Substitute for House Committee Substitute for Senate Bill No. 275, Page 21, Section 302.541, Line 14, by inserting after all of said line the following:

“304.145. 1. No person shall have sexual relations while such telephone or device is used with a hands-free feature that leaves both the operator’s hands available to operate the motor vehicle. This section shall not apply to emergency personnel in the course of performing their duties, nor shall it apply to any individual dialing 911 or any other law enforcement or medical assistance number.

2. The general assembly hereby occupies and preempts the entire field of legislation touching in any way on the regulation of the use of hand-held wireless telephone or telecommunications devices by operators of moving motor vehicles, except radio devices, and except insofar as the state is preempted by federal law, to the complete exclusion of any order, ordinance or regulation by any political subdivision of this state. Any existing or future orders, ordinances or regulations in this field are hereby and shall be null and void.

3. Any person who violates the provisions of subsection 1 of this section is guilty of an infraction, unless an accident is involved, in which case the person shall be guilty of a class A misdemeanor.

Section B. The provisions of section A of this act shall become effective August 28, 2004.”.

Representative Graham moved that **House Substitute Amendment No. 1 for House Amendment No. 4** be adopted.

Which motion was defeated.

Representative Froelker offered **House Substitute Amendment No. 2 for House Amendment No. 4**.

*House Substitute Amendment No. 2
for
House Amendment No. 4*

AMEND House Substitute for House Committee Substitute for Senate Bill No. 275, Page 21, Section 302.541, Line 14, by inserting after all of said line the following:

“304.145. 1. No person shall operate any hand-held wireless telephone or telecommunications device, except citizens band radio devices technically limited to transmit and receive frequency of between 26.985 megahertz and 27.405 megahertz, while operating any moving motor vehicle, unless such telephone or device is used with a hands-free feature that leaves both the operator’s hands available to operate the motor vehicle. This section shall not apply to emergency personnel in the course of performing their duties, nor shall it apply to any individual dialing 911 or any other law enforcement or medical assistance number.

2. The general assembly hereby occupies and preempts the entire field of legislation touching in any way on the regulation of the use of hand-held wireless telephone or telecommunications devices by operators of moving motor vehicles, except radio devices, and except insofar as the state is preempted by federal law, to the complete exclusion of any order, ordinance or regulation by any political subdivision of this state. Any existing or future orders, ordinances or regulations in this field are hereby and shall be null and void.

3. Any person who violates the provisions of subsection 1 of this section is guilty of an infraction, unless an accident is involved, in which case the person shall be guilty of a class A misdemeanor.

Section B. The provisions of section A of this act shall become effective August 28, 2004.”.

HCS SB 275, with House Substitute Amendment No. 2 for House Amendment No. 4, House Amendment No. 4 and HS, as amended, pending, was laid over.

BILLS CARRYING REQUEST MESSAGES

HS SCS SB 393, as amended, relating to gratuitous dental services, was taken up by Representative Treadway.

Representative Treadway moved that the House refuse to recede from its position on **HS SCS SB 393, as amended**, and grant the Senate a conference.

Which motion was adopted.

HS HCS SCS SB 266, as amended, relating to Department of Health programs, was taken up by Representative Barry.

Representative Barry moved that the House refuse to recede from its position on **HS HCS SCS SB 266, as amended**, and grant the Senate a conference.

Which motion was adopted.

HS HCS SS SCS SB 48, as amended, relating to dependent care, was taken up by Representative Hollingsworth.

Representative Hollingsworth moved that the House refuse to recede from its position on **HS HCS SS SCS SB 48, as amended**, and grant the Senate a conference.

Which motion was adopted.

BILL IN CONFERENCE

CCR HCS SB 462, as amended, relating to agriculture, was taken up by Representative Legan.

On motion of Representative Legan, **CCR HCS SB 462, as amended**, was adopted by the following vote:

AYES: 150

Abel	Ballard	Barnett	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelly 144	Kelly 27	Kelly 36
Koller	Lawson	Legan	Levin	Liese
Linton	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Baker	Barnitz	Harlan	Kelley 47	Kennedy
King	Lograsso	Long	Wagner	Wright

VACANCIES: 003

On motion of Representative Legan, **CCS HCS SB 462** was truly agreed to and finally passed by the following vote:

AYES: 148

Abel	Ballard	Barnett	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks

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Burcham	Burton	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Jetton	Johnson 61	Johnson 90	Jolly
Kelly 144	Kelly 27	Kelly 36	Koller	Lawson
Legan	Levin	Liese	Linton	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Barnitz	Byrd	Harlan	Hunter
Kelley 47	Kennedy	King	Lograsso	Long
Lowe	Wagner			

VACANCIES: 003

Speaker Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 149

Abel	Ballard	Barnett	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman

Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelly 144	Kelly 27	Kelly 36	Koller	Lawson
Legan	Levin	Liese	Linton	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Barnitz	Barry 100	Franklin	Harlan
Kelley 47	Kennedy	King	Lograsso	Long
Wagner				

VACANCIES: 003

THIRD READING OF SENATE BILLS - INFORMAL

HCS SS SCS SB 226, relating to the life sciences research program, was taken up by Representative Foley.

Representative Foley offered **HS HCS SS SCS SB 226**.

Representative Foley offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 226, Page 3, Section 192.1010, Line 7, by inserting after the word “safety” the following: “**and human**”; and

Further amend said bill, Page 3, Line 17, by deleting the words “this program” and inserting in lieu thereof the words “**the grant**”; and

Further amend said bill, Page 3, Lines 20 and 21, by deleting “The department of health shall not approve”; and

Further amend said bill, Line 21, by inserting after the word “award” the following: “**shall not be approved**”; and

Further amend said bill, Page 4, Line 11, by inserting at the end of said line the following:

“At least eighty percent of the funds that are appropriated to the board in each fiscal year shall be distributed to the institutions or organizations whose programs and proposals have been recommended by a center for excellence. Collectively, the institutions or organizations within a single center for excellence shall receive in any one fiscal year no more than fifty percent of the funds appropriated to the board for that fiscal year. Collectively, the institutions or organizations within a single center for excellence shall receive in any one fiscal year no less than ten percent of the funds appropriated to the board for that fiscal year. No single institution or organization shall receive in any consecutive fiscal three-year period more than forty percent of the funds appropriated to the board during such three-year period. In a fiscal year no more than 10% of the funds may be used for physical facilities.”; and

Further amend said bill, Section 192.1012, Page 5, Line 7, by deleting the word “may” and inserting in lieu thereof the word “**shall**”, and on same line by deleting the word “if” and inserting in lieu thereof the word “**when**”; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Foley, **House Amendment No. 1** was adopted.

Representative Graham offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 226, Page 8, Section 192.1010, Line 21, by inserting immediately after said line the following:

“9. Notwithstanding any provision of Sections 192.1010 to 192.1035 to the contrary, moneys granted by the life sciences research board shall not be used for performing, assisting with, or referring for abortions, or encouraging or counseling patients to have abortions.”; and

Further amend current subsection 9 of said section by renumbering said subsection accordingly.

Representative Liese offered **House Substitute Amendment No. 1 for House Amendment No. 2**.

*House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 226, Page 9, Section 192.1025, Line 17 of said page, by inserting after all of said line the following:

"192.1035. 1. Notwithstanding the provisions of sections 192.1010 to 192.1025, no grant awards shall be paid, granted or used to subsidize in whole or in part:

- (1) Abortion services; or**
- (2) Development of drugs or chemicals intended to be used to induce an abortion; or**
- (3) Human cloning; or**
- (4) Prohibited human research.**

2. For purposes of this section, the following terms mean:

- (1) "Abortion services", performing or inducing, assisting in performing or inducing, or referring a woman for an abortion, except when necessary to save the life of the mother;**
- (2) "Child", if in vivo, the same as an unborn child as defined in section 188.015, RSMo, and if in vitro,**

a human being at any of the stages of biological development of an unborn child from conception or inception onward;

- (3) "Conception", the same as defined in section 188.015, RSMo;
- (4) "Facilities and administrative costs", those costs that are incurred for common or joint objectives and therefor cannot be identified readily and specifically with a particular research project or any other institutional activity;
- (5) "Grant awards", awards of state funds pursuant to sections 192.1010 to 192.1035;
- (6) "Human cloning", the replication of a human being genetically identical to another human being;
- (7) "Prohibited human research", research in a proposed research project in which there is the taking or utilization of the organs, tissue or cellular material of a:

(a) Deceased child, unless consent is given in the manner provided in sections 194.210 to 194.290, RSMo, relating to anatomical gifts, and neither parent cause the death of such child or consented to another person causing the death of such child;

(b) Living child, when the intended or likely result of such taking or utilization is to kill or cause serious harm to the health, safety or welfare of such child, or when the purpose is to target such child for possible destruction in the future;

(8) "Research project", research specified in the grant award conducted under the auspices of the institution or institutions that applied for and received such grant award pursuant to sections 192.1010 to 192.1035, regardless of whether the research is funded in whole or part by such grant award. Such research shall include basic research, including the discovery of new knowledge; translational research, including translating knowledge into a usable form; and development research and clinical research, including but not limited to health research in human development and aging, cancer, endocrine, cardiovascular, neurological, pulmonary and infectious disease, and nutrition and food safety.

3. No grant awards shall be paid or granted pursuant to sections 192.1010 to 192.1035 to or on behalf of an existing or proposed research project that involves, as part of the project, abortion services, development of drugs or chemicals intended to be used to induce an abortion, human cloning or prohibited human research. A research project that receives a grant award shall not share costs with another research project, person or entity not qualified to receive a grant award pursuant to sections 192.1010 to 192.1035; provided, however, the research project that receives a grant award may pay facilities and administrative costs directly allocable to such research project. A research project that receives a grant award shall maintain financial records that demonstrate strict compliance with this section. The audit conducted pursuant to section 192.1015 shall also certify compliance with this section.

4. The grant application shall describe in detail the proposed research project and how the research project shall be conducted in compliance with the requirements of sections 192.1010 to 192.1035. The life sciences research board shall not approve a grant award unless the board makes specific written findings that such research project shall be conducted in compliance with sections 192.1010 to 192.1035. The grant application and the grant award shall be a public record within the meaning of chapter 610, RSMo. The board shall promulgate rules in accordance with chapter 536, RSMo, to implement the provisions of this subsection.

5. Any taxpayer of this state or its political subdivisions shall have standing to bring suit against the department of health, members of the board, and the officers and employees of the department and the board in any circuit court with jurisdiction to enforce the provisions of this section.

6. Sections 192.1010 to 192.1035 shall not be construed to permit or make lawful any conduct that is otherwise unlawful pursuant to the laws of this state.

7. All of the provisions of sections 192.1010 to 192.1025 are severable; provided, however, the provisions of this section are not severable from the provisions of sections 192.1010 to 192.1025. If any provision of sections 192.1010 to 192.1025 is found to be invalid, unenforceable or unconstitutional, the remaining provisions of sections 192.1010 to 192.1025 shall be and remain valid. However, if any provision of this section is found to be invalid, unenforceable or unconstitutional, all of the provisions of sections 192.1010 to 192.1025 shall be invalid and unenforceable."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Liese, **House Substitute Amendment No. 1 for House Amendment No. 2** was adopted.

Representative Hanaway offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 226, Page 9, Section 192.1025, Line 17 of said page, by inserting after all of said line the following:

"196.1075. 1. As used in sections 196.1075 to 196.1105, the following terms mean:

(1) "Account", an account within the health care trust fund created in subsection 2 of this section;
(2) "Health care trust fund", the fund created in subsection 2 of this section;
(3) "MSA", the master settlement agreement entered into on November 23, 1998, as amended, in the tobacco case;

(4) "Tobacco case", the case of State of Missouri ex rel. Jeremiah W. (Jay) Nixon, Attorney General v. The American Tobacco Company, Inc., et al., case number 972-1465, filed in the circuit court of the City of St. Louis, state of Missouri;

(5) "Tobacco claim", any claim of the state of Missouri for conduct, acts or omissions arising out of or in any way related, in whole or in part, to the use, sale, distribution, manufacture, development, advertising, marketing or health affects of tobacco products; the exposure to tobacco products; or research, statements or warnings regarding the potential adverse affects of tobacco use, including those asserted in the tobacco case and any claims of the same or similar nature against any person or entity, including but not limited to the defendants in the tobacco case, provided that a claim of the state of Missouri for taxes or licensure fees shall not be considered a tobacco claim;

(6) "Tobacco claim payment", any moneys or proceeds of any moneys, including interest thereon, paid into the state treasury as a result of a tobacco claim, including but not limited to a payment to the state of Missouri pursuant to the MSA or any other tobacco claim settlement, award or judgment. Tobacco claim payment shall include any moneys paid into the state treasury that results in a direct offset or reduction of moneys received into the state treasury pursuant to the MSA or any other tobacco claim settlement, award or judgment.

2. The first one hundred twenty-five million dollars of tobacco claim payments shall be deposited in an endowment fund to be known as the "Fund for Missouri's Future" and shall not be subject to appropriation without a two-thirds vote of the members elected to each house of the general assembly as authorized by a concurrent resolution. The state treasurer shall invest moneys in the fund in the same manner as surplus funds are invested pursuant to section 30.260, RSMo. All earnings resulting from the investment of the moneys in the fund for Missouri's future shall be credited to such fund until the corpus of the fund reaches one billion dollars. Any tobacco claim payments received by the state after the initial one hundred twenty-five million dollars is deposited in the fund for Missouri's future and any earnings resulting from the investment of the moneys in the fund after the corpus of the fund reaches one billion dollars shall be deposited into a special trust fund to be known as the "Health Care Trust Fund" and shall be allocated by the state treasurer into separate accounts within the health care trust fund in accordance with sections 196.1075 to 196.1105 and shall be subject to appropriation for smoking prevention and cessation, early childhood care and education, prescription drug coverage and health care, and life sciences and medical research.

3. No moneys shall be withdrawn from the health care trust fund or any account of such fund except by an appropriation for the purpose and use authorized for such fund and any applicable account. No obligation for payment of moneys so appropriated from the health care trust fund and any applicable account of such fund shall be incurred and paid unless the commissioner of the office of administration certifies it for payment and further certifies that:

(1) The moneys were properly allocated to the health care trust fund and any applicable account by the state treasurer;

(2) The expenditure is within the purpose and use required for the health care trust fund and any applicable account;

(3) The expenditure is within any more specific purpose or use lawfully contained within the appropriation made by the general assembly; and

(4) There is an appropriation of an unencumbered balance within the health care trust fund and any applicable account sufficient to pay it.

At the time of issuance, each certification shall be entered on the general accounting books as an encumbrance on the appropriation.

196.1078. 1. The state treasurer shall allocate tobacco claim payments credited to the health care trust fund as follows:

(1) Fifty-five percent of such moneys shall be placed into the prescription drug coverage and health care treatment and access account created in subsection 1 of section 196.1081;

(2) Ten percent of such moneys shall be placed into the tobacco prevention, education and cessation account created in section 196.1084;

(3) Fifteen percent of such moneys shall be placed into the early childhood care and education account created in section 196.1087;

(4) Twenty percent of such moneys shall be placed into the life sciences and medical research account created in section 196.1090.

2. All moneys in the health care trust fund shall be appropriated by the general assembly in a separate appropriations bill.

196.1081. The "Prescription Drug Coverage and Health Care Treatment and Access Account" is hereby created within the health care trust fund. Appropriations made by the general assembly from the health care treatment and access account, shall be used and expended solely for prescription drug coverage and health care.

196.1084. The "Tobacco Prevention, Education and Cessation Account" is hereby created within the health care trust fund. Moneys in the account shall be used solely for tobacco prevention, education and/or cessation, including but not limited to programs to prevent tobacco usage by minors, to prevent or reduce tobacco usage generally, and to prevent tobacco addiction.

196.1087. The "Early Childhood Care and Education Account" is hereby created within the health care trust fund. Moneys in the account shall be used solely for early childhood care and/or education, including but not limited to community grants. Appropriations made by the general assembly from the account shall be used and expended solely for the purpose provided in this section.

196.1090. The "Life Sciences and Medical Research Account" is hereby created within the health care trust fund and shall be used and expended solely for life sciences and medical research purposes.

196.1096. The commissioner of administration shall establish such books of account as are necessary to account for the proceeds of any tobacco claim payments made to the state of Missouri and interest thereon and shall make or refuse to make such certifications as are necessary to ensure that these funds are allocated, used and expended only for the purposes and in the proportions set forth in sections 196.1075 to 196.1105.

196.1099. Moneys which are appropriated from the health care trust fund for the purposes provided in sections 196.1075 to 196.1105 shall constitute additional amounts over and above any moneys that are appropriated for such purposes from general revenue as of July 1, 2000. The state shall not reduce the level of funding that was in effect on July 1, 2000, for such a purpose from general revenue sources because of the appropriation of moneys for such purpose from the health care trust fund.

196.1102. Any moneys received by the state as a result of the tobacco settlement agreement together with interest and earnings thereon shall not be classified as "total state revenues" as defined in sections 17 and 18 of article X of the Missouri Constitution and the expenditure of such moneys shall not be an "expense of state government" pursuant to section 20 of article X of the Missouri Constitution.

196.1105. Any funds received by the state as a result of any legal settlement or award which is not by statute dedicated to a specific fund or program shall be subject to appropriation by the general assembly for programs related to health care and education."; and

Further amend said bill, Page 10, Section 1, Line 13 of said page, by inserting after all of said line the following:

"Section B. Section A of this act is hereby submitted to the qualified voters of this state for approval or rejection at a special election which is hereby ordered and which shall be held and conducted on the Tuesday immediately following the first Monday in November, 2001, pursuant to the laws and constitutional provisions of this state applicable to general elections and the submission of referendum measures by initiative petition, and it shall become effective when approved by a majority of the votes cast thereon at such election and not otherwise.

Section C. The official summary statement for the proposed referendum measure of this act shall read as follows:

‘Authorizes deposit of tobacco settlement moneys into funds for use in smoking prevention, health care and prescription drug coverage for seniors, life sciences and medical research, early childhood care and education, and an endowment fund which would not be subject to the constitutional limit on state spending. Defeat of the referendum measure would not create the funds and the moneys shall be credited to general revenue for appropriation by the general assembly.’”; and

Further amend the title, enacting clause and intersectional references accordingly.

Representative Scheve offered **House Substitute Amendment No. 1 for House Amendment No. 3.**

*House Substitute Amendment No. 1
for
House Amendment No. 3*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 226, Page 1, Section 192.1010, Lines 16 to 18 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"consist of grant awards from moneys appropriated from the life sciences and medical research account established pursuant to section 196.1090, RSMo. The grant awards shall be designed to achieve the"; and

Further amend said bill, Page 8, Section 192.1015, Lines 5 and 6 of said page, by deleting the words **"research fund"** and inserting in lieu thereof the following: **"medical research account"**; and

Further amend said bill, Page 8, Section 192.1015, Line 8 of said page, by deleting the words **"research fund"** and inserting in lieu thereof the following: **"medical research account"**; and

Further amend said bill, by inserting at the appropriate location the following:

"196.1075. 1. As used in sections 196.1075 to 196.1105, the following terms mean:

(1) **"Account"**, an account within the health care trust fund created in subsection 2 of this section;
(2) **"Health care trust fund"**, the fund created in subsection 2 of this section;
(3) **"MSA"**, the master settlement agreement entered into on November 23, 1998, as amended, in the tobacco case;

(4) **"Tobacco case"**, the case of *State of Missouri ex rel. Jeremiah W. (Jay) Nixon, Attorney General v. The American Tobacco Company, Inc., et al.*, case number 972-1465, filed in the circuit court of the City of St. Louis, state of Missouri;

(5) **"Tobacco claim"**, any claim of the state of Missouri for conduct, acts or omissions arising out of or in any way related, in whole or in part, to the use, sale, distribution, manufacture, development, advertising, marketing or health affects of tobacco products; the exposure to tobacco products; or research, statements or warnings regarding the potential adverse affects of tobacco use, including those asserted in the tobacco case and any claims of the same or similar nature against any person or entity, including but not limited to the defendants in the tobacco case, provided that a claim of the state of Missouri for taxes or licensure fees shall not be considered a tobacco claim;

(6) **"Tobacco claim payment"**, any moneys or proceeds of any moneys, including interest thereon, paid into the state treasury as a result of a tobacco claim, including but not limited to a payment to the state of Missouri pursuant to the MSA or any other tobacco claim settlement, award or judgment. Tobacco claim payment shall include any moneys paid into the state treasury that results in a direct offset or reduction of moneys received into the state treasury pursuant to the MSA or any other tobacco claim settlement, award or judgment.

2. The first fifty million dollars of tobacco claim payments shall be deposited in an endowment fund to be known as the "Fund for Missouri's Future". The state treasurer shall invest moneys in the fund in the same

manner as surplus funds are invested pursuant to section 30.260, RSMo. All earnings resulting from the investment of the moneys in the fund for Missouri's future shall be credited to such fund until the corpus of the fund reaches one billion dollars. Moneys constituting the corpus of the fund shall not be appropriated without a two-thirds vote of the members elected to each house of the general assembly as authorized by a concurrent resolution. Once the corpus of the fund reaches one billion dollars, earnings on the corpus shall be subject to appropriation. A separate and special trust fund to be known as the "Health Care Trust Fund" is hereby created in the state treasury. All tobacco claim payments received by the state after the initial fifty million dollars is deposited in the fund for Missouri's future as provided in this subsection and all earnings resulting from the investment of the moneys in the fund for Missouri's future after the corpus of such fund reaches one billion dollars shall be deposited into the health care trust fund. All moneys received in the health care trust fund shall be allocated by appropriation or transferred into separate accounts within the health care trust fund as provided in sections 196.1075 to 196.1105 and shall be used solely for smoking prevention and cessation, early childhood and youth development care and education, prescription drug coverage and health care, and life sciences and medical research. If a transfer of the fifty million dollars into the endowment fund is made prior to the effective date of this act, it shall satisfy the provisions of this subsection and no additional transfers into the endowment fund shall be made unless as further provided by law.

3. No moneys shall be withdrawn from the health care trust fund or any account of such fund except by an appropriation or transfer for the purpose and use authorized for such fund and any applicable account. No obligation for payment of moneys so appropriated from the health care trust fund and any applicable account of such fund shall be incurred and paid unless the commissioner of the office of administration certifies it for payment and further certifies that:

- (1) The expenditure is within the purpose and use required for the health care trust fund and any applicable account;
- (2) The expenditure is within any one specific purpose or use lawfully contained within the appropriation made by the general assembly; and
- (3) There is an appropriation of an unencumbered balance within the health care trust fund and any applicable account sufficient to pay it.

At the time of issuance, each certification shall be entered on the general accounting books as an encumbrance on the appropriation.

196.1081. The "Prescription Drug Coverage and Health Care Treatment and Access Account" is hereby created within the health care trust fund. Appropriations made by the general assembly from the prescription drug coverage and health care treatment and access account, shall be used and expended solely for prescription drug coverage and health care.

196.1084. The "Tobacco Prevention, Education and Cessation Account" is hereby created within the health care trust fund. Moneys in the account shall be used solely for tobacco prevention, education and cessation, including but not limited to programs to prevent tobacco usage by minors, to prevent or reduce tobacco usage generally, and to prevent tobacco addiction.

196.1087. The "Early Childhood and Youth Development Care and Education Account" is hereby created within the health care trust fund. Moneys in the account shall be used solely for early childhood and youth development care and education, including but not limited to community grants. Appropriations made by the general assembly from the account shall be used and expended solely for the purpose provided in this section.

196.1090. The "Life Sciences and Medical Research Account" is hereby created within the health care trust fund and shall be used and expended solely for life sciences and medical research purposes.

196.1093. At least ten percent of moneys appropriated from the accounts pursuant to sections 196.1081, 196.1084, 196.1087 and 196.1090, other than moneys used for prescription drug coverage, shall be used for programs and grants that benefit minorities, women and at-risk children and communities through community based not-for-profit organizations.

196.1096. The commissioner of administration shall establish such books of account as are necessary to account for the proceeds of any tobacco claim payments made to the state of Missouri and interest thereon and shall make or refuse to make such certifications as are necessary to ensure that these funds are allocated, used and expended only for the purposes set forth in sections 196.1075 to 196.1105.

196.1099. Moneys which are appropriated from the health care trust fund for the purposes provided in sections 196.1075 to 196.1105 shall constitute additional amounts over and above any moneys that are

appropriated for such purposes from general revenue as of July 1, 2001. The state shall not reduce the level of funding that was in effect on July 1, 2001, for such a purpose from general revenue sources because of the appropriation of moneys for such purpose from the health care trust fund. This section shall not apply to amounts appropriated or expended for the purposes of administering section 135.095, RSMo.

196.1102. Any moneys received by the state as a result of the tobacco settlement agreement together with interest and earnings thereon shall not be classified as "total state revenues" as defined in sections 17 and 18 of article X of the Missouri Constitution and the expenditure of such moneys shall not be an "expense of state government" pursuant to section 20 of article X of the Missouri Constitution.

196.1105. 1. The provisions of sections 196.1075, 196.1078, 196.1081, 196.1084, 196.1087, 196.1090, 196.1093, 196.1096, 196.1099 and 196.1102 shall not become effective unless a ballot measure has been submitted to and approved by the voters. The secretary of state shall submit the ballot measure at an election to be held and conducted on the Tuesday immediately following the first Monday in November, 2001.

2. The official summary statement shall be as follows:

"Authorizes deposit of tobacco settlement moneys into funds for use in smoking prevention, health care and prescription drug coverage for seniors, life sciences and medical research, early childhood and youth development care and education, and an endowment fund which would not be subject to the constitutional limit on state spending. Defeat of the referendum measure would not create the funds and the moneys shall be credited to general revenue for appropriations by the general assembly."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Scheve, **House Substitute Amendment No. 1 for House Amendment No. 3** was adopted.

Representative Reid offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 226, Page 10, Section 1, Line 13, by inserting after all of said line the following:

"Section 2. Notwithstanding any provisions of sections 192.1010 to 192.1025 to the contrary, the life sciences research board shall annually transfer four hundred thousand dollars to the Missouri higher education scholarship donation fund in the state treasury established in section 173.196, RSMo. Such transfer shall be used solely by the graduate fellowship program established in section 173.199, RSMo, for scholarships for any eligible person who pursues a graduate degree in the fields of chemistry, life sciences, or agricultural sciences. The provisions of this subsection shall expire on July 1, 2007."; and

Further amend the title, enacting clause, and intersectional references accordingly.

On motion of Representative Reid, **House Amendment No. 4** was adopted.

Representative Foley offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 226, Page 3, Section 192.1010, Lines 20 and 23 of said page, by striking the number "192.1025" and inserting in lieu thereof the number "**192.1035**" on both of said lines; and

Further amend said bill and section, Page 4, Lines 3 and 23 of said page, by striking the number "192.1025" and inserting in lieu thereof the number "**192.1035**" on both of said lines; and

Further amend said bill, Page 5, Section 192.1012, by striking the number “192.1025” and inserting in lieu thereof the number “**192.1035**”; and

Further amend said bill, Page 8, Section 192.1020, Line 19 of said page, by inserting immediately after the word “costs” on said line the words: “, **subject to the provisions of this section and section 192.1035**”.

On motion of Representative Foley, **House Amendment No. 5** was adopted.

On motion of Representative Foley, **HS HCS SS SCS SB 226, as amended**, was adopted.

On motion of Representative Foley, **HS HCS SS SCS SB 226, as amended**, was read the third time and passed by the following vote:

AYES: 109

Abel	Barnett	Barry 100	Bearden	Behnen
Berkowitz	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burton	Byrd	Campbell	Carnahan	Cierpiot
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Dolan	Fares	Farnen	Foley
Ford	Franklin	Fraser	Gambaro	Gaskill
George	Graham	Gratz	Green 73	Hagan-Harrell
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Kennedy	Koller	Lawson	Legan	Levin
Liese	Lograsso	Lowe	Luetkemeyer	Luetkenhaus
May 149	Mays 50	McKenna	Merideth	Monaco
Moore	Murphy	Myers	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Portwood	Ransdall
Reid	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Scheve	Scott	Seigfreid
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Troupe
Van Zandt	Villa	Walton	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 044

Ballard	Bartelsmeyer	Bartle	Berkstresser	Boatright
Burcham	Champion	Cooper	Crawford	Crowell
Cunningham	Dempsey	Enz	Froelker	Green 15
Griesheimer	Hampton	Henderson	Hendrickson	Hohulin
Holt	Hunter	Jetton	Kelly 144	Kelly 27
Kelly 36	Linton	Marble	Marsh	Mayer
Miller	Phillips	Purgason	Rector	Reinhart
Roark	Ross	Schwab	Secrest	Selby
Treadway	Vogel	Ward	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 007

Baker	Barnitz	Kelley 47	King	Long
Naeger	Wagner			

VACANCIES: 003

Speaker Kreider declared the bill passed.

COMMITTEE REPORT

Committee on Fiscal Review and Government Reform, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HS HCS SB 125 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF SENATE BILL

HS HCS SB 125, as amended, relating to political subdivisions, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **HS HCS SB 125, as amended**, was read the third time and passed by the following vote:

AYES: 132

Abel	Barnett	Barry 100	Bartelsmeyer	Bearden
Berkowitz	Berkstresser	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Johnson 61	Johnson 90	Jolly
Kelly 144	Kelly 27	Kelly 36	Kennedy	Koller
Lawson	Legan	Levin	Liese	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Moore	Naeger	Nordwald	O'Connor	Overschmidt
Portwood	Purgason	Ransdall	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Walton
Ward	Wiggins	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 015

Ballard	Bartle	Behnen	Crowell	Jetton
Linton	Lograsso	Murphy	Myers	Ostmann
Phillips	Rector	Reinhart	Roark	Ross

PRESENT: 001

Reid

ABSENT WITH LEAVE: 012

Baker	Barnitz	Black	Green 73	Harlan
Kelley 47	King	Long	Monaco	O'Toole
Wagner	Williams			

VACANCIES: 003

Speaker Kreider declared the bill passed.

BILL CARRYING REQUEST MESSAGE

HCS SS SB 244, as amended, relating to motor vehicles and equipment, was taken up by Representative Koller.

Representative Koller moved that the House refuse to recede from its position on **HCS SS SB 244, as amended**, and grant the Senate a conference.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

HCS SS SB 244: Representatives Koller, Crump, Green (15), Kelly (144) and Ross

HS HCS SS SCS SB 48: Representatives Hollingsworth, Britt, Campbell, Ridgeway and Crowell

HS SCS SB 393: Representatives Holand, Bartelsmeyer, Treadway, Johnson (90) and Shoemyer

HS HCS SCS SB 266: Representatives Barry, Smith, Kennedy, Holand and Cooper

THIRD READING OF SENATE BILLS

HCS SS SCS SBs 89 & 37, relating to methamphetamine production, was taken up and placed on the Informal Calendar.

HCS SS SCS SBs 214, 124, 209 & 322, relating to sex offenses, was taken up and placed on the Informal Calendar.

SB 32, relating to state funding for disabled students, was taken up and placed on the Informal Calendar.

HCS SCS SB 186, relating to small loans, was taken up and placed on the Informal Calendar.

SS#2 SCS SBs 22 & 106, relating to prescription drugs for the elderly, was taken up and placed on the Informal Calendar.

SCS SB 387, relating to recovery of fuel costs, was taken up and placed on the Informal Calendar.

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 241**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate, on Senate Committee Substitute for House Committee Substitute for House Bill No. 241, with Senate Amendment No. 1; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 241, as amended;
2. That the House recede from its position on House Committee Substitute for House Bill No. 241;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 241 be Truly Agreed To and Finally Passed.

FOR THE HOUSE:

/s/ Phil Smith
/s/ Philip Willoughby
/s/ Melba Curls
/s/ Luann Ridgeway
/s/ Jason Crowell

FOR THE SENATE:

/s/ Harold Caskey
/s/ David Klarich
/s/ John Cauthorn
/s/ James Mathewson
/s/ Michael Gibbons

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 453**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate, on Senate Substitute for Senate Committee Substitute for House Bill No. 453, with Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 8, Senate Amendment No. 9, Senate Amendment No. 10 and Senate Amendment No. 11; begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Bill No. 453, as amended;
2. That the House recede from its position on House Bill No. 453;
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Bill No. 453 be adopted.

FOR THE HOUSE:

/s/ Rep. Bill Ransdall
/s/ Rep. Phil Smith
/s/ Rep. Denny Merideth
/s/ Rep. Martin Hohulin
/s/ Rep. Rod Jetton

FOR THE SENATE:

/s/ Sen. Sarah Steelman
/s/ Sen. David Klarich
/s/ Sen. Chuck Gross
/s/ Sen. James Mathewson
/s/ Sen. Edward Quick

**CONFERENCE COMMITTEE REPORT
ON
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 369**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate, on House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 369, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 5, House Substitute Amendment No. 1 for House Amendment No. 7 and House Amendment No. 8; begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 369, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 369;
3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 369 be adopted.

FOR THE HOUSE:

/s/ Rep. Patrick O'Connor
/s/ Rep. Carol Jean Mays
/s/ Rep. James O'Toole
/s/ Rep. Gary Burton
/s/ Rep. Shannon Cooper

FOR THE SENATE:

/s/ Sen. Sarah Steelman
/s/ Sen. Stephen Stoll
/s/ Sen. John Scott
/s/ Sen. David Klarich
/s/ Sen. David Klindt

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 9:30 a.m., Thursday, May 17, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Seventy-fourth Day, Tuesday, May 15, 2001, page 2221, line 36, by deleting the number "356" and inserting in lieu thereof the number "536".

Pages 2157 and 2158, roll call, by showing Representative Bartelsmeyer voting "aye" rather than "absent with leave".

Pages 2165 and 2166, roll call, by showing Representative Hanaway voting "no" rather than "absent with leave".

Pages 2168 and 2169, roll call, by showing Representatives Bartelsmeyer, Black and St. Onge voting "aye" rather than "absent with leave".

Pages 2176 and 2177, roll call, by showing Representatives Berkstresser, Boucher and Franklin voting "aye" rather than "absent with leave".

Pages 2180 and 2181, roll call, by showing Representative Berkstresser voting "no" rather than "absent with leave".

Pages 2189 and 2190, roll call, by showing Representative Dolan voting "aye" rather than "absent with leave".

Page 2190, roll call, by showing Representatives Davis, Dolan and Jetton voting "aye" rather than "absent with leave".

Page 2192, roll call, by showing Representative Franklin voting "no" rather than "absent with leave".

Page 2193, roll call, by showing Representatives Barry, Franklin and Jetton voting "aye" rather than "absent with leave".

Page 2194, roll call, by showing Representatives Johnson (61) and Walton voting "aye" rather than "present".

Page 2194, roll call, by showing Representatives Dempsey and Hosmer voting "aye" rather than "absent with leave".

Page 2195, roll call, by showing Representatives Johnson (61) and Walton voting "aye" rather than "present".

Page 2195, roll call, by showing Representative O'Toole voting "aye" rather than "no".

Page 2195, roll call, by showing Representative Boykins voting "present" rather than "absent with leave".

Page 2195, roll call, by showing Representatives Franklin and Hosmer voting "aye" rather than "absent with leave".

Pages 2200 and 2201, roll call, by showing Representatives Barry, Berkstresser and Campbell voting "no" rather than "absent with leave".

Pages 2200 and 2201, roll call, by showing Representative Enz voting "aye" rather than "absent with leave".

Pages 2201 and 2202, roll call, by showing Representatives Barry, Campbell, Hosmer, Naeger and Wagner voting "aye" rather than "absent with leave".

Page 2207, roll call, by showing Representatives Campbell, Dempsey and Naeger voting "aye" rather than "absent with leave".

Page 2207, roll call, by showing Representatives Behnen, Dolan, George, King, May (149), Smith and Wagner voting "aye" rather than "absent with leave".

Pages 2220 and 2221, roll call, by showing Representatives Barry and Dempsey voting "aye" rather than "absent with leave".

Pages 2222 and 2223, roll call, by showing Representatives Reinhart and St. Onge voting "no" rather than "absent with leave".

Pages 2223 and 2224, roll call, by showing Representatives Dempsey and St. Onge voting "aye" rather than "absent with leave".

COMMITTEE MEETING

FISCAL REVIEW AND GOVERNMENT REFORM

Thursday, May 17, 2001, 8:30 am. Hearing Room 3. Fiscal Review (Fiscal Note).

To be considered - SB 32, SB 46, SB 89, SB 214, SB 476, SB 551, SB 578

HOUSE CALENDAR

SEVENTY-SIXTH DAY, THURSDAY, MAY 17, 2001

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 15 & 13 - Crawford

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 457, HA 2, as amended, tabled - Kreider
- 2 HCS HB 593 - Riback Wilson (25)

- 3 HCS HB 239 - Smith
- 4 HB 802 - Ransdall
- 5 HCS HB 374 - Fraser
- 6 HCS HB 635 - Barry
- 7 HCS HB 868 - Merideth
- 8 HCS HB 253 - Ross
- 9 HB 809, HCA 1 - Carnahan
- 10 HCS HB 340, 303 & 316 - Graham
- 11 HB 640 - Johnson (90)
- 12 HCS HB 723 - Mays (50)
- 13 HCS HB 117 - Riback Wilson (25)
- 14 HCS HB 307 - Wiggins
- 15 HCS HB 921 - Curls
- 16 HB 911 - Carnahan
- 17 HCS HB 511 - Johnson (90)
- 18 HB 63 - Reynolds
- 19 HCS HB 93 - Gaskill

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HCS HB 853 & 258 - Crump
- 3 HCS HB 186 & 172 - Troupe
- 4 HCS HB 888, 942 & 943 - Scheve
- 5 HCS HB 472 - Burton
- 6 HCS HB 293 - Kennedy
- 7 HCS HB 663 & 375 - Kennedy
- 8 HCS HB 170 - Froelker

HOUSE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING

HCR 18, (5-14-01, pgs. 2135 & 2136) - Barry

HOUSE BILLS FOR THIRD READING

- 1 HB 527, (Fiscal Review 4-19-01) - Luetkenhaus
- 2 HB 366, E.C. - Champion
- 3 HS HB 286, E.C. - Smith
- 4 HS HB 715 - Foley

SENATE BILL FOR SECOND READING

SCS SB 586

SENATE JOINT RESOLUTIONS FOR THIRD READING

- 1 HCS SS SCS SJR 1 & 4 - O'Toole
- 2 SS SJR 9 - Gambaro

SENATE BILLS FOR THIRD READING

- 1 SB 370, HCA 1 - Smith
- 2 HCS SCS SB 591 - Hoppe
- 3 SS SCS SB 351, HCA 1 - Hosmer
- 4 HCS SCS SB 10 - Monaco
- 5 HCS SB 275, HSA 2 for HA 4, HA 4 & HS, as amended, pending - Levin
- 6 SB 470, HCA 1 - O'Toole
- 7 SCS SB 52 & 91, HCA 1 & HCA 2 - Koller
- 8 HCS SCS SB 44 & 59 - Monaco
- 9 HCS SCS SB 136 - Barry
- 10 HCS SS SCS SB 551, 410, 539, 528 & 296, (Fiscal Review 5-15-01) - Barry
- 11 HCS SS SCS SB 46 & 47, E.C. (Fiscal Review 5-15-01) - Barry
- 12 SCS SB 578, (Fiscal Review 5-15-01) - Green (73)
- 13 HCS SCS SB 317 - Hollingsworth
- 14 SB 430 - Carnahan
- 15 SB 76 - Rizzo

SENATE BILLS FOR THIRD READING - INFORMAL

- 1 SB 123 - Hampton
- 2 SB 416 - Wagner
- 3 HCS SB 392 - Rizzo
- 4 HCS SS SCS SB 433 & 248 - Hoppe
- 5 HCS SS SCS SB 476, 427 & 62, (Fiscal Review 5-14-01) - Seigfreid
- 6 HCS SCS SB 486 & SB 422 - Hoppe
- 7 HCS SS SCS SB 89 & 37, (Fiscal Review 5-15-01) - Hosmer
- 8 HCS SS SCS SB 214, 124, 209 & 322, (Fiscal Review 5-15-01) - Hosmer
- 9 SB 32, HCA 1 (Fiscal Review 5-15-01) - Merideth
- 10 HCS SCS SB 186 - Liese
- 11 SS#2 SCS SB 22 & 106, HCA 1 - Scheve
- 12 SCS SB 387, E.C. - Mays (50)

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 HB 955, SCA 1 - Green (73)
- 2 SCS HCR 24 - Boucher
- 3 SCS HB 157 - Hosmer
- 4 SS SCS HS HB 381, as amended - Hoppe
- 5 SCS HS HCS HB 107, as amended - Clayton

- 6 HB 769, SAs 1,2,3,4,5,& 6 - Harlan
- 7 SCS HB 626 - Hosmer
- 8 HB 262, SCA 1, SA 2, SA 3, SA 1 to SA 4, SA 4, as amended - Linton
- 9 SCS HB 219 - Townley
- 10 SCS HB 80, as amended, E.C. - Ross
- 11 SCS HB 471, as amended - Jolly

BILLS IN CONFERENCE

- 1 CCR HCS SS SB 193, as amended - Ward
- 2 HCS SB 610 - Hoppe
- 3 CCR SCS HCS HB 302 & 38, as amended, E.C. - Hosmer
- 4 CCR HCS SB 319, as amended, E.C. - Johnson (61)
- 5 HCS SB 304 - Monaco
- 6 CCR#2 HCS SCS SB 151 - Gaskill
- 7 CCR SCS HCS HB 205, 323 & 549 - Relford
- 8 CCR HCS SB 274 - Harlan
- 9 HS HCS SB 460, as amended, E.C. - Kennedy
- 10 HS HCS SB 72, as amended - Smith
- 11 CCR SS SCS HB 453, as amended - Ransdall
- 12 CCR SCS HCS HB 241, as amended - Smith
- 13 HB 621, as amended - Gratz
- 14 HS HCS SCS SB 236, as amended, E.C. - Ladd Baker
- 15 CCR HS HCS SS SCS SB 369, as amended - Burton
- 16 HS SCS SB 393, as amended - Treadway
- 17 HS HCS SCS SB 266, as amended - Barry
- 18 HS HCS SS SCS SB 48, as amended - Hollingsworth
- 19 HCS SS SB 244 - Koller

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

SEVENTY-SIXTH DAY, THURSDAY, MAY 17, 2001

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

O Lord, as we pray for the members of this House, its officers and staff, we remember that You do not hurry, that You are the center of all peace.

But we are human. We grow tired. We feel the strain of meeting deadlines. We become irritated by frustrations. We need an inner calm, peace of mind; and only You can supply the needs of soul.

Give us Your peace, and refresh these men and women who labor for our state in this final week of their work. To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Sam Kichline, Samantha Mack, Caitlin Davis, Jack Follis, Austin Sherrill, Emma Short, Dominique Falls, John E. Willett and Nathan Kelly.

The Journal of the seventy-fifth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2183 - Representative Relford
House Resolution No. 2184
through
House Resolution No. 2187 - Representative Naeger
House Resolution No. 2188 - Representative Bearden
House Resolution No. 2189
through
House Resolution No. 2191 - Representative Townley
House Resolution No. 2192 - Representatives Treadway and Barry
House Resolution No. 2193 - Representative Scheve
House Resolution No. 2194 - Representative Mayer
House Resolution No. 2195 - Representative Cooper
House Resolution No. 2196
through
House Resolution No. 2199 - Representative Bartle

House Resolution No. 2200

and

House Resolution No. 2201 - Representative Hohulin

House Resolution No. 2202 - Representative Hunter

House Resolution No. 2203 - Representative Crump

House Resolution No. 2204

through

House Resolution No. 2206 - Representative Levin

House Resolution No. 2207 - Representative Relford

SECOND READING OF SENATE BILL

SCS SB 586 was read the second time.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HS HCS SS SCS SB 48, as amended**: Senators Sims, Bentley, Klarich, Johnson and Dougherty.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HS HCS SCS SB 266, as amended**: Senators Bland, Stoll, Steelman, Westfall and Sims.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HS SCS SB 393, as amended**: Senators Sims, Singleton, Bentley, Wiggins and Bland.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS HCS SS SCS SB 369, as amended**, and has taken up and passed **CCS HS HCS SS SCS SB 369**.

HOUSE BILL WITH SENATE AMENDMENT

SCS HB 471, as amended, relating to drug trafficking, was taken up by Representative Jolly.

Representative Jolly moved that the House refuse to adopt **SCS HB 471, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

THIRD READING OF SENATE BILL - INFORMAL

SCS SB 387, with House Committee Amendment No. 1, relating to recovery of fuel costs, was taken up by Representative Mays (50).

On motion of Representative Mays (50), **House Committee Amendment No. 1** was adopted.

On motion of Representative Mays (50), **SCS SB 387, as amended**, was read the third time and passed by the following vote:

AYES: 121

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bowman
Boykins	Britt	Burcham	Burton	Byrd
Campbell	Champion	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Ford	Franklin	Fraser	Froelker	Gaskill
Graham	Gratz	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hohulin	Hollingsworth	Holt	Hoppe
Hunter	Jetton	Johnson 61	Kelley 47	Kelly 144
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Liese	Linton	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
Merideth	Miller	Moore	Myers	Naeger
Nordwald	O'Connor	Ostmann	Overschmidt	Phillips
Portwood	Ransdall	Rector	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Troupe	Villa	Vogel	Wagner	Walton
Ward	Williams	Willoughby	Wilson 42	Wright
Mr. Speaker				

NOES: 028

Bonner	Boucher	Bray 84	Carnahan	Clayton
Farnen	Gambaro	George	Green 15	Green 73
Harding	Harlan	Hickey	Hilgemann	Johnson 90
Jolly	Kelly 27	Levin	Lowe	McKenna
Monaco	Murphy	O'Toole	Reid	Reynolds
Selby	Treadway	Wilson 25		

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 010

Baker	Cierpiot	Foley	Holand	Hosmer
Lograsso	Long	Purgason	Van Zandt	Wiggins

VACANCIES: 003

Speaker Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 128

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bowman	Boykins	Britt	Burcham	Burton
Byrd	Campbell	Champion	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Ford	Franklin	Fraser
Froelker	Gaskill	Graham	Gratz	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hohulin	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Kelley 47	Kelly 144	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Liese
Linton	Lograsso	Long	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
Merideth	Miller	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Troupe	Villa
Vogel	Wagner	Walton	Williams	Willoughby
Wilson 42	Wright	Mr. Speaker		

NOES: 028

Bonner	Boucher	Bray 84	Carnahan	Farnen
Foley	Gambaro	George	Green 15	Green 73
Harding	Harlan	Hickey	Hilgemann	Johnson 90
Jolly	Kelly 27	Levin	Lowe	McKenna
Monaco	O'Toole	Reynolds	Selby	Treadway
Van Zandt	Ward	Wilson 25		

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 003

Cierpiot	Holand	Wiggins
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VACANCIES: 003

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HB 80, as amended, relating to antifraud enforcement, was taken up by Representative Ross.

Representative Ross moved that the House refuse to adopt **SCS HB 80, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HB 219, relating to fence law, was taken up by Representative Townley.

On motion of Representative Townley, **SCS HB 219** was adopted by the following vote:

AYES: 155

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Baker	Cierpiot	Lograsso	McKenna	Wiggins
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VACANCIES: 003

On motion of Representative Townley, **SCS HB 219** was truly agreed to and finally passed by the following vote:

AYES: 149

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Legan	Levin
Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marsh	Mayer	Mays 50	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Cierpiot	Foley	Kennedy	Lawson
Lograsso	Marble	May 149	McKenna	Wiggins
Wilson 25				

VACANCIES: 003

Speaker Kreider declared the bill passed.

SCS HS HCS HB 107, as amended, relating to tort victims' compensation fund, was taken up by Representative Clayton.

On motion of Representative Clayton, **SCS HS HCS HB 107, as amended**, was adopted by the following vote:

AYES: 145

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Thompson	Treadway	Troupe	Van Zandt
Villa	Vogel	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 010

Ballard	Bartelsmeyer	Burton	Hunter	Marble
Marsh	Nordwald	Rector	Surface	Townley

PRESENT: 000

ABSENT WITH LEAVE: 005

Baker	Crump	Foley	Wagner	Wiggins
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VACANCIES: 003

On motion of Representative Clayton, **SCS HS HCS HB 107, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 145

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 009

Ballard	Bartelsmeyer	Burton	Hunter	Marble
Marsh	Nordwald	Rector	Surface	

PRESENT: 000

ABSENT WITH LEAVE: 006

Baker	Foley	Green 73	Hosmer	Wiggins
Williams				

VACANCIES: 003

Speaker Kreider declared the bill passed.

BILLS IN CONFERENCE

CCR SS SCS HB 453, as amended, relating to environmental commissions and fees, was taken up by Representative Ransdall.

Representative Ransdall moved that the House refuse to adopt **CCR SS SCS HB 453, as amended**, and request the Senate to grant the House a further conference and the House conferees be bound to the last six lines of Section 1, Pages 80 and 81.

Representative Shields made a substitute motion that the House refuse to adopt **CCR SS SCS HB 453, as amended**, and request the Senate to grant the House a further conference and the House conferees be bound to the removal of the last six lines of Section 1 of the Conference Committee Substitute.

Which motion was adopted by the following vote:

AYES: 154

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reinhart	Relford	Reynolds
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Crump	Foley	Kennedy	Reid	Richardson
Wiggins				

VACANCIES: 003

CCR SCS HCS HB 241, as amended, relating to trusts, was taken up by Representative Smith.

On motion of Representative Smith, **CCR SCS HCS HB 241, as amended**, was adopted by the following vote:

AYES: 149

Abel	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Cunningham	Curls	Davis
Dempsey	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Relford	Reynolds
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Barry 100	Berkstresser	Crump	Dolan
Kennedy	Monaco	Reid	Reinhart	Richardson
Wiggins				

VACANCIES: 003

On motion of Representative Smith, **CCS SCS HCS HB 241** was read the third time and passed by the following vote:

AYES: 146

Abel	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boatright	Boatright	Bonner	Boucher
Bowman	Boykins	Britt	Burcham	Burton

Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Cunningham	Curls	Davis	Dempsey
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Haywood	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reinhart	Relford	Reynolds	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker	Barry 100	Bray 84	Brooks	Crump
Dolan	Hartzler	Henderson	Kennedy	Reid
Richardson	Shields	Van Zandt	Wiggins	

VACANCIES: 003

Speaker Kreider declared the bill passed.

Speaker Pro Tem Abel assumed the Chair.

HOUSE BILL WITH SENATE AMENDMENT

SCS HB 157, relating to marriage licenses, was taken up by Representative Hosmer.

Representative Hosmer moved that the House refuse to adopt **SCS HB 157** and request the Senate to recede from its position or, failing to do so, grant the House a conference and the conferees be allowed to exceed the differences concerning the licensing provisions.

Which motion was adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HB 80, as amended**, and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HB 471, as amended**, and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HS HCS HB 762**, entitled:

An act to repeal sections 197.285, 208.151 and 376.1209, RSMo 2000, relating to women's health services, and to enact in lieu thereof four new sections relating to the same subject.

With Senate Amendment No. 1, Senate Substitute Amendment No. 1 for Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6 and Senate Amendment No. 7.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 762, Page 20, Section 376.1209, Line 27, by inserting immediately after said line the following:

“Section 1. 1. There is hereby created within the office of the governor a “Child Custody Abuse and Neglect Commission” which shall evaluate the laws and rules relating to child abuse, neglect, child custody and visitation and termination of parental rights and shall make recommendations on further action or legislative remedies, if any, to be taken as necessary. The commission shall review and recommend standardized guidelines for judicial review of what constitutes the best interest of the child.

2. The child abuse and neglect commission shall be composed of twelve members to be appointed by the governor, including a county prosecutor, a law enforcement officer, a juvenile officer, a member of the clergy, a psychologist, a pediatrician, and educator, the chairman of the children's services commission, a division of family services designee, and three citizens of the state of Missouri, chosen to reflect the racial composition of the state, to serve four-year terms and of the members first appointed, four shall serve for a term of two years, four shall serve for a term of three years, and four shall serve for a term of four years.

3. The commission shall make its first report to the governor and the general assembly by February 1, 2002, and any subsequent reports shall be made to the governor, the chief justice of the supreme court and the general assembly as necessary.

4. All members shall serve without compensation but shall be reimbursed for all actual and necessary expenses incurred in the performance of their official duties for the commission.

5. The office of the governor shall provide funding, administrative support, and staff for the effective operation of the commission.

6. This section shall expire on August 28, 2004.”; and

Further amend the title and enacting clause accordingly.

*Senate Substitute Amendment No. 1
for
Senate Amendment No. 2*

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 762, Pages 15-19, Section 354.900, by striking said section from the bill and inserting in lieu thereof the following:

“376.1199. 1. Each health carrier or health benefit plan that offers or issues health benefit plans providing obstetrical/gynecological benefits, which are delivered, issued for delivery, continued or renewed in this state on or after January 1, 2002, shall:

(1) Notwithstanding the provisions of subsection 4 of section 354.618, RSMo, provide enrollees with direct access to the services of a participating obstetrician, participating gynecologist or participating obstetrician/gynecologist of her choice within the provider network for covered services. The services covered by this subdivision shall be limited to those services defined by the published recommendations of the accreditation council for graduate medical education for training an obstetrician, gynecologist or obstetrician/ gynecologist, including but not limited to diagnosis, treatment and referral for such services. A health carrier shall not impose additional copayments, coinsurance, or deductibles upon any enrollee who seeks or receives health care services pursuant to this subdivision, unless similar additional copayments, coinsurance, or deductibles are imposed for other types of health care services received within the provider network. Nothing in this subsection shall be construed to require a health carrier to perform, induce, pay for, reimburse, guarantee, arrange, provide any resources for or refer a patient for an abortion, as defined in section 188.015, RSMo, other than a spontaneous abortion or to prevent the death of the female upon whom the abortion is performed, or to supersede or conflict with section 376.805;

(2) Notify enrollees annually of cancer screenings covered by the enrollees' health benefit plan and the current American Cancer Society guidelines for all cancer screenings or notify enrollees at intervals consistent with current American Cancer Society guidelines of cancer screenings which are covered by the enrollees' health benefit plans. The notice shall be delivered by mail unless the enrollee and health carrier have agreed on another method of notification;

(3) Include coverage for services related to diagnosis, treatment and appropriate management of osteoporosis when such services are provided by a person licensed to practice medicine and surgery in this state, for individuals with a condition or medical history for which bone mass measurement is medically indicated for such individual. In determining whether testing or treatment is medically appropriate, due consideration shall be given to peer reviewed medical literature. A policy, provision, contract, plan or agreement may apply to such services the same deductibles, coinsurance and other limitations as apply to other covered services; and

(4) If a health benefit plan provides coverage for pharmaceutical benefits, provide coverage for contraceptives either at no charge or at the same level of deductible, coinsurance or copayment as any other covered drug. No such deductible, coinsurance or copayment shall be greater than any drug on the health benefit plan's formulary. As used in this section, “contraceptive” shall include all prescription drugs and devices approved by the federal Food and Drug Administration for use as a contraceptive, but shall exclude all drugs and devices that are intended to induce an abortion, as defined in section 188.015, RSMo, which shall be subject to the provisions of section 376.805. Nothing in this subdivision shall be construed to exclude coverage for prescription contraceptive drugs or devices ordered by a health care provider with prescriptive authority for reasons other than contraceptive or abortion purposes.

2. For the purposes of this section, “health carrier” and “health benefit plan” shall have the same meaning as defined in section 376.1350.

3. The provisions of this section shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, short-term major medical policies of six months or less duration, or any other supplemental policy as determined by the director of the department of insurance.

4. Notwithstanding the provisions of subdivision (4) of subsection 1 of this section to the contrary:

(1) Any health carrier may issue to any person or entity purchasing a health benefit plan, a health benefit plan that excludes coverage for contraceptives if the use or provision of such contraceptives is contrary to the moral, ethical or religious beliefs or tenets of such person or entity;

(2) Upon request of an enrollee who is a member of a group health benefit plan and who states that the use or provision of contraceptives is contrary to his or her moral, ethical or religious beliefs, any health carrier shall issue to or on behalf of such enrollee a policy form that excludes coverage for contraceptives. Any administrative costs to a group health benefit plan associated with such exclusion of coverage not offset by the decreased costs of providing coverage shall be borne by the group policyholder or group plan holder;

(3) Any health carrier which is owned, operated or controlled in substantial part by an entity that is operated pursuant to moral, ethical or religious tenets that are contrary to the use or provision of contraceptives shall be exempt from the provisions of subdivision (4) of subsection 1 of this section.

For purposes of this subsection, if new premiums are charged for a contract, plan or policy, it shall be determined to be a new contract, plan or policy.

5. Except for a health carrier that is exempted from providing coverage for contraceptives pursuant to this section, a health carrier shall allow enrollees in a health benefit plan that excludes coverage for contraceptives pursuant to subsection 4 of this section to purchase a rider to the health benefit plan that includes coverage for contraceptives.

6. Any health benefit plan issued by a health carrier described in subdivision (3) of subsection 4 of this section and any group health benefit plan issued pursuant to subsection 1 of this section shall provide clear and conspicuous written notice on the enrollment form or any accompanying materials to the enrollment form and the group health benefit plan contract:

(1) Whether coverage for contraceptives is or is not included;

(2) That an enrollee who is a member of a group health benefit plan with coverage for contraceptives has the right to exclude coverage for contraceptives if such coverage is contrary to his or her moral, ethical or religious beliefs; and

(3) That an enrollee who is a member of a group health benefit plan without coverage for contraceptives has the right to purchase coverage which includes coverage for contraceptives.

7. Health carriers shall not disclose to the person or entity who purchased the health benefit plan the names of enrollees who exclude coverage for contraceptives in the health benefit plan or who purchase a rider to the health benefit plan that includes coverage for contraceptives. Health carriers and the person or entity who purchased the health benefit plan shall not discriminate against an enrollee because the enrollee excluded coverage for contraceptives in the health benefit plan or purchased a rider to the health benefit plan that includes coverage for contraceptives.

8. The department of insurance may promulgate rules necessary to implement the provisions of this section. No rule or portion of a rule promulgated pursuant to this section shall become effective unless it has been promulgated pursuant to chapter 536, RSMo.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 762, Page 20, Section 376.1209, Line 26, by inserting after all of said line the following:

“Section 1. 1. Notwithstanding any other provision of law, when the Department of Insurance intends to enter into any contract or other written agreement or approve any letter of intent for payment of money by the state in excess of one hundred thousand dollars, modification or potential reduction of a party’s financial obligation to the state in excess of one hundred thousand dollars, the Department of Insurance shall forward a copy to the attorney general before entering into that contract, subcontract or other written agreement or approving the letter of intent.

2. Upon receiving the contract, other written agreement or letter of intent, the attorney general shall, within ten days, review and approve that contract, other written contract or letter of intent for its legal form and content as may be necessary to protect the legal interest of the state. If the attorney general does not approve, then the attorney general shall return the contract, other written agreement or letter of intent with additional proposed provisions as may be necessary to the proper enforcement of the contract as required to protect the state’s legal interest. If the attorney general does not respond within ten days or, in the case of any contract that involves a payment of money by the state or a modification or potential reduction of a party’s financial obligation to the state of one million dollars or more, within thirty days, the contract shall be deemed approved.

3. Communications related to the attorney general's review are attorney-client communications. The attorney general's written disposition shall be subject to chapter 610, RSMo.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 762, Page 20, Section 376.1209, Lines 16-17, by deleting all of said lines and inserting in lieu thereof the following:

“insurer, then the new policy shall provide coverage for prosthetic devices or reconstructive surgery and such coverage for prosthetic devices and reconstructive surgery shall be subject to the same deductible and coinsurance conditions applied to a mastectomy and all other terms and conditions applicable to other benefits under the new policy.”.

Senate Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 762, Page 20, Section 376.1209, Line 23, by inserting at the end of said line the following: **“short-term major medical policies of six months or less duration,”.**

Senate Amendment No. 6

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 762, Page 1, In the Title, Line 3 of said title, by striking “women's health services” and inserting in lieu thereof the following: **“the department of health”;** and

Further amend said bill, Page 1, Section A, Line 4, by inserting immediately after said line the following:

“192.1010. 1. There is hereby established within the department of health, the “Life Sciences Research Program”. The program shall be administered by the director of the department of health based upon the recommendations of the “Life Sciences Research Board”, which is hereby created. The program shall consist of grant awards from moneys appropriated from the “Life Sciences Research Fund”, which is hereby created in the state treasury. The grant awards shall be designed to achieve the goals stated in subsection 4 of this section.

2. The life sciences research board shall consist of eight members who shall be appointed in the following manner:

(1) Each member shall be appointed by the governor with the advice and consent of the senate for a term of six years, except for the terms of the initial members. The board shall select its own chairperson from among its members;

(2) The members of the board shall be generally familiar with the life sciences and current research trends and developments, with either technical or scientific expertise in life sciences, and with an understanding of the application of the results of life sciences research;

(3) Two initial members of the life sciences research board shall be appointed to two-year terms. Three initial members shall be appointed to a four-year term. The remaining three initial members shall be appointed to six-year terms. All subsequent appointees shall be appointed to six-year terms;

(4) No member of the life sciences research board shall serve more than two consecutive full six-year terms on the board;

(5) The director of the department of health shall be a member of the board;

(6) The director of the office of minority health shall be a non-voting member of the board.

3. The life sciences research board shall solicit, collect and prioritize proposed research initiatives for consideration for funding by the board.

4. The life sciences research board shall take applications for grants-in-aid in order to increase the capacity and infrastructure for quality life sciences research in the state of Missouri and to improve the quantity

and quality of life sciences research. Such research shall include: basic research, including the discovery of new knowledge; translational research, including translating knowledge into a usable form; and developmental research and clinical research, including but not limited to health research in human safety development and aging, cancer, endocrine, cardiovascular, neurological including nerve regeneration, pulmonary, diagnostic disease and infectious disease, and nutrition and food safety.

5. The applications shall be designed by the department of health in consultation with the board and shall contain information necessary to determine the potential benefits of grants-in-aid to be awarded, as well as other information deemed necessary for the administration of this program. The grant application shall describe in detail the proposed research project and how the research project shall be conducted in compliance with the requirements of 192.1010 to 192.1030. The department of health shall not approve a grant award unless the department makes specific written findings that such research project shall be conducted in compliance with sections 192.1010 to 192.1030. The grant application and the grant award shall be a public record within the meaning of chapter 610, RSMo. The department of health shall promulgate rules in accordance with chapter 536, RSMo, to implement the provisions of this subsection.

6. The department of health shall provide facilities, equipment, administrative and technical support services and administrative staff.

7. In determining projects to authorize, the life sciences research board shall consider the potential of any proposal to bring both health and economic benefit to the people of Missouri.

8. The life sciences research board shall have the authority to:

- (1) Award research grants;
- (2) Enter into contracts relating to research;
- (3) Adopt research standards;
- (4) Promulgate rules governing the administration of research programs, research grants, research contracts and licensing contracts, and the reimbursement of costs, utilization of intellectual property rights, conflict of interest guidelines, consistent with sections 192.1010 to 192.1035;
- (5) Make provision for peer review panels to recommend and review research projects;
- (6) Contract for administrative and technical support services;
- (7) Lease or acquire facilities and equipment;
- (8) Employ administrative staff; and
- (9) Receive, disburse and administer any funds appropriated to it.

9. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in sections 192.1010 to 192.1035 shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. The rulemaking authority granted in such sections and the provisions of chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void.

192.1015. The life sciences research board shall make provision for and secure from the state auditor or outside certified public accounting firm an annual audit of its financial affairs and the funds expended from the life sciences research account. The audit shall be performed on a fiscal year basis. Any audit shall be paid for by moneys expended from the life sciences research fund, whether performed by the state auditor or outside certified public accounting firm. The board will make copies of each audit publicly available. Every three years the board with assistance of its staff or independent contractors as determined by the board shall prepare a comprehensive report assessing the work and progress of the life sciences research program. Such assessment report shall analyze the impact of the board's programs and research performed, shall be provided to the governor and members of the general assembly and shall be publicly available.

192.1020. Grant awards made by the life sciences research board shall provide for the reimbursement of costs. Whether reimbursement of particular costs will be allowed depends on the application of a four-part test balancing, which shall include:

- (1) The reasonableness of the cost;
- (2) The connection to the grant;
- (3) The consistency demonstrated in assigning costs to the grant; and
- (4) Conformance with the particular terms and conditions of the award.

192.1025. Grant recipients have an obligation to preserve research freedom, to ensure timely disclosure of their research findings to the scientific community, including through publications and presentations at

scientific meetings, and to promote utilization, commercialization and public availability of their inventions and other intellectual property developed in the performance of research funded by a grant award. Institutions or organizations receiving grant awards shall retain all right, title and interest, including all intellectual property rights, in and to any and all inventions, ideas, data, improvement, modifications, discoveries, know-how, creations, copyrightable material, trade secrets, methods, processes, discoveries and derivatives, whether patentable or not, which are made in the performance of work under a grant award. The life sciences research board may, however, adopt reasonable regulations to insure that any such intellectual property rights are utilized reasonably and in a manner which is in the public interest.

192.1030. 1. Notwithstanding the provisions of sections 192.1010 to 192.1025, no grant awards shall be paid, granted, or used, to subsidize in whole or in part:

- (1) Abortion services; or
- (2) Destructive human research; or
- (3) Development of drugs or chemicals intended to be used to induce an abortion; or
- (4) Human cloning.

2. For the purposes of this section:

(1) “Abortion services” shall mean performing or inducing, assisting in performing or inducing, or referring a woman for, an abortion, except when necessary to save the life of the mother;

(2) “Child” if in utero, shall mean the same as an unborn child, as defined in section 188.015, RSMo; and if ex utero, shall mean a human being at any of the stages of biological development of an unborn child from conception onward;

(3) “Destructive human research” shall mean research in which there is the taking or utilization of the organs, tissue or cellular material of a:

(a) Deceased child, unless consent was given the manner provided pursuant to sections 194.210 to 194.290, RSMo, relating to anatomical gifts, and neither parent caused the death of such child or consented to someone causing the death of such child; or

(b) Living child, when the intended or likely result of such taking or utilization is to kill or cause serious harm to the health, safety or welfare of such child, or when the purpose is to target such child for possible destruction in the future;

(4) “Facilities and administrative costs” shall mean those costs that are incurred for common or joint objectives and therefore cannot be identified readily and specifically with a particular research project or any other institutional activity;

(5) “Grant awards” shall mean awards of state funds pursuant to sections 192.1010 to 192.1030;

(6) “Human cloning” shall mean the replication of a human being genetically identical to another human being;

(7) “Research project” shall mean research specified in the grant award conducted under the auspices of the institution or institutions that applied for and received such grant award pursuant to sections 192.1010 to 192.1030, regardless of whether the research is funded in whole or part by such grant award. Such research shall include: basic research, including the discovery of new knowledge; translational research, including translating knowledge into a usable form; and developmental research and clinical research, including but not limited to research in human development and aging, cancer, endocrine, cardiovascular, neurological, pulmonary and infectious disease, and nutrition and food safety. Such research may also include research and development on product safety and preventative care technologies.

3. No grant awards shall be paid or granted pursuant to sections 192.1010 to 192.1030 to or on behalf of an existing or proposed research project that involves, as part of the project, abortion services, destructive human research, the development of drugs or chemicals intended to be used to induce an abortion or human cloning. A research project that receives a grant award shall not share costs with another research project, person or entity not qualified to receive a grant award pursuant to sections 192.1010 to 192.1030; provided, however, the research project that receives a grant award may pay facilities and administrative costs directly allocable to such research project. A research project that receives a grant award shall maintain financial records that demonstrate strict compliance with this section. The audit conducted pursuant to section 192.1015 shall also certify compliance with this section.

4. Any taxpayer of this state or its political subdivisions shall have standing to bring suit against the department of health, its officers or employees, in a circuit court of proper venue to enforce the provisions of this section.

5. Sections 192.1010 to 192.1030 shall not be construed to permit or make lawful any conduct that is

otherwise unlawful under the laws of this state.

6. All of the provisions of sections 192.1010 to 192.1025 are severable; provided, however, the provisions of section 192.1030 are not severable from the provisions of sections 192.1010 to 192.1025. If any provision of sections 192.1010 to 192.1025 is found to be invalid, unenforceable or unconstitutional, the remaining provisions of sections 192.1010 to 192.1025 shall be and remain valid. However, if any provision of section 192.1030 shall be found to be invalid, unenforceable or unconstitutional, all the provisions of sections 192.1010 to 192.1025 shall be invalid and unenforceable.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 7

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 762, Page 15, Section 208.151, Line 6, by inserting after all of said line the following:

“354.400. As used in sections 354.400 to 354.535, the following terms shall mean:

(1) “Basic health care services”, health care services which an enrolled population might reasonably require in order to be maintained in good health, including, as a minimum, emergency care, inpatient hospital and physician care **and chiropractic care, as defined in chapter 331, RSMo**, and outpatient medical **and chiropractic** services;

(2) “Community-based health maintenance organization”, a health maintenance organization which:

(a) Is wholly owned and operated by hospitals, hospital systems, physicians, or other health care providers or a combination thereof who provide health care treatment services in the service area described in the application for a certificate of authority from the department of insurance;

(b) Is operated to provide a means for such health care providers to market their services directly to consumers in the service area of the health maintenance organization;

(c) Is governed by a board of directors that exercises fiduciary responsibility over the operations of the health maintenance organization and of which a majority of the directors consist of equal numbers of the following:

a. Physicians licensed pursuant to chapter 334, RSMo;

b. Purchasers of health care services who live in the health maintenance organization's service area;

c. Enrollees of the health maintenance organization elected by the enrollees of such organization; and

d. Hospital executives, if a hospital is involved in the corporate ownership of the health maintenance organization;

(d) Provides for utilization review, as defined in section 374.500, RSMo, under the auspices of a physician medical director who practices medicine in the service area of the health maintenance organization, using review standards developed in consultation with physicians who treat the health maintenance organization's enrollees;

(e) Is actively involved in attempting to improve performance on indicators of health status in the community or communities in which the health maintenance organization is operating, including the health status of those not enrolled in the health maintenance organization;

(f) Is accountable to the public for the cost, quality and access of health care treatment services and for the effect such services have on the health of the community or communities in which the health maintenance organization is operating on a whole;

(g) Establishes an advisory group or groups comprised of enrollees and representatives of community interests in the service area to make recommendations to the health maintenance organization regarding the policies and procedures of the health maintenance organization;

(h) Enrolls fewer than fifty thousand covered lives;

(3) “Covered benefit” or “benefit”, a health care service to which an enrollee is entitled under the terms of a health benefit plan;

(4) “Director”, the director of the department of insurance;

(5) “Emergency medical condition”, the sudden and, at the time, unexpected onset of a health condition that manifests itself by symptoms of sufficient severity that would lead a prudent lay person, possessing an average knowledge of health and medicine, to believe that immediate medical care is required, which may include, but shall not be limited to:

(a) Placing the person's health in significant jeopardy;

(b) Serious impairment to a bodily function;

(c) Serious dysfunction of any bodily organ or part;

- (d) Inadequately controlled pain; or
- (e) With respect to a pregnant woman who is having contractions:
 - a. That there is inadequate time to effect a safe transfer to another hospital before delivery; or
 - b. That transfer to another hospital may pose a threat to the health or safety of the woman or unborn child;
- (6) “Emergency services”, health care items and services furnished or required to screen and stabilize an emergency medical condition, which may include, but shall not be limited to, health care services that are provided in a licensed hospital's emergency facility by an appropriate provider;
- (7) “Enrollee”, a policyholder, subscriber, covered person or other individual participating in a health benefit plan;
- (8) “Evidence of coverage”, any certificate, agreement, or contract issued to an enrollee setting out the coverage to which the enrollee is entitled;
- (9) “Health care services”, any services included in the furnishing to any individual of medical, **chiropractic** or dental care or hospitalization, or incident to the furnishing of such care or hospitalization, as well as the furnishing to any person of any and all other services for the purpose of preventing, alleviating, curing, or healing human illness, injury, or physical disability;
- (10) “Health maintenance organization”, any person which undertakes to provide or arrange for basic and supplemental health care services to enrollees on a prepaid basis, or which meets the requirements of section 1301 of the United States Public Health Service Act;
- (11) “Health maintenance organization plan”, any arrangement whereby any person undertakes to provide, arrange for, pay for, or reimburse any part of the cost of any health care services and at least part of such arrangement consists of providing and assuring the availability of basic health care services to enrollees, as distinguished from mere indemnification against the cost of such services, on a prepaid basis through insurance or otherwise, and as distinguished from the mere provision of service benefits under health service corporation programs;
- (12) “Individual practice association”, a partnership, corporation, association, or other legal entity which delivers or arranges for the delivery of health care services and which has entered into a services arrangement with persons who are licensed to practice medicine, osteopathy, dentistry, chiropractic, pharmacy, podiatry, optometry, or any other health profession and a majority of whom are licensed to practice medicine or osteopathy. Such an arrangement shall provide:
 - (a) That such persons shall provide their professional services in accordance with a compensation arrangement established by the entity; and
 - (b) To the extent feasible for the sharing by such persons of medical and other records, equipment, and professional, technical, and administrative staff;
- (13) “Medical group/staff model”, a partnership, association, or other group:
 - (a) Which is composed of health professionals licensed to practice medicine or osteopathy and of such other licensed health professionals (including dentists, chiropractors, pharmacists, optometrists, and podiatrists) as are necessary for the provisions of health services for which the group is responsible;
 - (b) A majority of the members of which are licensed to practice medicine or osteopathy; and
 - (c) The members of which (i) as their principal professional activity over fifty percent individually and as a group responsibility engaged in the coordinated practice of their profession for a health maintenance organization; (ii) pool their income from practice as members of the group and distribute it among themselves according to a prearranged salary or drawing account or other plan, or are salaried employees of the health maintenance organization; (iii) share medical and other records and substantial portions of major equipment and of professional, technical, and administrative staff; (iv) establish an arrangement whereby an enrollee's enrollment status is not known to the member of the group who provides health services to the enrollee;
- (14) “Person”, any partnership, association, or corporation;
- (15) “Provider”, any physician, hospital, or other person which is licensed or otherwise authorized in this state to furnish health care services;
- (16) “Uncovered expenditures”, the costs of health care services that are covered by a health maintenance organization, but that are not guaranteed, insured, or assumed by a person or organization other than the health maintenance organization, or those costs which a provider has not agreed to forgive enrollees if the provider is not paid by the health maintenance organization.

354.640. 1. All managed care organizations subject to the provisions of sections 354.400 to 354.636 shall provide chiropractic benefits to covered enrollees. A covered enrollee may utilize the services of a chiropractic physician as defined in chapter 331, RSMo, without discrimination relative to access, fees, deductibles, co-payments, benefit limits and practice parameters subject to the terms and conditions of the policy. The covered enrollee shall retain the right to choose chiropractic care on an elective, self-pay, fee-for-service basis. No entity

regulated pursuant to this chapter shall prohibit a doctor of chiropractic from continuing care on such basis.

2. Nothing in this section shall be construed to limit the health plan's ability to credential providers or be deemed as an any willing provider provision.”; and

Further amend said title, enacting clause and intersectional references accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SS SB 244, as amended**: Senators Staples, Mathewson, Childers, Cauthorn and Klindt.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SB 365, as amended**, and requests that the House recede from its position and failing to do so, grant the Senate a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

SCS HB 80: Representatives Gratz, Smith, Kelly (36) Ross and Reinhart

SCS HB 471: Representatives Jolly, Johnson (90), Clayton, Lograsso and Scott

THIRD READING OF SENATE BILLS

SB 470, with House Committee Amendment No. 1, relating to second state capitol commission, was taken up by Representative O'Toole.

On motion of Representative O'Toole, **House Committee Amendment No. 1** was adopted.

Representative Farnen offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Bill No. 470, Page 3, Section 8.007, Line 6 of said page, by inserting after all of said line the following:

“(3) Evaluate and recommend courses of action to ensure accessibility to the capitol for physically disabled persons;”; and

Further amend said bill, Page 3, Section 8.007, Line 7 of said page, by striking the numeral “(3)” and inserting in lieu thereof the numeral “(4)”;

Further amend said bill, Page 3, Section 8.007, Line 13 of said page, by striking the numeral “(4)” and inserting in lieu thereof the numeral “(5)”;

Further amend said bill, Page 3, Section 8.007, Line 16 of said page, by striking the numeral “(5)” and inserting in lieu thereof the numeral “(6)”;

Further amend said bill, Page 3, Section 8.007, Line 18 of said page, by striking the numeral “(6)” and inserting in lieu thereof the numeral “(7)”; and

Further amend said bill, Page 3, Section 8.007, Line 21 of said page, by inserting after all of said line the word “**and**”; and

Further amend said bill, Page 3, Section 8.007, Line 22 of said page, by striking the numeral “(7)” and inserting in lieu thereof the numeral “(8)”; and

Further amend said bill, Page 3, Section 8.007, Line 38 of said page, by striking the first occurrence of the word “**and**” and inserting in lieu thereof a comma “,”; and

Further amend said bill, Page 3, Section 8.007, Line 38 of said page, by inserting after the word “**restoration**” the following: “**and improved accessibility**”.

On motion of Representative Farnen, **House Amendment No. 1** was adopted.

Representative O'Toole offered **House Amendment No. 2**.

House Amendment No. 2

AMEND Senate Bill No. 470, Page 3, Section 8.007, Line 37, by inserting after the word “**stipulations,**” the word “**and**”.

On motion of Representative O'Toole, **House Amendment No. 2** was adopted.

On motion of Representative O'Toole, **SB 470, as amended**, was read the third time and passed by the following vote:

AYES: 135

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Britt	Brooks	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Copenhaver	Crawford	Crowell	Curls
Davis	Dolan	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Koller	Lawson	Legan	Levin	Liese
Long	Lowe	Luetkemeyer	Luetkenhaus	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Monaco	Moore	Murphy	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields

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Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 017

Bartelsmeyer	Bearden	Burcham	Cooper	Cunningham
Dempsey	Enz	Hendrickson	Hohulin	Hunter
King	Linton	Marble	Miller	Nordwald
Purgason	Townley			

PRESENT: 000

ABSENT WITH LEAVE: 008

Baker	Bray 84	Crump	Hosmer	Kennedy
Lograsso	Richardson	Wiggins		

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HCS SCS SB 591, relating to sewer districts, was taken up by Representative Hoppe.

Representative Hoppe offered **HS HCS SCS SB 591**.

Representative Ridgeway offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 591, Page 8, Section 262.802, Line 17, by adding after the word “made” the following:

“However, if a political subdivision requires the property to be connected to the sewer system of the political subdivision pursuant to Section 644.027, RSMo, such connection shall not trigger the payment of the assessment.”.

On motion of Representative Ridgeway, **House Amendment No. 1** was adopted.

Representative Merideth offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 591, by inserting in the appropriate place the following:

"277.212. 1. The attorney general shall enforce the provisions of sections 277.200 to 277.215. The department of agriculture shall refer violations of the provisions of sections 277.200 to 277.215 to the attorney general. The attorney general or any person injured by a violation of the provisions of sections 277.200 to 277.215 may bring an action pursuant to the provisions of chapter 407, RSMo, for any remedy allowed for unlawful merchandising practices.

2. A seller who receives a discriminatory price or who is offered only a discriminatory price in violation of the provisions of sections 277.200 to 277.215 may receive [treble] damages, costs and a reasonable attorney's fee.

277.215. 1. Each packer shall make available for publication and to the department of agriculture a daily report

setting forth information regarding prices paid for livestock under each contract in force in Missouri in which the packer and a Missouri resident are parties for the purchase of livestock by the packer and which sets a date for delivery more than fourteen days after the making of the contract.

2. The report shall be completed on forms prepared by the department for comparison with cash market prices for livestock and livestock carcasses according to procedures required by the department. The report shall not include information regarding the identity of a seller.

3. Any packer who fails to report as required by this section is guilty of a class A misdemeanor.

4. The department shall adopt rules to implement the provisions of sections 277.200 to 277.215.

5. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

6. In the event a federal law regarding livestock price reporting becomes effective, the department of agriculture shall immediately adopt such rules as are necessary to permit Missouri producers and packers to remain economically competitive with producers and packers in other states.

[7. Sections 277.200 to 277.215 shall expire December 31, 2002.]; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Merideth, **House Amendment No. 2** was adopted.

On motion of Representative O'Toole, **HS HCS SCS SB 591, as amended**, was adopted.

On motion of Representative O'Toole, **HS HCS SCS SB 591, as amended**, was read the third time and passed by the following vote:

AYES: 137

Abel	Ballard	Barnitz	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Bonner	Boucher	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Enz
Fares	Farnen	Foley	Ford	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Holt	Hoppe	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Lawson	Legan
Levin	Liese	Linton	Long	Lowe
Luetkemeyer	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Troupe	Villa	Vogel	Wagner
Walton	Ward	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

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NOES: 002

Boatright Purgason

PRESENT: 000

ABSENT WITH LEAVE: 021

Baker	Barnett	Barry 100	Bowman	Boykins
Dolan	Franklin	Green 73	Hohulin	Hollingsworth
Hosmer	Kennedy	Koller	Lograsso	Luetkenhaus
Moore	Shields	Treadway	Van Zandt	Wiggins
Williams				

VACANCIES: 003

HOUSE BILL WITH SENATE AMENDMENTS

SS SCS HS HB 381, as amended, relating to the sale of tobacco products, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **SS SCS HS HB 381, as amended**, was adopted by the following vote:

AYES: 129

Ballard	Barnitz	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Bland	Boatright	Bonner
Bray 84	Britt	Burcham	Burton	Campbell
Carnahan	Champion	Clayton	Cooper	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambara	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Holt	Hoppe
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Lawson	Legan	Levin	Liese	Linton
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Walton	Ward	Williams
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 005

Abel	Brooks	Haywood	Purgason	Reynolds
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PRESENT: 000

ABSENT WITH LEAVE: 026

Baker	Barnett	Barry 100	Bartelsmeyer	Black
Boucher	Bowman	Boykins	Byrd	Cierpiot
Coleman	Copenhaver	Dolan	Enz	Hohulin
Hollingsworth	Hosmer	Kennedy	Koller	Lograsso
Long	Ridgeway	Shoemyer	Van Zandt	Wiggins
Willoughby				

VACANCIES: 003

On motion of Representative Hoppe, **SS SCS HS HB 381, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 131

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Berkowitz	Berkstresser	Black	Boatright
Bonner	Boucher	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Champion
Cierpiot	Clayton	Cooper	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Holand	Holt	Hoppe	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Lawson
Legan	Levin	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Ransdall	Rector	Reid
Reinhart	Relford	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Surface	Thompson	Townley
Treadway	Troupe	Villa	Vogel	Wagner
Walton	Ward	Williams	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 004

Abel	Murphy	Purgason	Reynolds
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PRESENT: 000

ABSENT WITH LEAVE: 025

Baker	Barry 100	Behnen	Bland	Bowman
Boykins	Carnahan	Coleman	Copenhaver	Dolan
Gaskill	Green 73	Hohulin	Hollingsworth	Hosmer

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Kennedy	Koller	Lograsso	Richardson	Shoemyer
St. Onge	Van Zandt	Wiggins	Willoughby	Wright

VACANCIES: 003

Speaker Pro Tem Abel declared the Bill Passed

Representative Britt assumed the Chair.

BILL IN CONFERENCE

CCR HCS SB 319, as amended, relating to assessment of students, was taken up by Representative Johnson (61).

On motion of Representative Johnson (61), **CCR HCS SB 319, as amended**, was adopted by the following vote:

AYES: 123

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Bonner	Boucher
Bowman	Boykins	Britt	Brooks	Burcham
Burton	Campbell	Carnahan	Champion	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Curls	Davis	Dempsey	Dolan	Fares
Farnen	Franklin	Fraser	Gambaro	Gaskill
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Harding	Harlan	Hartzler	Haywood
Hegeman	Hendrickson	Hilgemann	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Liese
Lograsso	Lowe	Luetkemeyer	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Portwood	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Rizzo	Roark	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shields
Shoemyer	Skaggs	Smith	Surface	Thompson
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 023

Ballard	Boatright	Byrd	Cierpiot	Cunningham
Enz	Froelker	Griesheimer	Hanaway	Henderson
Holand	Levin	Linton	Marble	Murphy
Nordwald	Phillips	Purgason	Ridgeway	Robirds
Secrest	St. Onge	Townley		

PRESENT: 000

ABSENT WITH LEAVE: 014

Bray 84	Coleman	Foley	Ford	George
Hickey	Hohulin	Hollingsworth	Kelly 144	Long
Luetkenhaus	Shelton	Wiggins	Wright	

VACANCIES: 003

On motion of Representative Johnson (61), **CCS HCS SB 319** was truly agreed to and finally passed by the following vote:

AYES: 123

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Berkowitz	Berkstresser	Black
Boatright	Bonner	Boucher	Bowman	Boykins
Britt	Brooks	Burcham	Burton	Campbell
Carnahan	Champion	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Curls	Davis
Dempsey	Dolan	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Hagan-Harrell	Hampton	Harding	Harlan	Hartzler
Haywood	Hegeman	Hendrickson	Hilgemann	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Liese	Lograsso	Long	Lowe	Luetkemeyer
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Murphy	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Portwood	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Rizzo	Roark	Ross
Schwab	Scott	Seigfreid	Selby	Shields
Shoemyer	Skaggs	Smith	Surface	Thompson
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 019

Ballard	Byrd	Cierpiot	Cunningham	Enz
Griesheimer	Hanaway	Henderson	Holand	Levin
Linton	Marble	Nordwald	Phillips	Ridgeway
Robirds	Secrest	St. Onge	Townley	

PRESENT: 000

ABSENT WITH LEAVE: 018

Baker	Behnen	Bland	Bray 84	Coleman
Ford	Hickey	Hohulin	Hollingsworth	Kelley 47
Luetkenhaus	Moore	Purgason	Richardson	Scheve
Shelton	Wiggins	Wright		

VACANCIES: 003

Representative Britt declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 123

Abel	Barnett	Barry 100	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Britt	Brooks	Burcham	Burton
Campbell	Carnahan	Champion	Clayton	Copenhaver
Crawford	Crowell	Crump	Curls	Davis
Dempsey	Dolan	Fares	Farnen	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Harding	Harlan	Hartzler	Haywood
Hegeman	Hendrickson	Hilgemann	Holt	Hoppe
Hosmer	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Liese	Lograsso
Long	Lowe	Luetkemeyer	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Portwood
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Rizzo	Roark	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shields
Shoemyer	Skaggs	Smith	Surface	Thompson
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 022

Ballard	Barnitz	Byrd	Cierpiot	Cooper
Cunningham	Enz	Griesheimer	Hanaway	Henderson
Holand	Hunter	Levin	Linton	Marble
Nordwald	Phillips	Ridgeway	Robirds	Secrest
St. Onge	Townley			

PRESENT: 000

ABSENT WITH LEAVE: 015

Baker	Bray 84	Coleman	Foley	Ford
Hickey	Hohulin	Hollingsworth	Kelly 27	Luetkenhaus
Purgason	Richardson	Shelton	Wiggins	Wright

VACANCIES: 003

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SCS HB 80, as amended**: Senators Kenney, Klarich, DePasco, Mathewson and Loudon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SCS HB 471, as amended**: Senators Wiggins, Kenney, Westfall, Schneider and Yeckel.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate grants the House of Representatives further conference on **SS SCS HB 453, as amended**.

The President Pro Tem has reappointed the following Conference Committee to act with a like Committee from the House: Senators Steelman, Klarich, Gross, Mathewson and Quick.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HS HCS SB 288, as amended**, and has taken up and passed **HS HCS SB 288, as amended**.

Emergency clause adopted.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like Committee from the Senate on the following bill:

SS SCS HB 453: Representatives Smith, Ransdall, Merideth, Jetton and Hohulin

On motion of Representative Green (73), the House recessed until 2:07p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Kreider.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2208 - Representative Kreider
House Resolution No. 2209 - Representative Fares
House Resolution No. 2210
and
House Resolution No. 2211 - Representative Holt
House Resolution No. 2212 - Representative May (149)
House Resolution No. 2213 - Representative Abel
House Resolution No. 2214 - Representative Kreider
House Resolution No. 2215 - Representative Hanaway

COMMITTEE REPORT

Committee on Fiscal Review and Government Reform, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **SCS SB 578 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

BILLS CARRYING REQUEST MESSAGES

HS HCS SB 365, as amended, relating to tourism, was taken up by Representative Overschmidt.

Representative Overschmidt moved that the House refuse to recede from its position on **HS HCS SB 365, as amended**, and grant the Senate a conference.

Which motion was adopted.

SS SCS HS HCS HB 762, as amended, relating to women's health services, was taken up by Representative Barry.

Representative Barry moved that the House refuse to adopt **SS SCS HS HCS HB 762, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 621

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate, on House Bill No. 621, with Senate Committee Amendment No. 1 and Senate Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on House Bill No. 621, as amended;
2. That the House recede from its position on House Bill No. 621;
3. That the attached Conference Committee Substitute for House Bill No. 621 be adopted.

FOR THE HOUSE:

/s/ Rep. William Gratz
 /s/ Rep. Mark Hampton
 /s/ Rep. Carl Vogel
 /s/ Rep. Randall Relford
 /s/ Rep. Rex Rector

FOR THE SENATE:

/s/ Sen. Larry Rohrbach
 /s/ Sen. Sarah Steelman
 /s/ Sen. John Russell
 /s/ Sen. Wayne Goode
 /s/ Sen. Ronnie DePasco

BILL IN CONFERENCE

CCR HB 621, as amended, relating to penitentiary redevelopment commission, was taken up by Representative Gratz.

On motion of Representative Gratz, **CCR HB 621, as amended**, was adopted by the following vote:

AYES: 143

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Bray 84	Britt	Burcham
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hilgemann	Hohulin	Holand	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelly 144	Kelly 27	Kelly 36
King	Koller	Levin	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Moore	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Van Zandt	Villa	Vogel
Wagner	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 001

Brooks

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ABSENT WITH LEAVE: 016

Baker	Boykins	Byrd	Green 73	Harlan
Hickey	Hollingsworth	Kelley 47	Kennedy	Lawson
Legan	Monaco	Murphy	Troupe	Walton
Wiggins				

VACANCIES: 003

On motion of Representative Gratz, **CCS HB 621** was read the third time and passed by the following vote:

AYES: 144

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hilgemann	Hohulin
Holand	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Levin
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Moore	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	St. Onge	Surface
Thompson	Townley	Treadway	Van Zandt	Villa
Vogel	Wagner	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 015

Fraser	Green 73	Harlan	Hickey	Hollingsworth
Hunter	Kelley 47	Kennedy	Legan	Monaco
Murphy	Smith	Troupe	Walton	Wiggins

VACANCIES: 003

Speaker Kreider declared the bill passed.

THIRD READING OF SENATE BILL

HCS SB 275, with House Substitute Amendment No. 2 for House Amendment No. 4, House Amendment No. 4 and HS, as amended, pending, relating to the hearing impaired, was taken up by Representative Levin.

House Substitute Amendment No. 2 for House Amendment No. 4 was withdrawn.

House Amendment No. 4 was withdrawn.

HS HCS SB 275 was withdrawn.

Representative Levin offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 275, Page 2, Section 302.174, Line 8, by deleting the word "a" before the word "**deaf**" and deleting the word "**is**" after the word "**or**"; and

Further amend said bill, Page 2, Section 302.174, Line 9, by deleting the word "**who**" and inserting in lieu thereof the word "**and**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Levin, **House Amendment No. 1** was adopted.

Representative Levin offered **House Amendment No. 2**.

House Amendment No. 2 was withdrawn.

Representative Levin moved that **HCS SB 275, as amended**, be adopted.

Which motion was defeated.

On motion of Representative Levin, **SB 275** was truly agreed to and finally passed by the following vote:

AYES: 145

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser

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Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Levin	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Phillips	Portwood	Ransdall	Rector	Reid
Reinhart	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Van Zandt
Villa	Vogel	Wagner	Walton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 003

Clayton	Relford	Ward
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PRESENT: 001

Purgason

ABSENT WITH LEAVE: 011

Baker	Boucher	Harlan	Hollingsworth	Kelley 47
Kennedy	Lograsso	Moore	Overschmidt	Troupe
Wiggins				

VACANCIES: 003

Speaker Kreider declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HB 157** and grants the House a conference thereon; and further that the conferees be allowed to exceed the differences in the licensing provisions.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SCS SB 617, as amended**, and requests the House to recede from its position and failing to do so, grant the Senate a conference thereon; and further that the conferees be allowed to exceed the differences in the research provision of the bill.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 501**, entitled:

An act to repeal sections 204.300, 204.370, 250.236 and 640.755, RSMo 2000, relating to water and sewage systems, and to enact in lieu thereof sixteen new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCA 1** to **SB 387** and has taken up and passed **SB 387, as amended**.

Emergency clause adopted.

BILL CARRYING REQUEST MESSAGE

HS HCS SCS SB 617, as amended, relating to enterprise zones, was taken up by Representative Rizzo.

Representative Rizzo moved that the House refuse to recede from its position on **HS HCS SCS SB 617, as amended**, and grant the Senate a conference and the House conferees be allowed to exceed the differences on the Research and Development Tax Credit.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like Committee from the Senate on the following bill:

HS HCS SCS SB 617: Representatives Rizzo, Scheve, Bonner, Byrd and Townley

THIRD READING OF SENATE BILLS

SS SCS SB 351, with House Committee Amendment No. 1, relating to peace officer training, was taken up by Representative Britt.

Representative Britt offered **HS SS SCS SB 351**.

Representative Thompson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 351, by inserting in the appropriate location the following:

“590.118. 1. All law enforcement agency personnel records of a peace officer may be made available to any hiring law enforcement agency. The availability of any records shall be subsequent to and conditioned upon a hearing on the issues as defined in sections 590.080, 590.090 and 590.100.

2. Following a decision recommending punitive action from a hearing on the issues as defined in section 590.080, 590.090 and 590.100, the law enforcement agency shall provide such information to the peace officer standards and training commission.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Thompson, **House Amendment No. 1** was adopted.

Representative Gratz offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 351, Page 50, Section 590.195, Line 22, by inserting immediately after said line the following:

“590.519. 1. The department of corrections shall notify the department of public safety within ten days after any correctional officer or any person serving in the position of correctional officer within this state passes a course of training developed by competent instructors approved by the department of public safety and the department of corrections of at least two hundred ninety-six hours. The department of public safety shall issue a correctional officer certification for each officer who passes such a course. Such certification shall only be valid while employed by the department of corrections.

2. The department of corrections shall notify the department of public safety when any certified correctional officer is dismissed from employment. Upon receipt of such notification, the department of public safety shall immediately revoke the certification of the dismissed correctional officer.

3. The correctional officer shall not be deemed to have property interest in any certificate issued pursuant to this section.

4. Persons employed as correctional officers with the department of corrections on August 28, 2001, which have participated in a correctional officer training program prior to August 28, 2001, shall be eligible for certification.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Speaker Pro Tem Abel resumed the Chair.

On motion of Representative Gratz, **House Amendment No. 2** was adopted by the following vote:

AYES: 088

Ballard	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkstresser	Black
Boatright	Bonner	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Dempsey	Dolan	Enz	Froelker
Gaskill	Graham	Gratz	Griesheimer	Hampton
Hanaway	Harlan	Hartzler	Hegeman	Henderson
Hendrickson	Hohulin	Holand	Hoppe	Jetton
Kelly 144	Kelly 36	King	Koller	Legan
Levin	Linton	Long	Luetkemeyer	May 149
Mayer	Miller	Moore	Myers	Naeger
Nordwald	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reinhart	Richardson
Ridgeway	Roark	Robirds	Ross	Schwab

Scott	Secrest	Seigfreid	Shelton	Shields
St. Onge	Surface	Townley	Vogel	Wagner
Ward	Wright	Mr. Speaker		

NOES: 065

Abel	Berkowitz	Bland	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Clayton
Curls	Davis	Fares	Farnen	Foley
Ford	Franklin	Fraser	Gambaro	George
Green 15	Hagan-Harrell	Harding	Haywood	Hickey
Hilgemann	Hollingsworth	Holt	Hosmer	Johnson 61
Johnson 90	Jolly	Kelly 27	Lawson	Liese
Lowe	Luetkenhaus	Marsh	Mays 50	McKenna
Merideth	Monaco	Murphy	O'Connor	O'Toole
Reid	Relford	Reynolds	Rizzo	Scheve
Selby	Shoemyer	Skaggs	Smith	Thompson
Treadway	Troupe	Van Zandt	Villa	Walton
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42

PRESENT: 000

ABSENT WITH LEAVE: 007

Baker	Green 73	Hunter	Kelley 47	Kennedy
Lograsso	Marble			

VACANCIES: 003

Representative Kelly (27) offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 351, Page 6, Section 57.020, Line 23 of said page, by adding after all of said line the following:

"217.305. 1. The sheriff or other officer charged with the delivery of persons committed to the department for confinement in a correctional center shall deliver the person to the reception and diagnostic center designated by the director at times and dates as designated by the director and shall receive a certificate of delivery of the offender from the center.

2. Appropriate information relating to the offender shall be provided to the department in a written or electronic format, at or before the time the offender is delivered to the department, including, but not limited to:

(1) A copy of the sentence received from the clerk of the sentencing court. If provided in written form, this document shall be certified by the court;

(2) All other judgment, sentencing and commitment orders of the court, or such documents as authorized by the prosecuting attorney or circuit attorney or required by the department;

(3) Further information regarding the offender's age, crime for which sentenced and circumstances surrounding the crime and sentence, personal history, which may include facts related to his home environment, work habits and previous convictions and commitments. Such information shall be prepared by the prosecuting attorney of the county or circuit attorney of any city not within a county who was charged with the offender's prosecution;

(4) Information regarding all significant aspects of the offender's physical and mental condition, including any currently prescribed medication and any attempts to commit suicide. Such information shall be prepared by the sheriff or other officer charged with delivering the offender to the department and shall include copies of all medical and mental health documents in the possession of jail personnel relating to the offender."; and

Further amend said bill, title, enacting clause and intersectional references accordingly.

On motion of Representative Kelly (27), **House Amendment No. 3** was adopted.

Representative Wilson (42) offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 351, Page 20, Section 590.040, Line 15, by inserting after all of said line the following:

“4. The basic training of every peace officer, except agents of the conservation commission, concerning the investigation and management of cases shall include training regarding interacting with individuals with mental illness.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Purgason offered **House Substitute Amendment No. 1 for House Amendment No. 4**.

House Substitute Amendment No. 1 for House Amendment No. 4 was withdrawn.

Representative Griesheimer offered **House Substitute Amendment No. 1 for House Amendment No. 4**.

*House Substitute Amendment No. 1
for
House Amendment No. 4*

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 351, Page 20, Section 590.040, Line 15, by inserting after all of said line the following:

“4. The basic training of every peace officer, concerning the investigation and management of cases shall include training regarding interacting with individuals with mental illness.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Graham assumed the Chair.

On motion of Representative Griesheimer, **House Substitute Amendment No. 1 for House Amendment No. 4** was adopted.

On motion of Representative Britt, **HS SS SCS SB 351, as amended**, was adopted.

On motion of Representative Britt, **HS SS SCS SB 351, as amended**, was read the third time and passed by the following vote:

AYES: 141

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner

Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Fraser
Froelker	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Kelly 144	Kelly 27
Kelly 36	King	Koller	Legan	Linton
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Myers	Naeger
Nordwald	O'Connor	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Baker	Crowell	Franklin	Gambara	Harlan
Haywood	Hunter	Kelley 47	Kennedy	Lawson
Levin	Liese	Lograsso	Long	Murphy
O'Toole	Richardson	Treadway	Troupe	

VACANCIES: 003

Representative Graham declared the bill passed.

HCS SCS SB 10, relating to judicial procedures, was taken up by Representative Monaco.

Representative Monaco offered **HS HCS SCS SB 10**.

Representative Kelly (27) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 10, Page 1, Line 3, by deleting the words “division of benefits in”; and

Further amend said bill, by inserting in the appropriate location in the bill the following:

“Section 1. When petitioning for any judgment, order or decree involving a proposed relocation, as that term is defined in section 452.377, the party seeking to relocate shall have the burden of proving that the proposed relocation is made in good faith and is in the best interest of the child. If that burden is met, the burden shifts to the non-relocating party to show that the proposed relocation is not in the best interest of the child.”; and

Further amend said bill, by amending the title and enacting clause accordingly.

Representative Monaco raised a point of order that **House Amendment No. 1** is not germane and goes beyond the scope of the bill.

Representative Graham requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

House Amendment No. 1 was withdrawn.

Representative Hosmer offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 10, Section 516.350, by inserting before said section the following:

"511.350. 1. Judgments and decrees rendered by the supreme court, by any United States district or circuit court held within this state, by any district of the court of appeals, by any circuit court and any probate division of the circuit court, except judgments and decrees rendered by associate, small claims and municipal divisions of the circuit courts, shall be liens on the real estate of the person against whom they are rendered, situate in the county for which or in which the court is held.

2. Judgments and decrees rendered by the associate divisions of the circuit courts shall not be liens on the real estate of the person against whom they are rendered until such judgments or decrees are filed with the clerk of the circuit court pursuant to sections [517.770] **517.141** and [517.780] **517.151**, RSMo.

3. Judgments and decrees rendered by the small claims and municipal divisions of the circuit court shall not constitute liens against the real estate of the person against whom they are rendered.

511.360. The lien of a judgment or decree shall extend as well to the real estate acquired after the rendition thereof, as to that which was owned when the judgment or decree was rendered. Such liens shall commence on the day of the rendition of the judgment, and shall continue for [three] **ten** years, subject to be revived as herein provided; but when two or more judgments or decrees are rendered at the same term, as between the parties entitled to such judgments or decrees, the lien shall commence on the last day of the term at which they are rendered."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hosmer, **House Amendment No. 1** was adopted.

Representative Lograsso offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 10, Page 2, Section 516.350, Line 13, by adding the following at the end of said line:

"An action to emancipate a child, and any personal service or order rendered thereon, shall not act to revive the support order."

On motion of Representative Lograsso, **House Amendment No. 2** was adopted.

On motion of Representative Monaco, **HS HCS SCS SB 10, as amended**, was adopted.

On motion of Representative Monaco, **HS HCS SCS SB 10, as amended**, was read the third time and passed by the following vote:

AYES: 147

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Jetton	Johnson 61	Johnson 90	Jolly	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reinhart	Relford	Reynolds	Richardson
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Ballard	Gambaro	Green 73	Harlan	Hohulin
Hunter	Kelley 47	Kennedy	O'Toole	Reid
Ridgeway	Shields	Troupe		

VACANCIES: 003

Representative Graham declared the bill passed.

THIRD READING OF SENATE BILLS - INFORMAL

HCS SCS SB 186, relating to small loans, was taken up by Representative Liese.

Representative Liese offered **HS HCS SCS SB 186**.

Representative Liese offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 186, Page 1, In the title, Line 9 of said page, by inserting after the following: "2000," the following:

"and Section 367.100 as enacted by Senate Substitute for House Committee Substitute for House Bill No. 738, ninety-first general assembly, first regular session,"; and

Further amend said bill, Page 1, Section A, Line 20 of said page, by inserting after the following: "2000," the following:

"and Section 367.100 as enacted by Senate Substitute for House Committee Substitute for House Bill No. 738, ninety-first general assembly, first regular session,"; and

Further amend said bill, Section 367.100, Page 49, Lines 31 to 39 of said page; and Page 50, Lines 1 to 19 of said page, by deleting all of said section and inserting in lieu thereof the following:

"[367.100. As used in sections 367.100 to 367.200:

(1) "Consumer credit loans" shall mean loans for personal, family or household purposes in amounts of five hundred dollars or more;

(2) "Director" shall mean the director of the division of finance or such agency or agencies as may exercise the powers and duties now performed by such director;

(3) "Lender" shall mean any person engaged in the business of making consumer credit loans. A person who makes an occasional consumer credit loan or who occasionally makes loans but is not regularly engaged in the business of making consumer credit loans shall not be considered a lender subject to sections 367.100 to 367.200;

(4) "Person" shall include individuals, partnerships, associations, trusts, corporations, and any other legal entities, excepting those corporations whose powers emanate from the laws of the United States and those which under other law are subject to the supervisory jurisdiction of the director or the director of the division of credit unions of Missouri;

(5) "Supervised business" shall mean the business of making consumer credit loans, as herein defined, of money, credit, goods, or things in action.

The provisions of section 367.100(1)(b) shall not be effective until January 1, 2002.]

367.100. As used in sections 367.100 to 367.200:

(1) "Consumer credit loans" shall mean:

(a) **Prior to January 1, 2002**, loans for the benefit of or use by an individual or individuals:

[(a)] **a.** Secured by a security agreement or any other lien on tangible personal property or by the assignment of wages, salary or other compensation; or

[(b)] **b.** Unsecured and whether with or without comakers, guarantors, endorsers or sureties;

(b) **Beginning January 1, 2002 and thereafter, loans for personal, family or household purposes in amounts of five hundred dollars or more;**

(2) "Director" shall mean the director of the division of finance or such agency or agencies as may exercise the powers and duties now performed by such director;

(3) "Lender" shall mean any person engaged in the business of making consumer credit loans. A person who makes an occasional consumer credit loan or who occasionally makes loans but is not regularly engaged in the business of making consumer credit loans shall not be considered a lender subject to sections 367.100 to 367.200;

(4) "Person" shall include individuals, partnerships, associations, trusts, corporations, and any other legal entities, excepting those corporations whose powers emanate from the laws of the United States and those which under other law are subject to the supervisory jurisdiction of the director [of the division of the finance of Missouri,] or the director of the division of credit unions of Missouri;

(5) "Supervised business" shall mean the business of making consumer credit loans, as herein defined, of money, credit, goods, or things in action."; and

Further amend said bill, by amending the title, enacting clause and intersectional references accordingly.

On motion of Representative Liese, **House Amendment No. 1** was adopted.

Representative Curls offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 186, Page 2, Section A, Line 5 of said page, by inserting after all of said section the following:

"33.193. 1. Any state payroll check issued to an employee of this state, or to an elected or appointed official of this state, shall, upon presentation of proof of identification by the presenter, be honored by any federally chartered bank, state-chartered bank, federally chartered savings and loan association, state-chartered savings and loan association, federally chartered credit union or state-chartered credit union located in this state, regardless of whether the holder of the state payroll check is a customer of the bank, savings and loan association or credit union. The bank, savings and loan association or credit union may charge the holder of the state payroll check an amount not greater than five dollars per payroll check for cashing payroll checks. This subsection shall be enforced by the Missouri division of finance for state-chartered institutions and by the Missouri attorney general for federally chartered institutions.

2. Any bank, savings and loan association or credit union which violates the provisions of this section may be subject to civil penalties in an amount not to exceed five thousand dollars for each violation. Such action may be brought by the employee privately or by the attorney general on behalf of the state. In addition, the attorney general may seek an injunction to prohibit a bank, savings and loan association or credit union from refusing to cash payroll checks in accordance with this section."; and

Further amend said bill, by amending the title, enacting clause and intersectional references accordingly.

Representative Curls moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Britt resumed the Chair.

Representative Hollingsworth offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 186, Pages 8-9, Section 148.400, by deleting said section from the bill; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Hollingsworth, **House Amendment No. 3** was adopted.

Representative Ward offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 186, Page 74, Section 367.532, Line 2 of said page, by inserting after all of said line the following:

"379.316. 1. Section 379.017 and sections 379.316 to 379.361 apply to insurance companies incorporated pursuant to sections 379.035 to 379.355, section 379.080, sections 379.060 to 379.075, sections 379.085 to 379.095, sections 379.205 to 379.310, and to insurance companies of a similar type incorporated pursuant to the laws of any other state of the United States, and alien insurers licensed to do business in this state, which transact fire and allied lines, marine and inland marine insurance, to any and all combinations of the foregoing or parts thereof, and to the combination of fire insurance with other types of insurance within one policy form at a single premium, on risks or operations in this state, except:

- (1) Reinsurance, other than joint reinsurance to the extent stated in section 379.331;
- (2) Insurance of vessels or craft, their cargoes, marine builders' risks, marine protection and indemnity, or other risks commonly insured pursuant to marine, as distinguished from inland marine, insurance policies;
- (3) Insurance against loss or damage to aircraft;
- (4) All forms of motor vehicle insurance; and
- (5) All forms of life, accident and health, and workers' compensation insurance.

2. Inland marine insurance shall be deemed to include insurance now or hereafter defined by statute, or by interpretation thereof, or if not so defined or interpreted, by ruling of the director, or as established by general custom of the business, as inland marine insurance.

3. Commercial property and commercial casualty insurance policies [which meet the exemption requirements of section 379.362 shall be exempt from those insurance laws of this state which concern the regulation by the director of the department of insurance of the policy language, policy provisions or the format of such policies, or the regulation of the rates used to calculate the amount of premium charged] **are subject to rate and form filing requirements as provided in section 379.321.**

379.321. 1. Every insurer shall file with the director, except as to commercial property or commercial casualty insurance as provided in subsection 6 of this section [and as to inland marine risks which by regulation or general custom of the business are not written according to manual rates or rating plans], every manual of classifications, rules, underwriting rules and rates, every rating plan and every modification of the foregoing which it uses and the policies and forms to which such rates are applied. Any insurer may satisfy its obligation to make any such filings by becoming a member of, or a subscriber to, a licensed rating organization which makes such filings and by authorizing the director to accept such filings on its behalf, provided that nothing contained in section 379.017 and sections 379.316 to 379.361 shall be construed as requiring any insurer to become a member of or a subscriber to any rating organization or as requiring any member or subscriber to authorize the director to accept such filings on its behalf. Filing with the director by such insurer or licensed rating organization within ten days after such manuals, rating plans or modifications thereof or policies or forms are effective shall be sufficient compliance with this section.

2. Except as to commercial property or commercial casualty insurance as provided in subsection 6 of this section and [as to contracts or policies for] inland marine risks [as to which filings are not required] **as provided in subsection 1 of this section**, no insurer shall make or issue a policy or contract except pursuant to filings which are in effect for

that insurer or pursuant to section 379.017 and sections 379.316 to 379.361. Any rates, rating plans, rules, classifications or systems, in effect on August 13, 1972, shall be continued in effect until withdrawn by the insurer or rating organization which filed them.

3. Upon the written application of the insured, stating his or her reasons therefor, filed with the insurer, a rate in excess of that provided by a filing otherwise applicable may be used on any specific risk.

4. Every insurer which is a member of or a subscriber to a rating organization shall be deemed to have authorized the director to accept on its behalf all filings made by the rating organization which are within the scope of its membership or subscribership, provided:

(1) That any subscriber may withdraw or terminate such authorization, either generally or for individual filings, by written notice to the director and to the rating organization and may then make its own independent filings for any kinds of insurance, or subdivisions, or classes of risks, or parts or combinations of any of the foregoing, with respect to which it has withdrawn or terminated such authorization, or may request the rating organization, within its discretion, to make any such filing on an agency basis solely on behalf of the requesting subscriber; and

(2) That any member may proceed in the same manner as a subscriber unless the rating organization shall have adopted a rule, with the approval of the director:

(a) Requiring a member, before making an independent filing, first to request the rating organization to make such filing on its behalf and requiring the rating organization, within thirty days after receipt of such request, either:

- a. To make such filing as a rating organization filing;
- b. To make such filing on an agency basis solely on behalf of the requesting member; or
- c. To decline the request of such member; and

(b) Excluding from membership any insurer which elects to make any filing wholly independently of the rating organization.

5. Any change in a filing made pursuant to this section during the first six months of the date such filing becomes effective shall be approved or disapproved by the director within ten days following the director's receipt of notice of such proposed change.

6. [Commercial property and commercial casualty insurance policies which meet the exemption requirements of section 379.362 shall adhere to the filing requirements of this section, provided however, that the filings for such policies shall be for informational purposes only. Therefore, all manuals of classifications, rules, underwriting rules, rates, rate plans and modifications, policy forms and other forms to which such rates are applied, shall be filed with the director for policies which meet the exemption requirements of section 379.362. Such filings shall be made with the director within thirty days after such materials are used by the insurer, but such policies and rates need not be reviewed or approved by the department of insurance as a condition of their use. Nothing in this subsection shall require the filing of individual policies or the rates related thereto where the original policy forms, manuals, rates and rules for the insurance plan or program to which such individual policies conform have already been filed with the director.]

Commercial property and commercial casualty requirements differ as follows:

(1) **All commercial property and commercial casualty insurance rates, rate plans, modifications, and manuals of classifications, where appropriate, shall be filed with the director for informational purposes only. Such rates are not to be reviewed or approved by the department of insurance as a condition of their use. Nothing in this subsection shall require the filing of individual rates where the original manuals, rates and rules for the insurance plan or program to which such individual policies conform have already been filed with the director;**

(2) **If an insurer will only renew a commercial casualty or commercial property insurance policy with an increase in premium of twenty-five percent or more, a "premium alteration requiring notification" notice must be mailed or delivered by the insurer at least sixty days prior to the expiration date of the policy, except in the case of an umbrella or excess policy the coverage of which is contingent on the coverage of an underlying policy of commercial property or casualty insurance, in which case notice of an increase in premium of twenty-five percent or more shall be mailed or delivered at least thirty days prior to the expiration date of the policy. Such notice shall be mailed or delivered to the agent of record and to the named insured at the address shown in the policy. If the insurer fails to meet this notice requirement, the insured shall have the option of continuing the policy for the remainder of the notice period plus an additional thirty days at the premium rate of the existing policy or contract. This provision does not apply if the insurer has offered to renew a policy without such an increase in premium or if the insured fails to pay a premium due or any advance premium required by the insurer for renewal. For purposes of this section, "premium alteration requiring notification" means an annual increase in premium of twenty-five percent or more, exclusive of premium increases due to a change in the operations of the insured which increases either the hazard insured against or the individual loss**

characteristics, or due to a change in the magnitude of the exposure basis, including, without limitation, increases in payroll or sales. For commercial multiperil policies, no "premium alteration requiring notification" shall be required unless the increase in premium for all of a policyholder's policies taken together amounts to a twenty-five percent or more annual increase in premium;

(3) Commercial property and commercial casualty policy forms shall be filed with the director as provided pursuant to subsection 1 of this section. However, if after review, it is determined that corrective action must be taken to modify the filed forms, the director shall impose such corrective action on a prospective basis for new policies. All policies previously issued which are of a type that is subject to such corrective action shall be deemed to have been modified to conform to such corrective action retroactive to their inception date;

(4) For purposes of this section, "commercial casualty" means "commercial casualty insurance" as defined in section 379.882. For purposes of this section, "commercial property" means property insurance, which is for business and professional interests, whether for profit, nonprofit or public in nature which is not for personal, family or household purposes, but does not include title insurance;

(5) Nothing in this subsection shall limit the director's authority over excessive, inadequate or unfairly discriminatory rates.

379.356. 1. No insurer, broker or agent shall knowingly charge, demand or receive a premium for any policy of insurance except in accordance with the provisions of section 379.017 and sections 379.316 to 379.361. No insurer or employee thereof, and no broker or agent shall pay, allow, or give, directly or indirectly, as an inducement to insurance, or after insurance has been effected, any rebate, discount, abatement, credit or reduction of the premium named in a policy of insurance, or any special favor or advantage in the dividends or other benefits to accrue thereon, or any valuable consideration or inducement whatever, not specified in the policy of insurance, except to the extent provided for in applicable filings. No insured named in any policy of insurance shall knowingly receive or accept, directly or indirectly, any such rebate, discount, abatement, credit or reduction of premium, or any such special favor or advantage or valuable consideration or inducement. Nothing in this section shall be construed as prohibiting the payment of, nor permitting the regulation of the payment of, commissions or other compensation to duly licensed agents and brokers; nor as prohibiting, or permitting the regulation of, any insurer from allowing or returning to its participating policyholders or members, dividends or savings.

2. An insurer or insurance producer, agent or broker may charge additional incidental fees for premium installments, late payments, policy reinstatements, or other similar services specifically provided for by law or regulation. Such fees shall be disclosed to the applicant or insured in writing.

379.425. 1. Sections 379.420 to 379.510 apply to casualty insurance, including fidelity, surety and guaranty bonds, and to all forms of motor vehicle insurance, on risks or operations in this state, except:

(1) Reinsurance, other than joint reinsurance to the extent stated in section 379.460 and subsection 2 of section 379.430;

(2) Insurance against workers' compensation liability;

(3) Accident and health insurance;

(4) Insurance against loss of or damage to aircraft, or against liability, other than employers' liability, arising out of the ownership, maintenance or use of aircraft.

2. Commercial casualty insurance policies [which meet the exemption requirements of section 379.362] shall be exempt from [those insurance laws of this state which concern the regulation by the director of insurance of the policy language, policy provisions or the format of such policies, or regulation of the rates used to calculate the amount of premium charged] **the provisions of sections 379.420 to 379.510 to the extent permitted pursuant to subsection 6 of section 379.321.**

379.888. 1. As used in sections 379.888 to 379.893, the following terms mean:

(1) "'A' rated risk", any insurance coverage for which rates are individually determined based upon judgment because neither a rate service organization nor the insurer has yet established a manual rate based upon experience, except that if a rate service organization or the insurer acquires sufficient experience to establish, or if the insurer itself has, a manual rate for such coverage, then such coverage shall no longer be considered an "A" rated risk for each insurer;

(2) "Base rate", the rate designed to reflect the average aggregate experience of a particular market, prior to adjustment for individual risk characteristics resulting from application of any rating plan;

(3) "Classification", a grouping of insurance risks according to a classification system used by an insurer;

(4) "Classification system", a schedule of classifications and a rule or set of rules used by an insurer for determining the classification applicable to an insured;

(5) "Commercial casualty insurance", casualty insurance for business or nonprofit interests which is not for

personal, family, or household purposes;

- (6) "Director", the director of the department of insurance;
- (7) "Rate", a monetary amount applied to the units of exposure basis assigned to a classification and used by an insurer to determine the premium for an insured;
- (8) "Rating plan", a rule or set of rules used by an insurer to calculate premium for an insured, and the parameter values used in such calculation, after application of classification premium rates to units of exposure; and
- (9) "Rating system", a collection of rating plans to be used by an insurer, rules for determining which rating plans are applicable to an insured, a classification system, and other rules used by an insurer for determining contractual consideration for insured.

2. [Every filing of commercial casualty insurance premium rates, rating plans or rating systems by an insurer or rating organization shall be submitted to the director for review prior to becoming effective if it produces an increase or decrease exceeding twenty-five percent annually from changes in any:

- (1) Base rates;
- (2) Rating basis;
- (3) Rating plans;
- (4) Manual rules;
- (5) Territorial definitions; or
- (6) Combination of such rating system components of subdivisions (1) to (5) of this subsection.

3.] Nothing in this section applies to premium increases or decreases from:

- (1) Change in hazard of the insured's operation;
- (2) Change in magnitude of the exposure basis for the insured, including, without limitation, changes in payroll or sales;

- (3) "A" rated risks[; or
- (4) Commercial casualty insurance that is exempt pursuant to section 379.362].

[4.] **3.** Any renewal notice of a commercial casualty insurance policy as defined in section 379.882 for any Missouri risk or portion thereof which would have the effect of increasing the premium charged to the insured due to a change in any scheduled rating factor applied to the policy during the previous policy period shall contain or be accompanied by a notice to the insured informing the insured that any inquiry by the insured concerning the change may be directed to the agent of record or directly to the insurer. When any insured makes a request for information pursuant to this subsection, the insurer, directly or through the insurer's agent, shall inform the insured in writing in terms sufficiently clear and specific of the basis for any reduction in a scheduled rating credit or increase in a scheduled rating debit which is applied to the policy. Evidence supporting the basis for any scheduled rating credit or debit shall be retained by the insurer for the policy term plus two calendar years pursuant to section 374.205, RSMo. The department of insurance shall notify commercial casualty insurers of the requirements of this section by bulletin.

4. Any renewal involving a "premium alteration requiring notification" as defined in subsection 6 of section 379.321, shall be handled pursuant to the requirements of that subsection."; and

Further amend said bill, Page 92, Section 513.430, Line 14 of said page, by inserting after all of said line the following:

"Section 1. No insurer or its agent or representative shall require any applicant or policyholder to divulge if any insurer has denied any claim of that applicant or policyholder."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Ward, **House Amendment No. 4** was adopted.

On motion of Representative Liese, **HS HCS SCS SB 186, as amended**, was adopted.

On motion of Representative Liese, **HS HCS SCS SB 186, as amended**, was read the third time and passed by the following vote:

AYES: 147

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Nordwald	O'Connor	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Baker	Clayton	Gambaro	Hagan-Harrell	Harlan
Hohulin	Kelley 47	Kennedy	Long	Naegeer
O'Toole	Rizzo	Van Zandt		

VACANCIES: 003

Representative Britt declared the bill passed.

Speaker Pro Tem Abel resumed the Chair.

HCS SCS SB 486 & SB 422, relating to medical transport services, was taken up by Representative Hoppe.

Representative Hoppe offered **HS HCS SCS SB 486 & SB 422**.

Representative Van Zandt raised a point of order that **HS HCS SCS SB 486 & SB 422** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Hoppe offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 486 and Senate Bill No. 422, Page 5, Section 67.582, Line 16, by deleting the words "**or fire protection**"; and

Further amend said bill, Page 50, Section 190.109, Lines 21 to 24 of said page, by deleting all of said lines; and

Further amend said bill, Page 51, Section 190.109, Lines 1 to 9 of said page, by deleting all of said lines; and

Further amend said bill, Pages 113 to 118, Section 355.066, Lines 14 to 24 of Page 113, Lines 1 to 24 of Page 114, Lines 1 to 24 of Page 115, Lines 1 to 24 of Page 116, Lines 1 to 24 of Page 117, and Lines 1 to 20 of Page 118, by deleting all of said section; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hoppe, **House Amendment No. 1** was adopted.

Representative Richardson offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 486 and Senate Bill No. 422, Page 79, Section 197.374, Line 22 of said page, by deleting the words "**units of service**" and inserting in lieu thereof the following: "**new machines or new rooms used for the listed services**"; and

Further amend said bill, Page 80, Section 197.374, Line 6 of said page, by inserting after all of said line the following:

"Nothing in this subdivision shall prohibit the replacement of the listed machines or rooms unless such replacement exceeds the threshold limits in this section."; and

Further amend said bill, Page 80, Section 197.374, Line 13 of said page, by inserting after the word "**sanatoriums**" the following:

"and any residential care facility I or residential care facility II operated by a religious organization qualified pursuant to Section 501(c)(3) of the Internal Revenue Code, as amended, which does not require the expenditure of public funds for purchase or operation, with a total licensed bed capacity of one hundred beds or less"; and

Further amend said bill, Page 81, Section 197.374, Line 21 of said page, by deleting the words "**an expenditure**" and inserting in lieu thereof the following: "**a capital expenditure, including lease costs,**"; and

Further amend said bill, Page 82, Section 197.374, Line 10 of said page, by deleting the words "**an expenditure**" and inserting in lieu thereof the following: "**a capital expenditure, including lease costs,**"; and

Further amend said bill, Page 82, Section 197.374, Line 14 of said page, by inserting after the word "**land**" the following: "**acquisition, newly constructed or acquired**"; and

Further amend said bill, Page 84, Section 197.386, Line 18 of said page, by inserting after the word "**writing**" the following: "**its finding of fact, conclusions of law and**"; and

Further amend said bill, Page 86, Section 197.384, Lines 18 to 22 of said page, by deleting all of said lines and renumbering remaining subsections accordingly; and

Further amend said bill, Page 88, Section 197.384, Line 10, by inserting after the word "**entirety**" the following: "**or within twelve months of a facility ceasing operation**"; and

Further amend said bill, Pages 88 and 89, Section 197.384, Line 24 of Page 88 and Line 1 of Page 89, by deleting all of said lines; and

Further amend said bill, Page 98, Section 197.398, Line 23 of said page, by inserting after all of said line the following:

"197.399. The provisions of subdivision (4) of section 197.374 to the contrary notwithstanding, after December 31, 2004, the term "health care facilities" in sections 197.370 to 197.399 shall mean:

- (1) Facilities licensed pursuant to chapter 198, RSMo;**
- (2) Long-term care beds in a hospital as described in subdivision (3) of subsection 1 of section 198.012, RSMo;**
- (3) Long-term care hospitals or beds in a long-term care hospital meeting the requirements described in 42 CFR, section 412.23(e); and**
- (4) Construction of a new hospital as defined in this chapter."; and**

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Richardson, **House Amendment No. 2** was adopted.

Representative Thompson offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 486 & Senate Bill No. 422, Page 118, Section 355.066, Line 21 of said page, by inserting after all of said line the following:

"590.010. As used in this chapter, the following terms mean:

- (1) "Commission", when not obviously referring to the POST commission, means a grant of authority to act as a peace officer;**
- (2) "Director", the director of the Missouri department of public safety or his or her designated agent or representative;**
- (3) "Peace officer", a law enforcement officer of the state or any political subdivision of the state with the power of arrest for a violation of the criminal code or declared or deemed to be a peace officer by state statute;**
- (4) "POST commission", the peace officer standards and training commission;**
- (5) "Reserve peace officer", a peace officer who regularly works less than thirty hours per week.**

590.020. 1. No person shall hold a commission as a peace officer without a valid peace officer license.

2. The director shall establish various classes of peace officer license and may provide that certain classes are not valid for commission within counties of certain classifications, by certain state agencies, or for commission as other than a reserve peace officer with police powers restricted to the commissioning political subdivision.

3. Notwithstanding any other provision of this chapter, no license shall be required:

- (1) Of any person who has no power of arrest;**
- (2) To seek or hold an elected county office, subject to such requirements as chapter 57, RSMo, may impose;**
- (3) To be commissioned pursuant to section 64.335, RSMo, as a park ranger not carrying a firearm;**
- (4) To be commissioned as a peace officer by a political subdivision having less than four full-time paid peace officers or a population less than two thousand, provided that such commission was in effect on the**

effective date of this section and continually since that date, and provided that this exception shall not apply to any commission within a county of the first class having a charter form of government;

(5) Of any reserve officer continually holding the same commission since August 15, 1988; or

(6) For any person continually holding any commission as a full-time peace officer since December 31, 1978.

4. Any political subdivision or law enforcement agency may require its peace officers to meet standards more stringent than those required for licensure pursuant to this chapter.

590.030. 1. The POST commission shall establish minimum standards for the basic training of peace officers. Such standards may vary for each class of license established pursuant to subsection 2 of section 590.020.

2. The director shall establish minimum age, citizenship, and general education requirements and may require a qualifying score on a certification examination as conditions of eligibility for a peace officer license.

3. The director shall provide for the licensure, with or without additional basic training, of peace officers possessing credentials by other states or jurisdictions, including federal and military law enforcement officers.

4. The director shall establish a procedure for obtaining a peace officer license and shall issue the proper license when the requirements of this chapter have been met.

5. As conditions of licensure, all licensed peace officers shall:

(1) Obtain continuing law enforcement education pursuant to rules to be promulgated by the POST commission; and

(2) Maintain a current address of record on file with the director.

6. A peace officer license shall automatically expire if the licensee fails to hold a commission as a peace officer for a period of five consecutive years, provided that the POST commission shall provide for the relicensure of such persons and may require retraining as a condition of eligibility for relicensure, and provided that the director may provide for the continuing licensure, subject to restrictions, of persons who hold and exercise a law enforcement commission requiring a peace officer license but not meeting the definition of a peace officer pursuant to this chapter.

590.040. 1. The POST commission shall set the minimum number of hours of basic training for licensure as a peace officer no lower than four hundred seventy and no higher than six hundred, with the following exceptions:

(1) Up to one thousand hours may be mandated for any class of license required for commission by a state law enforcement agency;

(2) As few as one hundred twenty hours may be mandated for any class of license restricted to commission as a reserve peace officer with police powers limited to the commissioning political subdivision;

(3) Persons validly licensed on August 28, 2001, may retain licensure without additional basic training;

(4) Persons licensed and commissioned within a county of the third classification before July 1, 2002, may retain licensure with one hundred twenty hours of basic training if the commissioning political subdivision has adopted an order or ordinance to that effect; and

(5) The POST commission shall provide for the recognition of basic training received at law enforcement training centers of other states, the military, the federal government and territories of the United States regardless of the number of hours included in such training and shall have authority to require supplemental training as a condition of eligibility for licensure.

2. The director shall have the authority to limit any exception provided in subsection 1 of this section to persons remaining in the same commission or transferring to a commission in a similar jurisdiction.

3. The basic training of every peace officer, except agents of the conservation commission, shall include at least thirty hours of training in the investigation and management of cases involving domestic and family violence. Such training shall include instruction, specific to domestic and family violence cases, regarding: report writing; physical abuse, sexual abuse, child fatalities and child neglect; interviewing children and alleged perpetrators; the nature, extent and causes of domestic and family violence; the safety of victims, other family and household members and investigating officers; legal rights and remedies available to victims, including rights to compensation and the enforcement of civil and criminal remedies; services available to victims and their children; the effects of cultural, racial and gender bias in law enforcement; and state statutes. Said curriculum shall be developed and presented in consultation with the department of health, the division of family services, public and private providers of programs for victims of domestic and family violence, persons who have demonstrated expertise in training and education concerning domestic and family violence, and the Missouri coalition against domestic violence.

590.050. 1. The POST commission shall establish requirements for the continuing education of all peace officers. Peace officers who make traffic stops shall be required to receive annual training concerning the prohibition against racial profiling and such training shall promote understanding and respect for racial and cultural differences and the use of effective, non-combative methods for carrying out law enforcement duties in a racially and culturally diverse environment.

2. The director shall license continuing education providers and may probate, suspend and revoke such licenses upon written notice stating the reasons for such action. Any person aggrieved by a decision of the director pursuant to this subsection may appeal as provided in chapter 536, RSMo.

3. The costs of continuing law enforcement education shall be reimbursed in part by moneys from the peace officer standards and training commission fund created in section 590.178, subject to availability of funds, except that no such funds shall be used for the training of any person not actively commissioned or employed by a county or municipal law enforcement agency.

4. The director may engage in any activity intended to further the professionalism of peace officers through training and education, including the provision of specialized training through the department of public safety.

590.060. 1. The POST commission shall establish minimum standards for training instructors and training centers, and the director shall establish minimum qualifications for admittance into a basic training course.

2. The director shall license training instructors, centers, and curricula, and may probate, suspend and revoke such licenses upon written notice stating the reasons for such action. Any person aggrieved by a decision pursuant to this subsection may appeal as provided in chapter 536, RSMo.

3. Each person seeking entrance into a basic training program shall submit a fingerprint card and authorization for a criminal history background check to include the records of the Federal Bureau of Investigation to the training center where such person is seeking entrance. The training center shall cause a criminal history background check to be made and shall cause the resulting report to be forwarded to the director. The person seeking entrance may be charged a fee for the cost of this procedure.

590.070. 1. The chief executive officer of each law enforcement agency shall, within thirty days after commissioning any peace officer, notify the director on a form to be adopted by the director. The director may require the chief executive officer to conduct a current criminal history background check and to forward the resulting report to the director.

2. The chief executive officer of each law enforcement agency shall, within thirty days after any licensed peace officer departs from employment or otherwise ceases to be commissioned, notify the director on a form to be adopted by the director. Such notice shall state the circumstances surrounding the departure from employment or loss of commission and shall specify any of the following that apply:

- (1) The officer failed to meet the minimum qualifications for commission as a peace officer;
- (2) The officer violated municipal, state or federal law;
- (3) The officer violated the regulations of the law enforcement agency; or
- (4) The officer was under investigation for violating municipal, state or federal law, or for gross violations of the law enforcement agency regulations.

3. Whenever the chief executive officer of a law enforcement agency has reasonable grounds to believe that any peace officer commissioned by the agency is subject to discipline pursuant to section 590.080, the chief executive officer shall report such knowledge to the director.

590.080. 1. The director shall have cause to discipline any peace officer licensee who:

- (1) Is unable to perform the functions of a peace officer with reasonable competency or reasonable safety as a result of a mental condition, including alcohol or substance abuse;
- (2) Has committed any criminal offense, whether or not a criminal charge has been filed;
- (3) Has committed any act while on active duty or under color of law that involves moral turpitude or a reckless disregard for the safety of the public or any person;
- (4) Has caused a material fact to be misrepresented for the purpose of obtaining or retaining a peace officer commission or any license issued pursuant to this chapter;
- (5) Has violated a condition of any order of probation lawfully issued by the director; or
- (6) Has violated a provision of this chapter or a rule promulgated pursuant to this chapter.

2. When the director has knowledge of cause to discipline a peace officer licensed pursuant to this section, the director may cause a complaint to be filed with the administrative hearing commission, which shall conduct a hearing to determine whether the director has cause for discipline, and which shall issue findings of fact and

conclusions of law on the matter. The administrative hearing commission shall not consider the relative severity of the cause for discipline or any rehabilitation of the licensee or otherwise impinge upon the discretion of the director to determine appropriate discipline when cause exists pursuant to this section.

3. Upon a finding by the administrative hearing commission that cause to discipline exists, the director shall, within thirty days, hold a hearing to determine the form of discipline to be imposed and thereafter shall probate, suspend, or permanently revoke the license at issue. If the licensee fails to appear at the director's hearing, this shall constitute a waiver of the right to such hearing.

4. Notice of any hearing pursuant to this chapter or section may be made by certified mail to the licensee's address of record. Proof of refusal of the licensee to accept delivery or the inability of postal authorities to deliver such certified mail shall be evidence that required notice has been given. Notice may be given by publication.

5. Nothing contained in this section shall prevent a licensee from informally disposing of a cause for discipline with the consent of the director by voluntarily surrendering a license or by voluntarily submitting to discipline.

6. The provisions of chapter 621, RSMo, and any amendments thereto, except those provisions or amendments that are in conflict with this chapter, shall apply to and govern the proceedings of the administrative hearing commission and pursuant to this section the rights and duties of the parties involved.

590.090. 1. The director shall have cause to suspend immediately the peace officer license of any licensee who:

(1) Is under indictment for, is charged with, or has been convicted of the commission of any felony;

(2) Is subject to an order of another state, territory, the federal government, or any peace officer licensing authority suspending or revoking a peace officer license or certification; or

(3) Presents a clear and present danger to the public health or safety if commissioned as a peace officer.

2. At any time after the filing of a disciplinary complaint pursuant to section 590.080, if the director determines that probable cause exists to suspend immediately the peace officer license of the subject of the complaint, the director may, without notice or hearing, issue an emergency order suspending such license until final determination of the disciplinary complaint. Such order shall state the probable cause for the suspension and shall be served upon the licensee by certified mail at the licensee's address of record. Proof of refusal of the licensee to accept delivery or the inability of postal authorities to deliver such certified mail shall be evidence that required notice has been given. The director shall also notify the chief executive officer of any law enforcement agency currently commissioning the officer. The director shall have authority to dissolve an emergency order of suspension at any time for any reason.

3. A licensee subject to an emergency order of suspension may petition the administrative hearing commission for review of the director's determination of probable cause, in which case the administrative hearing commission shall within five business days conduct an emergency hearing, render its decision, and issue findings of fact and conclusions of law. Sworn affidavits or depositions shall be admissible on the issue of probable cause and may be held sufficient to establish probable cause. The administrative hearing commission shall have no authority to stay or terminate an emergency order of suspension without a hearing pursuant to this subsection. Findings and conclusions made in determining probable cause for an emergency suspension shall not be binding on any party in any proceeding pursuant to section 590.080.

4. Any party aggrieved by a decision of the administrative hearing commission pursuant to this section may appeal to the circuit court of Cole County as provided in section 536.100, RSMo.

590.100. 1. The director shall have cause to deny any application for a peace officer license or entrance into a basic training course when the director has knowledge that would constitute cause to discipline the applicant if the applicant were licensed.

2. When the director has knowledge of cause to deny an application pursuant to this section, the director may grant the application subject to probation or may deny the application. The director shall notify the applicant in writing of the reasons for such action and of the right to appeal pursuant to this section.

3. Any applicant aggrieved by a decision of the director pursuant to this section may appeal within thirty days to the administrative hearing commission, which shall conduct a hearing to determine whether the director has cause for denial, and which shall issue findings of fact and conclusions of law on the matter. The administrative hearing commission shall not consider the relative severity of the cause for denial or any rehabilitation of the applicant or otherwise impinge upon the discretion of the director to determine whether to grant the application subject to probation or deny the application when cause exists pursuant to this section. Failure to submit a written request for a hearing to the administrative hearing commission within thirty days

after a decision of the director pursuant to this section shall constitute a waiver of the right to appeal such decision.

4. Upon a finding by the administrative hearing commission that cause for denial exists, the director shall not be bound by any prior action on the matter and shall, within thirty days, hold a hearing to determine whether to grant the application subject to probation or deny the application. If the licensee fails to appear at the director's hearing, this shall constitute a waiver of the right to such hearing.

5. The provisions of chapter 621, RSMo, and any amendments thereto, except those provisions or amendments that are in conflict with this chapter, shall apply to and govern the proceedings of the administrative hearing commission pursuant to this section and the rights and duties of the parties involved.

[590.100. As used in sections 590.100 to 590.180, the following terms mean:

(1) "Certified training academy", any academy located within the state of Missouri which has been certified by the director to provide training programs for peace officers in this state;

(2) "Chief executive officer", the chief of police, director of public safety, sheriff, department head or chief administrator of any law enforcement or public safety agency of the state or any political subdivision thereof who is responsible for the prevention and detection of crime and the enforcement of the general criminal laws of the state or for violation of ordinances of a county or municipality;

(3) "Director", the director of the Missouri department of public safety;

(4) "Peace officer", members of the state highway patrol, all state, county, and municipal law enforcement officers possessing the duty and power of arrest for violation of any criminal laws of the state or for violation of ordinances of counties or municipalities of the state who serve full time, with pay;

(5) "Reserve officer", any person who serves in a less than full-time law enforcement capacity, with or without pay, and who, without certification, has no power of arrest and who, without certification, must be under the direct and immediate accompaniment of a certified peace officer of the same agency at all times while on duty. In a county of the first class adjoining a city not within a county, reserve peace officers may engage in all nonprimary enforcement activities without being under direct or immediate accompaniment of a certified peace officer.]

[590.101. In any county of the first classification with a charter form of government with a population of nine hundred thousand or more inhabitants, the definitions contained in section 590.100 shall apply, except that as used in sections 590.100 to 590.180, the following terms shall mean:

(1) "Bailiff", an assigned officer of the court subject to control and supervision and responsible for preserving order and decorum, taking charge of the jury, guarding prisoners, and other services which are reasonably necessary for the proper functioning of the court;

(2) "Nonprimary enforcement activities", activities which include, but are not limited to, traffic control, crowd control, checking abandoned, vacated and temporarily vacated structures, conveyance of motor vehicles, public appearances, and public educational presentations;

(3) "Primary enforcement activities", activities used to enforce the police powers of the state, including, but not limited to, a direct or indirect involvement in the activities of arrest, detention, vehicular pursuit, search, interrogations or the administration of first aid; and

(4) "Reserve officer", any person who serves in a less than full-time law enforcement capacity, with or without pay, and who, without certification, has no power of arrest and who, without certification, must be under direct and immediate accompaniment of a certified peace officer of the same agency in order to engage in primary enforcement activities.]

[590.105. 1. A program of mandatory standards for the basic training and certification of peace officers and a program of optional standards for the basic training and certification of reserve officers in this state is hereby established. The peace officer standards and training commission shall establish the minimum number of hours of training and core curriculum. In no event, however, shall the commission require more than one thousand hours of such training for either peace or reserve officers employed by any state law enforcement agency, or more than six hundred hours of such training for other peace or reserve officers; provided, however, that the minimum hours of training shall be no lower than the following:

(1) One hundred twenty hours as of August 28, 1993;

(2) Three hundred hours as of August 28, 1994; and

(3) Four hundred seventy hours as of August 28, 1996.

The higher standards provided in this section for certification after August 28, 1993, shall not apply to any peace or reserve officer certified prior to August 28, 1993, or to deputies of any sheriff's department in any city not within a county requiring no more or less than one hundred twenty hours of training. Certified peace and reserve officers between January 1, 1992, and August 28, 1995, shall only meet the hours of training applicable to the year in which the

officer was employed or appointed.

2. Beginning on August 28, 1996, peace officers shall be required to complete the four hundred fifty hours of training as peace officers and be certified to be eligible for employment. Park rangers appointed pursuant to section 64.335, RSMo, who do not carry firearms shall be exempt from the training requirements of this section.

3. Bailiffs who are not certified peace officers shall be required to complete a minimum of sixty hours of mandated training, except that any person who has served as a bailiff prior to January 1, 1995, shall not be required to complete the training requirements mandated by this subsection, provided such person's training or experience is deemed adequate by the peace officer standards and training commission in accordance with current standards.

4. All political subdivisions within this state may adopt standards which are higher than the minimum standards implemented pursuant to sections 590.100 to 590.180, and such minimum standards shall in no way be deemed adequate in those cases in which higher standards have been adopted.

5. Any federal officer who has the duty and power of arrest on any federal military installation in this state may, at the option of the federal military installation in which the officer is employed, participate in the training program required under the provisions of sections 590.100 to 590.180 and, upon satisfactory completion of such training program, shall be certified by the director in the same manner provided for peace officers, as defined in section 590.100, except that the duty and power of arrest of military officers for violation of the general criminal laws of the state or for violation of ordinances of counties or municipalities of the state shall extend only to the geographical boundaries within which the federal military installation is located. Any costs involved in the training of a federal officer shall be borne by the participating federal military installation.

6. Notwithstanding any provision of this chapter to the contrary, any peace officer who is employed by a law enforcement agency located within a county of the third classification shall be required to have no more or less than one hundred twenty hours of training for certification if the respective city or county adopts an order or ordinance to that effect.

7. The peace officers standards and training commission with input from the department of health and the division of family services shall provide a minimum of thirty hours of initial education to all prospective law enforcement officers, except for agents of the conservation commission, concerning domestic and family violence.

8. The course of instruction and the objectives in learning and performance for the education of law enforcement officers required pursuant to subsection 6 of this section shall be developed and presented in consultation with public and private providers of programs for victims of domestic and family violence, persons who have demonstrated expertise in training and education concerning domestic and family violence, and the Missouri coalition against domestic violence. The peace officers standards and training commission shall consider the expertise and grant money of the national council of juvenile and family court judges, with their domestic and family violence project, as well as other federal funds and grant moneys available for training.

9. The course of instruction shall include, but is not limited to:

(1) The investigation and management of cases involving domestic and family violence and writing of reports in such cases, including:

- (a) Physical abuse;
- (b) Sexual abuse;
- (c) Child fatalities;
- (d) Child neglect;
- (e) Interviewing children and alleged perpetrators;
- (2) The nature, extent and causes of domestic and family violence;
- (3) The safety of officers investigating incidents of domestic and family violence;
- (4) The safety of the victims of domestic and family violence and other family and household members;
- (5) The legal rights and remedies available to victims of domestic and family violence, including but not limited to rights and compensation of victims of crime, and enforcement of civil and criminal remedies
- (6) The services available to victims of domestic and family violence and their children;
- (7) Sensitivity to cultural, racial and sexual issues and the effect of cultural, racial, and gender bias on the response of law enforcement officers and the enforcement of laws relating to domestic and family violence; and
- (8) The provisions of applicable state statutes concerning domestic and family violence.]

590.110. 1. The director may investigate any cause for the discipline of any license or denial of any application pursuant to this chapter. During the course of such investigation, the director shall have the power to inspect any training center, require by subpoena the attendance and sworn deposition of any witness and the production of any documents, records, or evidence that the director deems relevant. Subpoenas shall be served by a person authorized to serve subpoenas of courts of record. In lieu of the production of any document or

record, the director may require that a sworn copy of such document or record be delivered to the director.

2. The director may apply to the circuit court of Cole County or of any county where the person resides or may be found for an order upon any person who shall fail to obey a subpoena to show cause why such subpoena should not be enforced. A show cause order and a copy of the application shall be served upon the person in the same manner as a summons in a civil action. If, after a hearing, the circuit court determines that the subpoena should be enforced, the court shall proceed to enforce the subpoena in the same manner as in a civil case.

[590.110. 1. No person shall be appointed as a peace officer by any public law enforcement agency, which is possessed of the duty and power to enforce the general criminal laws of the state or the ordinances of any political subdivision of this state, unless he has been certified by the director as provided in sections 590.100 to 590.180, unless he is appointed on a probationary basis, and the hiring agency, within one year after his initial appointment, takes all necessary steps to qualify him for certification by the director. Unless a peace officer is certified within the one-year period after appointment, his appointment shall be terminated and he shall not be eligible for appointment by any other law enforcement agency as a peace officer. Beginning on August 28, 1995, peace officers shall be required to complete the four hundred fifty hours of training as peace officers and be certified to be eligible for employment.

2. The chief executive officer of each law enforcement agency shall notify the director of the appointment of any peace or reserve officer not later than thirty days after the date of the appointment and include with such notification a copy of a fingerprint card verified by the Missouri state highway patrol pertaining to the results of a criminal background check of the officer appointed and evidence of the completion of the standards necessary for employment as provided in sections 590.100 to 590.180.

3. Training and certification requirements specified in sections 590.100 to 590.180 are recommended but not required of a reserve officer; however, any person who serves as a reserve officer in any public law enforcement agency which is possessed of the duty and power to enforce the general criminal laws of this state or the ordinances of any political subdivision of this state may, at the option of the political subdivision in which the reserve officer is appointed, participate in the basic training program required under the provisions of sections 590.100 to 590.180, and, upon completion of such training program, shall be certified by the director in the same manner as provided for peace officers.]

[590.112. 1. This section applies to any employees of the sheriff's department of any county of the first classification with a population of two hundred thousand or more inhabitants, who have been certified in a program of training, including but not limited to a training and certification program established pursuant to this chapter.

2. If any person subject to subsection 1 of this section is transferred to a department of public safety or similar agency as a result of the passage of a charter form of government in the county, then notwithstanding the provisions of this chapter, or any local ordinance or order to the contrary, such person's training certification shall remain in effect and shall not lapse, and the training and certification required for the person to be employed by the sheriff's department shall be deemed adequate to be appointed to the department of public safety or similar agency. If such person is thereafter reassigned to the sheriff's department, such person shall be deemed certified for appointment to such position, notwithstanding the provisions of section 590.110, to the contrary; and the chief executive officer as defined in section 590.100, shall not be required to furnish to the director of the department of public safety evidence that such person has satisfactorily completed instruction in a course of training for peace officers.]

[590.115. 1. Training and certification requirements specified in sections 590.100 to 590.180 are recommended but not required of a peace officer who has been consistently employed as a full-time peace officer and was appointed before December 31, 1978, whether or not such officer changes his place of employment.

2. Training and certification requirements specified in sections 590.100 to 590.180 are recommended but not required of a reserve officer who was appointed as a reserve officer prior to August 15, 1988. Requirements for certification of such reserve officers may be determined by the commission. A certified reserve officer may transfer from one similar jurisdiction to another as a certified reserve officer without any additional training requirements unless or until the certified reserve officer becomes or attempts to become a full-time peace officer, at which time the individual must satisfy the requirements of this chapter to become a certified full-time police officer, or unless or until the certified reserve officer attempts to become a certified reserve officer in a jurisdiction wherein the basic training requirement is higher than the previous jurisdiction's basic training requirement, at which time the individual must satisfy the higher basic training requirements of the new jurisdiction to become a certified reserve officer.

3. Except as provided in subsections 1, 2 and 4 of this section, in the event that a peace officer claims to have had prior basic training, the chief executive officer shall furnish to the director evidence that the noncertified officer has satisfactorily completed instruction in a course of basic training for peace officers conducted by a law enforcement training academy or institute which is approved by the director as providing basic training equivalent to standards set

for jurisdictions within this state. The basic training course satisfactorily completed by the noncertified officer shall meet the minimum basic training requirements of the jurisdiction in which he is appointed or is to be appointed as required under the provisions of sections 590.100 to 590.180.

4. The director may certify a chief executive officer as qualified under sections 590.100 to 590.180, if the person's employer furnishes the director with evidence that the chief executive officer has training or experience equivalent to the standards set forth in subsection 1, 2, or 3 of this section or is a graduate of the FBI National Academy or its equivalent as determined by the director, or holds a bachelor of science degree in criminal justice or a related field received from an accredited college or university or a doctor of jurisprudence degree received from a college or university approved by the American Bar Association.

5. Peace officers and reserve officers meeting the basic training requirements under sections 590.100 to 590.180 shall be eligible to be certified by the director.

6. Beginning August 28, 1996, the peace officer standards and training commission shall establish a program of continuing law enforcement education and training. Each peace officer or reserve officer subject to the training provisions of sections 590.100 to 590.180 shall participate in continuing law enforcement education to maintain certification. The providers of continuing law enforcement education and training, as well as the contents and subject matter thereof, shall be subject to the approval of the peace officer standards and training commission. The costs of the continuing law enforcement education and training offered by certified providers to persons entitled to receive such education and training shall be reimbursed by moneys from the peace officer standards and training commission fund created in section 590.178. The peace officer standards and training commission shall require by rule that all peace officers or reserve officers, subject to the training provisions herein, contribute, based on standards set by the commission, to the cost of said training.

7. The peace officer standards and training commission may provide by rule for the reciprocal recognition of equivalent entry level core basic training at a training center by law enforcement officers of the federal government or other states or territories of the United States, and may require such additional training prior to certification as the commission deems necessary.]

[590.117. The department shall provide by administrative rule for the requirements for continuing certification of an inactive or unemployed peace officer during the term of such inactivity or unemployment, provided that the certification of such peace officers shall expire after five consecutive years of such inactivity or unemployment. The cost of any continuing law enforcement education and training required to maintain such certification shall be paid by the inactive or unemployed peace officer.]

590.118. 1. All law enforcement agency personnel records of a peace officer may be made available to any hiring law enforcement agency. The availability of any records shall be subsequent to and conditioned upon a hearing on the issues as defined in sections 590.080, 590.090 and 590.100.

2. Following a decision recommending punitive action from a hearing on the issues as defined in section 590.080, 590.090 and 590.100, the law enforcement agency shall provide such information to the peace officer standards and training commission.

590.120. 1. There is hereby established within the department of public safety a "Peace Officer Standards and Training Commission" which shall be composed of nine members, including a voting public member, appointed by the governor, by and with the advice and consent of the senate, from a list of qualified candidates submitted to the governor by the director of the department of public safety. No member of the **POST** commission shall reside in the same congressional district as any other at the time of their appointments but this provision shall not apply to the public member. Three members of the **POST** commission shall be police chiefs, three members [of the commission] shall be sheriffs, one member [of the commission] shall represent a state law enforcement agency covered by the provisions of [sections 590.100 to 590.180] **this chapter**, and one member shall be a chief executive officer of a certified training academy. The public member shall be at the time of appointment a registered voter; a person who is not and never has been a member of any profession certified or regulated under this chapter or the spouse of such person; and a person who does not have and never has had a material financial interest in either the providing of the professional services regulated by [sections 590.100 to 590.180] **this chapter**, or an activity or organization directly related to any profession certified or regulated under [sections 590.100 to 590.180] **this chapter**. Each member of the **POST** Commission shall have been at the time of his appointment a citizen of the United States and a resident of this state for a period of at least one year, and members who are peace officers shall be qualified as established by [sections 590.100 to 590.180] **this chapter**. No member of the **POST** commission serving a full term of three years may be reappointed to the **POST** commission until at least one year after the expiration of his most recent term.

2. Three of the original members of the **POST** commission shall be appointed for terms of one year, three of the original members shall be appointed for terms of two years, and three of the original members shall be appointed

for terms of three years. Thereafter the terms of the members of the **POST** commission shall be for three years or until their successors are appointed. The director may remove any member of the **POST** commission for misconduct or neglect of office. Any member of the **POST** commission may be removed for cause by the director but such member shall first be presented with a written statement of the reasons thereof, and shall have a hearing before the **POST** commission if the member so requests. Any vacancy in the membership of the commission shall be filled by appointment for the unexpired term.

3. Annually the director shall appoint one of the members as chairperson. The **POST** commission shall meet at least twice each year as determined by the director or a majority of the members to perform its duties. A majority of the members of the **POST** commission shall constitute a quorum.

4. No member of the **POST** commission shall receive any compensation for the performance of his official duties.

5. The **POST** commission shall [establish the core curriculum and shall also formulate definitions, rules and regulations for the administration of peace officer standards and training and] guide and advise the director concerning duties [as outlined by sections 590.100 to 590.180. No rule or portion of a rule promulgated under the authority of this chapter shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo] **pursuant to this chapter.**

[590.121. The director shall certify such academies, core curriculum and instruction as necessary to fulfill the purposes of sections 590.100 to 590.180. The certification shall be made by the director on the basis of the experience and educational background of the instructors, the quality and aptness of curriculum, the educational equipment and materials used in the training and the methods and measurements used in such training. The director shall adopt and publish rules pertaining to the establishment of minimum standards for certification pursuant to sections 590.100 to 590.180.]

[590.123. 1. The peace officer standards and training commission may promulgate rules and regulations to effectuate the purposes of this chapter. No rule or portion of a rule promulgated under the authority of this section shall become effective until it has been approved by the joint committee on administrative rules in accordance with the procedures provided in this section, and the delegation of the legislative authority to enact law by the adoption of such rules is dependent upon the power of the joint committee on administrative rules to review and suspend rules pending ratification by the senate and the house of representatives as provided in this section.

2. Upon filing any proposed rule with the secretary of state, the commission shall concurrently submit such proposed rule to the committee which may hold hearings upon any proposed rule or portion thereof at any time.

3. A final order of rulemaking shall not be filed with the secretary of state until thirty days after such final order of rulemaking has been received by the committee. The committee may hold one or more hearings upon such final order of rulemaking during the thirty-day period. If the committee does not disapprove such order of rulemaking within the thirty-day period, the commission may file such order of rulemaking with the secretary of state and the order of rulemaking shall be deemed approved.

4. The committee may, by majority vote of the members, suspend the order of rulemaking or portion thereof by action taken prior to the filing of the final order of rulemaking only for one or more of the following grounds:

- (1) An absence of statutory authority for the proposed rule;
- (2) An emergency relating to public health, safety or welfare;
- (3) The proposed rule is in conflict with state law;
- (4) A substantial change in circumstance since enactment of the law upon which the proposed rule is based;
- (5) That the rule is arbitrary and capricious.

5. If the committee disapproves any rule or portion thereof, the commission shall not file such disapproved portion of any rule with the secretary of state and the secretary of state shall not publish in the Missouri Register any final order of rulemaking containing the disapproved portion.

6. If the committee disapproves any rule or portion thereof, the committee shall report its findings to the senate and the house of representatives. No rule or portion thereof disapproved by the committee shall take effect so long as the senate and the house of representatives ratify the act of the joint committee by resolution adopted in each house within thirty legislative days after such rule or portion thereof has been disapproved by the joint committee.

7. Upon adoption of a rule as provided in this section, any such rule or portion thereof may be suspended or revoked by the general assembly either by bill or, pursuant to section 8, article IV of the Constitution of Missouri, by concurrent resolution upon recommendation of the joint committee on administrative rules. The committee shall be authorized to hold hearings and make recommendations pursuant to the provisions of section 536.037, RSMo. The secretary of state shall publish in the Missouri Register, as soon as practicable, notice of the suspension or revocation.]

[590.125. The director may:

(1) Publish and distribute to all Missouri law enforcement agencies bulletins, pamphlets, and educational materials relating to training of peace officers;

(2) Provide seminars, in-service training and supervisory training to ensure that officers of all ranks, both appointed and elected, may be offered training in current enforcement and related subjects on a voluntary enrollment basis;

(3) Consult with and cooperate with any law enforcement agency or division of the state government or the federal government for the development of training programs for the fulfillment of specific needs in law enforcement;

(4) Issue or authorize the issuance of, suspend or revoke diplomas, certificates or other appropriate indicia of compliance and qualification to peace officers who complete specialized training courses offered by the department of public safety;

(5) Encourage the further professionalization of peace officers through training and education.]

[590.130. No elected county peace officer or official shall be required to be certified under sections 590.100 to 590.180 to seek or hold such office, but all appointive deputies or assistants of such officer or official who are employed as peace officers, provided that such county has five or more full-time peace officers, shall be certified as a condition of appointment in the same manner as other peace officers are required to be certified. No arrest shall be deemed unlawful in any criminal or civil proceeding solely because the peace officer is not certified under the terms of sections 590.100 to 590.180. Evidence on the question cannot be received in any civil or criminal case.]

[590.131. The chief executive officer of each law enforcement agency shall notify the director of a peace officer's separation from the agency, whether voluntary or involuntary, and shall set forth in detail the facts and reasons for the separation on a form to be provided by the director.]

[590.135. 1. The director or any of his designated representatives may:

(1) Visit and inspect any certified academy or training program requesting certification for the purpose of determining whether or not the minimum standards established pursuant to sections 590.100 to 590.180 are being complied with, and may issue, suspend or revoke certificates indicating such compliance;

(2) Issue, suspend or revoke certificates for instructors under the provisions of sections 590.100 to 590.180;

(3) Issue or authorize the issuance of diplomas, certificates and other appropriate indicia of compliance and qualification to peace officers trained under the provisions of sections 590.100 to 590.180.

2. The director may refuse to issue, or may suspend or revoke any diploma, certificate or other indicia of compliance and qualification to peace officers or bailiffs issued pursuant to subdivision (3) of subsection 1 of this section of any peace officer for the following:

(1) Conviction of a felony including the receiving of a suspended imposition of a sentence following a plea or finding of guilty to a felony charge;

(2) Conviction of a misdemeanor involving moral turpitude;

(3) Falsification or a willful misrepresentation of information in an employment application, or records of evidence, or in testimony under oath;

(4) Dependence on or abuse of alcohol or drugs;

(5) Use or possession of, or trafficking in, any illegal substance;

(6) Gross misconduct indicating inability to function as a peace officer;

(7) Failure to comply with the continuing education requirements as promulgated by rule of the peace officers standards and training commission.

3. Any person aggrieved by a decision of the director under this section may appeal as provided in chapter 536, RSMo.

4. Any person or agency authorized to submit information pursuant to this section to the director shall be immune from liability arising from the submission of the information so long as the information was submitted in good faith and without malice.

5. The director may refuse to certify any law enforcement school, academy, or training program, any law enforcement instructor or any peace officer not meeting the requirements for certification under the provisions of sections 590.100 to 590.180. The director shall notify the applicant in writing of the reasons for the refusal. The applicant shall have the right to appeal the refusal by filing a complaint with the administrative hearing commission as provided by chapter 621, RSMo, and the director shall advise the applicant of this right of appeal.

6. The director shall cause a complaint to be filed with the administrative hearing commission as provided by chapter 621, RSMo, against any law enforcement instructor or any peace officer not in compliance with the requirements for certification under the provisions of sections 590.100 to 590.180.

7. After the filing of the complaint, the proceeding will be conducted in accordance with the provisions of chapter 621, RSMo. Upon a finding by the administrative hearing commission that the grounds, provided in subsection

5 of this section for disciplinary action are met, the director may revoke the certification of any such law enforcement school, academy, or training program, law enforcement instructor or any peace officer.]

[590.150. The provisions of sections 590.100 to 590.180 shall not apply to a political subdivision having a population of less than two thousand persons or which does not have at least four full-time paid peace officers unless such political subdivision is located in a county of the first class having a charter form of government; provided, however, the governing body of the political subdivision may by order or ordinance elect to come under the provisions of sections 590.100 to 590.180 or such election may be later rescinded and, provided further, that upon election to come under the provisions of sections 590.100 to 590.180 the political subdivision shall be entitled to authorize the fees allowed by section 590.140, otherwise, such fees shall not be collected.]

[590.170. 1. The director shall consult with Missouri sheriffs and their professional organizations and after such consultation shall formulate a training program for persons elected for the first time to the office of sheriff for the purpose of developing improved law enforcement procedures throughout the state.

2. The training program shall consist of at least one hundred twenty hours of instruction covering all major phases of law enforcement with emphasis on the duties and responsibilities of sheriffs.]

[590.175. 1. Any person who is elected to his first term as sheriff in a general election or in a special election in any county of this state shall, within eighteen months of such election, cause to be filed with the presiding circuit judge of the county and director of the department of public safety proof that he has completed the training program formulated pursuant to sections 590.170 and 590.175 or some other comparable training program of not less than one hundred twenty hours instruction approved by the director of the department of public safety.

2. Whether any person elected to his first term as sheriff attends such a training program prior to or after assuming the duties of his office shall be left to the discretion of the governing body of the county from which he was elected. During the time that a sheriff-elect is enrolled in such a training program, he shall be hired as a county employee and receive as full compensation from the county from which he was elected, compensation at a rate equal to that of the sheriff of the county. Tuition and room and board for newly elected sheriffs and sheriffs-elect enrolled in such a training program shall be paid by the state.]

590.180. 1. No arrest shall be deemed unlawful solely because of the licensure status of a peace officer, and evidence on the question cannot be received in any civil or criminal case.

2. The name, licensure status, and commissioning or employing law enforcement agency, if any, of applicants and licensees pursuant to this chapter shall be an open record. All other records retained by the director pertaining to any applicant or licensee shall be confidential and shall not be disclosed to the public or any member of the public, except with written consent of the person or entity whose records are involved, provided, however, that the director may disclose such information in the course of voluntary interstate exchange of information, during the course of litigation involving the director, to other state agencies, or, upon a final determination of cause to discipline, to law enforcement agencies. No closed record conveyed to the director pursuant to this chapter shall lose its status as a closed record solely because it is retained by the director. Nothing in this section shall be used to compel the director to disclose any record subject to attorney-client privilege or work-product privilege.

3. In any investigation, hearing, or other proceeding pursuant to this chapter, any record relating to any applicant or licensee shall be discoverable by the director and shall be admissible into evidence, regardless of any statutory or common law privilege or the status of any record as open or closed, including records in criminal cases whether or not a sentence has been imposed. No person or entity shall withhold records or testimony bearing upon the fitness to be commissioned as a peace officer of any applicant or licensee on the ground of any privilege involving the applicant or licensee, with the exception of attorney-client privilege.

4. Any person or entity submitting information to the director pursuant to this chapter and doing so in good faith and without negligence shall be immune from all criminal and civil liability arising from the submission of such information and no cause of action of any nature shall arise against such person.

5. No person shall make any unauthorized use of any testing materials or certification examination administered pursuant to subsection 2 of section 590.030.

[590.180. 1. Any person who purposely violates any of the provisions of section 590.110, 590.115 or 590.175 is guilty of a class B misdemeanor.

2. Any law enforcement agency which employs a peace officer who is not certified as required by sections 590.100 to 590.180 or who is otherwise in violation of any provision of sections 590.100 to 590.180 shall not be eligible to receive state or federal funds which would otherwise be paid to it for purposes of training and certifying peace officers or for other law enforcement, safety or criminal justice purposes.]

590.190. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created

under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void.

590.195. 1. A person commits a class B misdemeanor if, in violation of this chapter, such person knowingly:

- (1) Holds a commission as a peace officer without a peace officer license valid for such commission; or
- (2) Grants or continues the commission of a peace officer not validly licensed for such commission.

2. Any person who purposely violates any other provision of this chapter shall be guilty of a class B misdemeanor.

3. Any law enforcement agency that commissions a peace officer in violation of this chapter or that is otherwise in violation of any provision of this chapter shall not be eligible to receive state or federal funds that would otherwise be paid to it for the purpose of training and licensing peace officers or for any other law enforcement, safety, or criminal justice purpose."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Thompson, **House Amendment No. 3** was adopted.

Representative Luetkemeyer offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 486 & Senate Bill No. 422, by inserting in the appropriate location in the bill the following:

"Section 1. It shall be contrary to public policy to withhold Medicaid reimbursement to a Medicaid eligible skilled nursing facility for any resident of that skilled nursing facility who resided there for a period in excess of 90 days prior to being eligible for Medicaid reimbursement. Any instrumentality of the state shall waive or modify any provision of any contract license, authority or understanding with the approval of said skilled nursing facility in order to authorize and pay said Medicaid reimbursement."; and

Further amend said bill, by amending title and enacting clause accordingly.

On motion of Representative Luetkemeyer, **House Amendment No. 4** was adopted.

Representative Britt resumed the Chair.

Representative Holand offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 486 & Senate Bill No. 422, Page 32, Section 190.092.3, Line 9, by adding after the word "professional" on said line the following: **"including the licensed physician who reviews and approves the clinical protocol"**.

On motion of Representative Holand, **House Amendment No. 5** was adopted.

Representative Relford offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 486 & Senate Bill No. 422, Page 81, Section 197.374, Line 12, by deleting the words “**five hundred thousand**”.

Representative Foley raised a point of order that **House Amendment No. 6** amends previously amended material.

Representative Britt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Bartle offered **House Substitute Amendment No. 1 for House Amendment No. 6**.

*House Substitute Amendment No. 1
for
House Amendment No. 6*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 486 & Senate Bill No. 422, Page 81, Section 197.374, Line 12, by deleting the words “**five hundred thousand**” and adding the words “**six hundred thousand**”.

Representative Bartle moved that **House Substitute Amendment No. 1 for House Amendment No. 6** be adopted.

Which motion was defeated.

Representative Relford moved that **House Amendment No. 6** be adopted.

Which motion was defeated.

Representative Kelly (27) offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 486 & Senate Bill No. 422, Page 98, Section 197.398, Line 23 of said page, by inserting after said line the following:

"292.602. 1. The "Missouri Emergency Response Commission", herein to be known as the commission, is hereby established and is officially domiciled in the department of public safety. The commission shall be composed of the director of the department of economic development, or his designee; the director of the department of natural resources, or his designee; the director of the department of public safety, or his designee; the director of the department of health, or his designee; six members appointed by the governor with the advice and consent of the senate; one to represent transporters of hazardous materials; one to represent Missouri industry; one to represent local government; one chief fire officer from a recognized fire department or fire protection district; one police officer of the rank of captain or above from a recognized county or municipal police department; and one to represent the general public and four members of the general assembly, two of whom shall be appointed by the speaker of the house and two of whom shall be appointed by the president pro tem of the senate. All members of the commission shall represent the general interest of the public and shall, to the extent practicable, have technical expertise in the emergency response field. No

more than three members appointed by the governor shall be of the same political party. The terms of office for the members appointed by the governor shall be four years and until their successors are selected and qualified, except that, of those first appointed, two shall have a term of three years, two shall have a term of two years and two will have a term of one year. There is no limitation on the number of terms an appointed member may serve. The governor may appoint a member for the remaining portion of the unexpired term created by a vacancy. The governor may remove any appointed member for cause.

2. All members of the commission shall serve without compensation for their duties, but shall be reimbursed for necessary travel and other expenses incurred in the performance of their official duties.

3. The Missouri emergency response commission in conjunction with the department shall:

(1) Carry out those responsibilities designated under sections 292.600 to 292.625 and implement sections 292.600 to 292.625 and the Emergency Planning and Community Right-to-Know Act of 1986, Public Law 99-499, as amended, and all rules and regulations promulgated pursuant thereto, herein to be known as the Federal Act;

(2) Designate local emergency planning districts, **including a district encompassing any city with a population of at least seventy thousand but not more than seventy-three thousand located in a county of the first classification without a charter form of government and with a population of at least eighty-one thousand but not more than eighty-five thousand inhabitants**, to facilitate preparation and implementation of emergency plans, appoint members of a local emergency planning committee for each local emergency planning district, support and coordinate the activities of such committees, review the emergency plans submitted by local emergency planning committees, and make recommendations to the local emergency planning committees regarding those plans;

(3) Establish a single filing point for all reports and filings that are required to be submitted to the commission under the provisions of sections 292.600 to 292.625 and the Federal Act;

(4) Accept, receive and administer grants or other funds or gifts from public and private agencies, including the federal government, for the purpose of carrying out the functions and responsibilities enumerated in sections 292.600 to 292.625;

(5) Provide assistance to the local emergency planning committees for the purpose of carrying out the functions and responsibilities enumerated in sections 292.600 to 292.625 and the Federal Act by utilizing all available expertise both public and private, including, but not limited to, the departments of natural resources, public safety and health;

(6) Provide training to local emergency planning committees and other local officials to accomplish the purposes and objectives of the Federal Act and the provisions of sections 292.600 to 292.625. The department of public safety will coordinate the provisions of such training and periodically report to the commission on training activities;

(7) Enter into such agreements with other state agencies, local governments and other political subdivisions of the state, the federal government and other persons as is determined to be appropriate to implement the Federal Act and the provisions of sections 292.600 to 292.625;

(8) Allot funds as specified in section 292.604 to local emergency planning committees;

(9) Develop a data management system to store and retrieve information submitted under the provisions of sections 292.600 to 292.625 and the Federal Act. The commission and the department will provide assistance to local emergency planning committees and fire departments, fire protection districts, volunteer fire protection services and others to make this information readily available to them for planning and emergency response purposes."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Kelly (27), **House Amendment No. 7** was adopted.

Representative Froelker offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 486 & Senate Bill No. 422, Page 29, Section 190.054, Line 7, by inserting after all of said line the following:

"190.072. 1. Any two or more contiguous ambulance districts may, by a majority vote of the governing body of each district or by a petition signed by at least seventy-five percent of the owners of real property in the affected area, provide for territory located in one district to be annexed and served by a contiguous district. Notice of the proposed annexation shall be filed with the circuit court in the county in which the affected area

is located, or in the circuit court of the county in which the greater physical portion of the affected area is located in the event that such area is located in more than one county. The court shall set a date for a hearing on the proposed annexation and shall cause notice to be published in the same manner as section 190.020.

2. If the court, after the hearing, finds that the proposed annexation would not be in the public interest, it shall order that the annexation not be allowed. If the court finds the proposed annexation to be in the public interest, it shall approve the annexation and the territory shall be detached from one or more districts and annexed to the other district or districts. The court shall not approve any boundary changes pursuant to this section until all districts involved in such change have provided for, and agreed upon, a plan of compensation for, or assumption of, the outstanding debt attributable to the affected area to be annexed.

3. After the annexation is approved, each district shall amend its decree of incorporation to reflect the change in its boundaries as a result of the annexation, and the governing body of the county shall, prior to any subsequent election for ambulance district board members, redivide any election districts established pursuant to section 190.050. A certified copy of the amended decree showing the boundary change and the new subdistricts shall be filed in the office of the recorder of deeds, in the office of the county clerk in each county having territory in the district and in the office of the secretary of state.

4. The costs incurred in the enlargement or extension of the district shall be taxed to the district being enlarged or extended, unless otherwise provided by the districts in an agreement approved by the circuit court; provided that, no costs shall be taxed to the directors of the district."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Froelker, **House Amendment No. 8** was adopted.

Representative Campbell offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 486 & Senate Bill No. 422, Page 85, Section 197.378, Line 9, by inserting after all of said line the following:

"Section 1. A review certification may be granted pursuant to Section 197.378 if an applicant can demonstrate that a need exists for a competitive alternative to existing facilities in highly concentrated markets."; and

Further amend the title and enacting clause accordingly.

Representative Campbell moved that **House Amendment No. 9** be adopted.

Which motion was defeated.

Representative Cooper offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 486 & Senate Bill No. 422, Page 4, Section 34.140, Line 12, by inserting after all of said line the following:

"58.451. 1. When any person, in any county in which a coroner is required by section 58.010, dies and there is reasonable ground to believe that such person died as a result of:

- (1) Violence by homicide, suicide, or accident;
- (2) Criminal abortions, including those self-induced;
- (3) Some unforeseen sudden occurrence and the deceased had not been attended by a physician during the

thirty-six-hour period preceding the death;

(4) In any unusual or suspicious manner;

(5) Any injury or illness while in the custody of the law or while an inmate in a public institution; the police, sheriff, law enforcement officer or official, or any person having knowledge of such a death shall immediately notify the coroner of the known facts concerning the time, place, manner and circumstances of the death. Immediately upon receipt of notification, the coroner or his deputy shall take charge of the dead body and fully investigate the essential facts concerning the medical causes of death, including whether by the act of man, and the manner of death. He may take the names and addresses of witnesses to the death and shall file this information in his office. The coroner or his deputy shall take possession of all property of value found on the body, making exact inventory of such property on his report and shall direct the return of such property to the person entitled to its custody or possession. The coroner or his deputy shall take possession of any object or article which, in his opinion, may be useful in establishing the cause of death, and deliver it to the prosecuting attorney of the county.

2. When a death occurs outside a licensed health care facility, the first licensed medical professional or law enforcement official learning of such death shall contact the county coroner. Immediately upon receipt of such notification, the coroner or the coroner's deputy shall make the determination if further investigation is necessary, based on information provided by the individual contacting the coroner, and immediately advise such individual of the coroner's intentions.

3. Upon taking charge of the dead body and before moving the body the coroner shall notify the police department of any city in which the dead body is found, or if the dead body is found in the unincorporated area of a county governed by the provisions of sections 58.451 to 58.457, the coroner shall notify the county sheriff and the highway patrol and cause the body to remain unmoved until the police department, sheriff or the highway patrol has inspected the body and the surrounding circumstances and carefully noted the appearance, the condition and position of the body and recorded every fact and circumstance tending to show the cause and manner of death, with the names and addresses of all known witnesses, and shall subscribe the same and make such record a part of his report.

4. In any case of sudden, violent or suspicious death after which the body was buried without any investigation or autopsy, the coroner, upon being advised of such facts, may at his own discretion request that the prosecuting attorney apply for a court order requiring the body to be exhumed.

5. The coroner shall certify the cause of death in any case under his charge when a physician is unavailable to sign a certificate of death.

6. When the cause of death is established by the coroner, he shall file a copy of his findings in his office within thirty days.

7. When a coroner investigates a death, the office of the coroner shall, within seventy-two hours of occurrence or discovery of the death, make the following information, to the extent it is known, available as an incident report for public inspection and copying:

(1) The name, age, address, sex and race of the deceased;

(2) The address or location where the body was found and, if different, the address or location where the death occurred;

(3) The name of the agency to which the death was reported;

(4) The name of the responsible public official notifying the coroner of the death, and the name of the person in charge of the investigation;

(5) The entity taking custody of the body;

(6) Information regarding any autopsy limited to the date, the person who performed the autopsy, where the autopsy was performed and a conclusion as to the reason for death, such limited autopsy information to be available within seventy-two hours of the completion of the autopsy.

[7.] 8. If on view of the dead body and after personal inquiry into the cause and manner of death, the coroner determines that a further examination is necessary in the public interest, the coroner on his own authority may make or cause to be made an autopsy on the body. The coroner may on his own authority employ the services of a pathologist, chemist, or other expert to aid in the examination of the body or of substances supposed to have caused or contributed to death, and if the pathologist, chemist, or other expert is not already employed by the city or county for the discharge of such services, he shall, upon written authorization of the coroner, be allowed reasonable compensation, payable by the city or county, in the manner provided in section 58.530. The coroner shall, at the time of the autopsy, record or cause to be recorded each fact and circumstance tending to show the condition of the body and the cause and manner of death.

[8.] 9. If on view of the dead body and after personal inquiry into the cause and manner of death, the coroner considers a further inquiry and examination necessary in the public interest, he shall make out his warrant directed to

the sheriff of the city or county requiring him forthwith to summon six good and lawful citizens of the county to appear before the coroner, at the time and place expressed in the warrant, and to inquire how and by whom the deceased came to his death.

[9.] **10** When a person is being transferred from one county to another county for medical treatment and such person dies while being transferred, the county from which the person is first removed shall be considered the place of death and the county coroner of the county from which the person was being transferred shall be responsible for the certificate of death and for investigating the cause and manner of the death. If the coroner or medical examiner in the county in which the person died believes that further investigation is warranted and a postmortem examination is needed, such coroner or medical examiner shall have the right to further investigate and perform the postmortem examination at the expense of such coroner or medical examiner and shall be responsible for the certificate of death and for investigating the cause and manner of the death. Such coroner or medical examiner shall immediately notify the coroner or medical examiner of the county from which the person was being transferred of the death of such person and after an investigation is completed shall notify such coroner or medical examiner of his findings. If a person does not die while being transferred and is institutionalized after such transfer and subsequently dies while in such institution, the coroner or medical examiner of the county in which the person dies shall immediately notify the coroner or medical examiner of the county from which such person was transferred of the death of such person. In such cases, the county in which the deceased was institutionalized shall be considered the place of death.

[10.] **11.** Except as provided in subsection 9 of this section, if a person dies in one county and his body is subsequently transferred to another county, the county coroner or medical examiner where the death occurred shall be responsible for the certificate of death and for investigating the cause and manner of the death.

[11.] **12** In performing his duties, the coroner or medical examiner shall make reasonable efforts to accommodate organ donation.

58.740. The medical examiner shall keep full and complete records in his office, properly indexed, giving the name, if known, of each deceased person investigated under sections 58.010, 58.020, 58.060, 58.090, 58.160, 58.375, 58.451, 58.455 and 58.700 to 58.765 the place where the body was found, date and cause of death, and all other available information. The original report of the medical examiner or pathologist and the detailed findings of the autopsy, if any, shall be attached to the record of each case. The medical examiner shall promptly deliver to the prosecuting attorney of the county copies of all records relating to every death in which, in the judgment of such medical examiner, further investigation may be deemed advisable. The prosecuting attorney of the county may obtain from the office of the medical examiner copies of these records or other information which he may deem necessary.

2. When a medical examiner investigates a death, the office of the medical examiner shall, within seventy-two hours of occurrence or discovery of the death, make the following information, to the extent it is known, available for public inspection and copying:

- (1) the name, age, address, sex and race of the deceased;**
- (2) The address or location where the body was found and, if different, the address or location where the death occurred;**
- (3) The name of the agency to which the death was reported;**
- (4) The name of the responsible public official notifying the medical examiner of the death, and the name of the person in charge of the investigation;**
- (5) The entity taking custody of the body;**
- (6) Information regarding any autopsy limited to the date, the person who performed the autopsy, where the autopsy was performed and a conclusion as to the reason for death, such limited autopsy information to be available within seventy-two hours of the completion of the autopsy.”; and**

Further amend said bill, by amending the title, enacting clause and intersectional references accordingly.

Representative Hoppe raised a point of order that **House Amendment No. 10** goes beyond the scope of the bill.

Representative Britt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Cooper, **House Amendment No. 10** was adopted.

Representative Byrd offered **House Amendment No. 11**.

Speaker Kreider resumed the Chair.

Representative Hoppe raised a point of order that **House Amendment No. 11** amends previously amended material and is dilatory.

The Chair ruled the point of order well taken.

Representative Harlan offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 486 & Senate Bill No. 422, by inserting in the appropriate location in the bill the following:

“Section 1. A completed application for medical assistance for services described in section 208.152, 1 (4) shall be approved or denied within fifteen days after the division of family services receives all assessments, applications and documentation necessary for the department to make a determination of eligibility.

The division of medical services shall remit payments to a licensed Medicaid certified nursing home operator who has billed for the Medicaid payment for a newly admitted Medicaid resident in a licensed long-term facility within forty-five days of the resident’s approval for Medicaid benefits.”; and

Further amend said bill, by amending the title and enacting clause accordingly.

On motion of Representative Harlan, **House Amendment No. 11** was adopted.

Representative Shields, having voted on the prevailing side, moved that the vote by which **House Amendment No. 1** was adopted, be reconsidered.

Representative Hoppe raised a point of order that it could not be determined that the maker of the motion voted on the prevailing side because House Amendment No. 1 was adopted by a voice vote.

The Chair ruled the point of order well taken.

Representative Hoppe moved that **HS HCS SCS SB 486 & SB 422, as amended**, be adopted.

Which motion was defeated by the following vote:

AYES: 073

Abel	Barnitz	Berkowitz	Bland	Bonner
Boucher	Bowman	Boykins	Britt	Brooks
Carnahan	Clayton	Coleman	Copenhaver	Crump
Curls	Davis	Farnen	Foley	Ford

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Fraser	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harlan	Haywood
Hickey	Hilgemann	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Kelly 27
Kelly 36	Kennedy	Liese	Lowe	Luetkenhaus
Mays 50	McKenna	Merideth	Murphy	O'Connor
Overschmidt	Ransdall	Relford	Reynolds	Rizzo
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Thompson	Treadway	Troupe	Villa
Wagner	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 078

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Bray 84
Burcham	Burton	Byrd	Campbell	Champion
Cierpiot	Cooper	Crawford	Crowell	Cunningham
Dempsey	Dolan	Enz	Fares	Franklin
Froelker	Gaskill	Griesheimer	Hanaway	Harding
Hartzler	Hegeman	Henderson	Hendrickson	Holand
Hunter	Jetton	Kelly 144	King	Koller
Lawson	Legan	Levin	Linton	Lograsso
Luetkemeyer	Marble	Marsh	May 149	Mayer
Miller	Monaco	Moore	Myers	Naeger
Nordwald	Ostmann	Phillips	Portwood	Purgason
Rector	Reinhart	Richardson	Ridgeway	Roark
Robirds	Ross	Schwab	Scott	Secrest
Shields	St. Onge	Surface	Townley	Van Zandt
Vogel	Walton	Wright		

PRESENT: 001

Reid

ABSENT WITH LEAVE: 008

Baker	Barry 100	Gambaro	Hohulin	Kelley 47
Long	O'Toole	Scheve		

VACANCIES: 003

Representative Lograsso, having voted on the prevailing side, moved that the vote by which **HS HCS SCS SB 486 & SB 422, as amended**, was defeated on third reading and final passage, be reconsidered.

Which motion was adopted by the following vote:

AYES: 129

Abel	Baker	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Bonner	Boucher	Bowman
Boykins	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Cierpiot	Coleman
Cooper	Copenhaver	Crawford	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Fares

Farnen	Foley	Ford	Fraser	Froelker
Gaskill	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelly 144	Kelly 27	Kennedy	King	Lawson
Legan	Levin	Liese	Linton	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Portwood
Ransdall	Rector	Reid	Relford	Richardson
Rizzo	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 018

Boatright	Bray 84	Champion	Clayton	Crowell
Enz	Henderson	Hendrickson	Koller	Marble
Phillips	Purgason	Reinhart	Reynolds	Ridgeway
Roark	Shoemyer	Wiggins		

PRESENT: 000

ABSENT WITH LEAVE: 013

Ballard	Barry 100	Franklin	Gambaro	Green 73
Hegeman	Hohulin	Kelley 47	Kelly 36	Long
Monaco	Troupe	Van Zandt		

VACANCIES: 003

Representative Hoppe, having voted on the prevailing side, moved that the vote by which to adopt **HS HCS SCS SB 486 & SB 422, as amended**, was defeated be reconsidered.

Which motion was adopted by the following vote:

AYES: 129

Abel	Baker	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Bonner	Boucher	Bowman
Boykins	Britt	Brooks	Burcham	Burton
Byrd	Carnahan	Champion	Cierpiot	Coleman
Cooper	Copenhaver	Crawford	Crump	Curls
Davis	Dempsey	Dolan	Fares	Farnen
Foley	Ford	Fraser	Froelker	Gaskill
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Hickey	Hilgemann
Holand	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Lawson

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Legan	Levin	Liese	Linton	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	Ostmann	Overschmidt	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Rizzo	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 020

Ballard	Boatright	Bray 84	Campbell	Clayton
Crowell	Cunningham	Enz	Franklin	Henderson
Hendrickson	Koller	Marble	Phillips	Reynolds
Ridgeway	Roark	Seigfreid	Van Zandt	Wiggins

PRESENT: 000

ABSENT WITH LEAVE: 011

Barry 100	Gambaro	Green 73	Hohulin	Hollingsworth
Kelley 47	Long	Monaco	O'Toole	Portwood
Troupe				

VACANCIES: 003

Representative Byrd offered **House Amendment No. 12.**

House Amendment No. 12

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 486 & Senate Bill No. 422, Page 51, Line 10, by inserting the following in the appropriate location:

“190.110. Any nonprofit, public benefit corporation that owned and operated a licensed ambulance service on December 31, 1997, and converts to a for profit corporation, limited liability company, partnership or related entity (the “New Entity”) subsequent to December 31, 2000, and selling substantially all of its assets to such New Entity, shall receive an ambulance service license from the department for the same service area, unless the license of the non profit, public benefit corporation was suspended, revoked or terminated prior to such sale, conversion or similar transaction, upon application of the New Entity to the department and adherence to the rules and regulations of the department promulgated pursuant to sections 190.001 to 190.245 as if the New Entity had operated on December 31, 1997.”; and

Further amend said bill, by amending the title, enacting clause and intersectional references accordingly.

On motion of Representative Byrd, **House Amendment No. 12** was adopted by the following vote:

AYES: 112

Abel	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boatright	Bonner	Boykins	Bray 84
Britt	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Coleman	Cooper
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Fraser	Froelker	Gaskill	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hilgemann	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelly 144	Kelly 36
Kennedy	King	Legan	Levin	Liese
Linton	Lograsso	Luetkemeyer	Marble	Marsh
May 149	Mayer	Mays 50	Merideth	Miller
Moore	Murphy	Myers	Naeger	Nordwald
Ostmann	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Richardson	Ridgeway
Roark	Robirds	Ross	Schwab	Scott
Secrest	Seigfreid	Shields	Shoemyer	Smith
Surface	Thompson	Townley	Van Zandt	Villa
Vogel	Walton	Ward	Wiggins	Williams
Willoughby	Wright			

NOES: 030

Boucher	Bowman	Clayton	Farnen	Foley
Ford	George	Harlan	Hickey	Hollingsworth
Holt	Hoppe	Kelly 27	Koller	Lawson
Luetkenhaus	McKenna	O'Connor	Overschmidt	Relford
Reynolds	Rizzo	Scheve	Selby	Shelton
Skaggs	Troupe	Wagner	Wilson 25	Mr. Speaker

PRESENT: 005

Brooks	Copenhaver	Lowe	St. Onge	Treadway
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ABSENT WITH LEAVE: 013

Baker	Barry 100	Bland	Franklin	Gambaro
Green 73	Hohulin	Holand	Kelley 47	Long
Monaco	O'Toole	Wilson 42		

VACANCIES: 003

On motion of Representative Hoppe, **HS HCS SCS SB 486 & SB 422, as amended**, was adopted.

On motion of Representative Hoppe, **HS HCS SCS SB 486 & SB 422, as amended**, was read the third time and passed by the following vote:

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AYES: 120

Abel	Barnett	Barnitz	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Carnahan
Cierpiot	Coleman	Copenhaver	Crawford	Crump
Curls	Davis	Dempsey	Dolan	Fares
Farnen	Foley	Fraser	Froelker	Gaskill
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Lowe	Luetkemeyer	Luetkenhaus
Marsh	May 149	Mayer	McKenna	Merideth
Murphy	Myers	Naeger	Nordwald	O'Connor
Ostmann	Overschmidt	Ransdall	Rector	Reid
Reynolds	Richardson	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 027

Ballard	Bartelsmeyer	Bartle	Boatright	Campbell
Champion	Clayton	Crowell	Cunningham	Enz
Ford	Franklin	Hendrickson	Marble	Miller
Monaco	Phillips	Portwood	Purgason	Reinhart
Relford	Ridgeway	Roark	Seigfreid	Troupe
Van Zandt	Wright			

PRESENT: 002

Cooper	Treadway
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ABSENT WITH LEAVE: 011

Baker	Barry 100	Gambaro	Green 73	Hickey
Hohulin	Kelley 47	Long	Mays 50	Moore
O'Toole				

VACANCIES: 003

Speaker Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 117

Abel	Barnett	Barry 100	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Clayton	Coleman	Copenhaver
Crawford	Crump	Curls	Davis	Dempsey
Dolan	Fares	Farnen	Foley	Fraser
Gaskill	George	Graham	Gratz	Green 15
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marsh	Mayer	Mays 50
McKenna	Merideth	Monaco	Murphy	Myers
Naeger	O'Connor	Ostmann	Overschmidt	Ransdall
Reid	Reynolds	Richardson	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Villa	Vogel	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 032

Ballard	Barnitz	Bartelsmeyer	Bartle	Boatright
Cierpiot	Cooper	Crowell	Cunningham	Enz
Ford	Franklin	Hendrickson	Hunter	Jetton
Kelly 144	Linton	Marble	May 149	Miller
Moore	Phillips	Portwood	Purgason	Rector
Reinhart	Ridgeway	Roark	Secrest	Troupe
Van Zandt	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Froelker	Gambaro	Green 73	Griesheimer
Hohulin	Kelley 47	Long	Nordwald	O'Toole
Relford				

VACANCIES: 003

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SCS HB 157**: Senators Bentley, Stoll, Childers, Klarich and Yeckel.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HS HCS HB 762, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Sims, Bentley, Childers, Wiggins and Bland.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS No. 2 SCS HS HCS HBs 328 & 88**, entitled:

An act to repeal sections 354.603, 354.606, 376.383 and 376.406, RSMo 2000, relating to the regulation of managed care, and to enact in lieu thereof five new sections relating to the same subject, with an effective date for certain sections.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 5, Senate Amendment No. 8 and Senate Amendment No. 12

Senate Amendment No. 1

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 328 & 88, Page 2, Section 354.603, Line 26 of said page, by inserting an opening bracket before the word “**financial**” and a closing bracket after the word “**capability**” on said line.

Senate Amendment No. 2

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 328 & 88, Page 1, Section A, Line 4, by inserting after all of said line the following:

“197.285. 1. Hospitals and ambulatory surgical centers shall establish and implement a written policy adopted by each hospital and ambulatory surgical center relating to the protections for employees who disclose information pursuant to subsection 2 of this section. This policy shall include a time frame for completion of investigations related to complaints, not to exceed thirty days, and a method for notifying the complainant of the disposition of the investigation. This policy shall be submitted to the department of health to verify implementation. At a minimum, such policy shall include the following provisions:

(1) No supervisor or individual with authority to hire or fire in a hospital or ambulatory surgical center shall prohibit employees from disclosing information pursuant to subsection 2 of this section;

(2) No supervisor or individual with authority to hire or fire in a hospital or ambulatory surgical center shall use or threaten to use his or her supervisory authority to knowingly discriminate against, dismiss, penalize or in any way retaliate against or harass an employee because the employee in good faith reported or disclosed any information pursuant to subsection 2 of this section, or in any way attempt to dissuade, prevent or interfere with an employee who wishes to report or disclose such information;

(3) Establish a program to identify a compliance officer who is a designated person responsible for administering the reporting and investigation process and an alternate person should the primary designee be implicated in the report.

2. This section shall apply to information disclosed or reported in good faith by an employee concerning:

(1) Alleged facility mismanagement or fraudulent activity;

(2) Alleged violations of applicable federal or state laws or administrative rules concerning patient care, patient safety or facility safety; or

(3) The ability of employees to successfully perform their assigned duties.

All information disclosed, collected and maintained pursuant to this subsection and pursuant to the written policy requirements of this section shall be accessible to the department of health at all times and shall be reviewed by the department of health at least annually. Complainants shall be notified of the department of health's access to such information and of the complainant's right to [appeal to the department of health] **notify the department of health of any information concerning alleged violations of applicable federal or state laws or administrative rules concerning patient care, patient safety or facility safety.**

3. Prior to any disclosure to individuals or agencies other than the department of health, employees wishing to make a disclosure pursuant to the provisions of this section shall first report to the individual or individuals designated by the hospital or ambulatory surgical center pursuant to subsection 1 of this section.

4. If the compliance officer, compliance committee or management official discovers credible evidence of misconduct from any source and, after a reasonable inquiry, has reason to believe that the misconduct may violate criminal, civil or administrative law, then the hospital or ambulatory surgical center shall report the existence of misconduct to the appropriate governmental authority within a reasonable period, but not more than seven days after determining that there is credible evidence of a violation.

5. Reports made to the department of health shall be subject to the provisions of section 197.477, provided that the restrictions of section 197.477 shall not be construed to limit the employee's ability to subpoena from the original source the information reported to the department pursuant to this section.

6. Each written policy shall allow employees making a report who wish to remain anonymous to do so, and shall include safeguards to protect the confidentiality of the employee making the report, the confidentiality of patients and the integrity of data, information and medical records.

7. Each hospital and ambulatory surgical center shall, within forty-eight hours of the receipt of a report, notify the employee that his or her report has been received and is being reviewed.

[8. The enactment of this section shall become effective January 1, 2001.]"; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 328 & 88, Page 20, Section 376.381, Line 1, by inserting immediately after said line the following:

"Section 1.1. A completed application for medical assistance for services described in section 208.152 shall be approved or denied within thirty days from submission to the Division of Family Services or its successor.

2. The Division of Medical Services shall remit to a licensed nursing home operator the medicaid payment for a newly admitted medicaid resident in a licensed long term care facility within forty-five days of the resident's date of admission."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 8

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 328 & 88, Page 20, Section 376.383, Line 1 of said page, by inserting immediately after all of said line the following:

"Section 1. No insurer or its agent or representative shall require any applicant or policyholder to divulge if any insurer has denied any claim of that applicant or policyholder."; and

Further amend said bill, by amending the title and enacting clause accordingly.

Senate Amendment No. 12

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 328 & 88, Page 16, Section 386.384, Lines 21 to 26, by striking all of said lines and inserting in lieu thereof the following:

"7. On or after January 1, 2003, all claims submitted electronically for reimbursement for a health care service provided in this state shall be submitted in a uniform format utilizing standard medical code sets. The uniform format and the standard medical code sets shall be promulgated by the department of insurance through rules consistent with but no more stringent than the federal administrative simplification standards adopted pursuant to the Health Insurance Portability and Accountability Act of 1996.".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SCS SB 591, as amended**, and requests that the House recede from its position and failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HS HCS SCS SB 617, as amended**: Senators Steelman, Klarich, Kenney, House and Scott.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 241**, and has taken up and passed **CCS SCS HCS HB 241**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HB 621, as amended**, and has taken up and passed **CCS HB 621**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SS SB 244**, and has taken up and passed **CCS HCS SS SB 244**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS SS SCS SB 351, as amended**, and requests that the House recede from its position and failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS SCS SB 393, as amended**, and has taken up and passed **CCS HS SCS SB 393**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 610**, and has taken up and passed **CCS HCS SB 610**.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

SCS HB 157: Representatives Britt, Smith, Hosmer, Linton and Reid

HS HCS SB 365: Representatives Robirds, Berkstresser, Overschmidt, Koller and Hampton

SS SCS HS HCS HB 762: Representatives Barry, Bonner, Selby, Holand and Ostmann

**CONFERENCE COMMITTEE REPORT NO. 2
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 453**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate, on Senate Substitute for Senate Committee Substitute for House Bill No. 453, with Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 8, Senate Amendment No. 9, Senate Amendment No. 10 and Senate Amendment No. 11, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Bill No. 453, as amended;
2. That the House recede from its position on House Bill No. 453;
3. That the attached Conference Committee Substitute No. 2 for Senate Substitute for Senate Committee Substitute for House Bill No. 453 be adopted.

FOR THE HOUSE:

/s/ Rep. Bill Ransdall
/s/ Rep. Phil Smith
/s/ Rep. Denny Merideth
/s/ Rep. Martin Hohulin
/s/ Rep. Rod Jetton

FOR THE SENATE:

/s/ Sen. Sarah Steelman
/s/ Sen. David Klarich
/s/ Sen. Chuck Gross
/s/ Sen. James Mathewson
/s/ Sen. Edward Quick

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 471**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate, on Senate Committee Substitute for House Bill No. 471, with Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3 and Senate Amendment No. 4, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 471, as amended;

2. That the House recede from its position on House Bill No. 471;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 471 be adopted.

FOR THE HOUSE:

/s/ Rep. Cathy Jolly
/s/ Rep. Rick Johnson
/s/ Rep. Robert Clayton
/s/ Rep. Don Lograsso
/s/ Rep. Delbert Scott

FOR THE SENATE:

/s/ Sen. Morris Westfall
/s/ Sen. Harry Wiggins
/s/ Sen. Bill Kenney
/s/ Sen. Anita Yeckel
/s/ Sen. John Schneider

**CONFERENCE COMMITTEE REPORT NO. 2
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NOS. 302 & 38**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate, on Senate Committee Substitute for House Committee Substitute for House Bill Nos. 302 & 38, with Senate Amendment No. 1 and Senate Amendment No. 3, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill Nos. 302 & 38, as amended;
2. That the House recede from its position on House Committee Substitute for House Bill Nos. 302 & 38;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 302 & 38 be adopted.

FOR THE HOUSE:

/s/ Rep. Craig Hosmer
/s/ Rep. Phillip Britt
/s/ Rep. Gary Kelly
/s/ Rep. Robert Mayer
/s/ Rep. Sam Gaskill

FOR THE SENATE:

/s/ Sen. Morris Westfall
/s/ Sen. Marvin Singleton
/s/ Sen. David Klarich
/s/ Sen. Ted House
/s/ Sen. Harold Caskey

BILLS IN CONFERENCE

CCR No. 2 SS SCS HB 453, as amended, relating to environmental commissions and fees, was taken up by Representative Ransdall.

On motion of Representative Ransdall, **CCR No. 2 SS SCS HB 453, as amended**, was adopted by the following vote:

AYES: 129

Abel	Ballard	Barnett	Barnitz	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Campbell
Carnahan	Cierpiot	Clayton	Coleman	Copenhaver
Crawford	Crump	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Ford
Fraser	Froelker	Gaskill	George	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Liese	Linton	Lograsso	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	Ostmann	Overschmidt	Ransdall	Reinhart
Relford	Reynolds	Richardson	Rizzo	Robirds
Ross	Scheve	Schwab	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 015

Bartelsmeyer	Boatright	Cooper	Crowell	Cunningham
Hohulin	Kelly 144	Phillips	Portwood	Purgason
Rector	Reid	Ridgeway	Roark	Scott

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker	Barry 100	Bonner	Byrd	Champion
Foley	Franklin	Gambaro	Green 73	Hilgemann
Holand	Kelley 47	Levin	Long	O'Toole
Troupe				

VACANCIES: 003

On motion of Representative Ransdall, **CCS No. 2 SS SCS HB 453** was read the third time and passed by the following vote:

AYES: 139

Abel	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Copenhaver	Crawford
Crowell	Crump	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Ford
Fraser	Froelker	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Jetton	Johnson 61	Johnson 90	Jolly
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	Ostmann
Overschmidt	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 010

Cooper	Cunningham	Hohulin	Hunter	Kelly 144
Phillips	Portwood	Purgason	Ridgeway	Roark

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Barry 100	Bonner	Foley	Franklin
Gambaro	Kelley 47	Long	O'Toole	Seigfreid
Troupe				

VACANCIES: 003

Speaker Kreider declared the bill passed.

CCR SCS HB 471, as amended, relating to drug trafficking, was taken up by Representative Jolly.

On motion of Representative Jolly, **CCR SCS HB 471, as amended**, was adopted by the following vote:

AYES: 151

Abel	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Ford	Franklin	Fraser
Froelker	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker	Barry 100	Foley	Gambaro	Kelley 47
Long	O'Toole	Richardson	Troupe	

VACANCIES: 003

On motion of Representative Jolly, **CCS SCS HB 471** was read the third time and passed by the following vote:

AYES: 149

Abel	Baker	Ballard	Barnett	Barnitz
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Cunningham	Curls
Davis	Dempsey	Enz	Fares	Farnen

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Foley	Ford	Franklin	Froelker	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Naeger	Nordwald	O'Connor	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Barry 100	Brooks	Crump	Dolan	Fraser
Gambaro	Kelley 47	Long	Myers	O'Toole
Troupe				

VACANCIES: 003

Speaker Kreider declared the bill passed.

CCR No. 2 SCS HCS HBs 302 & 38, as amended, relating to blood alcohol content violations, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **CCR No. 2 SCS HCS HBs 302 & 38, as amended**, was adopted by the following vote:

AYES: 139

Abel	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gaskill	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson

Hendrickson	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 90
Jolly	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	Ostmann	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Van Zandt	Villa	Vogel
Wagner	Walton	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 012

Ford	George	Green 73	Hickey	Hohulin
Johnson 61	Lograsso	O'Connor	Reynolds	Townley
Treadway	Ward			

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker	Barry 100	Gambaro	Kelley 47	Linton
Long	O'Toole	Overschmidt	Troupe	

VACANCIES: 003

On motion of Representative Hosmer, **CCS SCS HCS HBs 302 & 38**, was read the third time and passed by the following vote:

AYES: 141

Abel	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gaskill	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Johnson 61
Johnson 90	Jolly	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
Ostmann	Phillips	Portwood	Purgason	Ransdall

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Rector	Reid	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Van Zandt
Villa	Vogel	Wagner	Walton	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 010

George	Green 73	Hickey	Hohulin	Lograsso
O'Connor	Reynolds	Townley	Treadway	Ward

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker	Barry 100	Gambaro	Jetton	Kelley 47
Long	O'Toole	Overschmidt	Troupe	

VACANCIES: 003

Speaker Kreider declared the bill passed.

HOUSE BILL WITH SENATE AMENDMENTS

SS No. 2 SCS HS HCS HBs 328 & 88, as amended, relating to regulation of managed care, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **SS No. 2 SCS HS HCS HBs 328 & 88, as amended**, was adopted by the following vote:

AYES: 140

Abel	Baker	Ballard	Barnett	Barnitz
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Lawson	Legan	Levin
Liese	Linton	Lograsso	Lowe	Luetkemeyer
Marble	Marsh	May 149	Mayer	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	Ostmann
Phillips	Portwood	Purgason	Ransdall	Rector

Reid	Reinhart	Relford	Reynolds	Richardson
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 020

Barry 100	Bonner	Burcham	Ford	Gambaro
Gaskill	Green 73	Hosmer	Kelley 47	Koller
Long	Luetkenhaus	Mays 50	O'Toole	Overschmidt
Ridgeway	Secrest	Troupe	Wiggins	Williams

VACANCIES: 003

On motion of Representative Hosmer, **SS No. 2 SCS HS HCS HBs 328 & 88, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 145

Abel	Baker	Ballard	Barnett	Barnitz
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Lograsso	Lowe	Luetkemeyer
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Barry 100	Bonner	Copenhaver	Ford	Gambaro
Gaskill	Green 73	Hosmer	Kelley 47	Linton
Long	Luetkenhaus	O'Toole	Secrest	Troupe

VACANCIES: 003

Speaker Kreider declared the bill passed.

BILLS CARRYING REQUEST MESSAGES

HS HCS SCS SB 591, as amended, relating to sewer districts, was taken up by Representative Hoppe.

Representative Hoppe moved that the House refuse to recede from its position on **HS HCS SCS SB 591, as amended**, and grant the Senate a conference.

Which motion was adopted.

HS SS SCS SB 351, as amended, relating to peace officer training, was taken up by Representative Britt.

Representative Britt moved that the House refuse to recede from its position on **HS SS SCS SB 351, as amended**, and grant the Senate a conference.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committee to act with a like Committee from the Senate on the following bills:

HS HCS SCS SB 591: Representatives Hoppe, Shoemyer, Clayton, Legan and Black
HS SS SCS SB 351: Representatives Britt, Hosmer, McKenna, Barnett and Burcham

COMMITTEE REPORT

Committee on Conservation, State Parks and Mining, Chairman Relford reporting:

Mr. Speaker: Your Committee on Conservation, State Parks and Mining, to which was referred **SCR 31**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE CONCURRENT RESOLUTION NO. 31

WHEREAS, the General Assembly believes the principles of free markets, limited government, federalism and individual liberty are essential to providing the greatest amount of economic and political freedom for our citizens; and

WHEREAS, careful stewardship of our nation's precious natural resources is essential if future generations are to enjoy and prosper from them; and

WHEREAS, voluntary industry leadership in the private sector is the best method of productive and economically viable environmental stewardship of our land, forests, water and wild life; and

WHEREAS, the General Assembly believes that voluntary forest product management and leadership by the private sector in sustaining forest resources is preferable to government-imposed resource management mandates; and

WHEREAS, Americans have taken pride in their nation's rich bounty of natural resources, and careful stewardship of these precious assets is essential if future generations are to enjoy and benefit from them; and

WHEREAS, the forest products industry, an essential component of the nation's economy sustaining businesses, families, and rural communities since its founding, is comprised of more than 34,000 employees and 400,000 forest landowners; and

WHEREAS, close to one-third of the nation's land is forested, with 14 million acres in Missouri alone, and the vital importance of the industry underscores the necessity for intelligent management of the over 736 million acres of America's forest land; and

WHEREAS, the forest products industry relies on forest resources to make this state one of the leading producers of wood flooring, staves, furniture, cabinetry, lumber, pallets, charcoal, and other wood products, and meeting society's increasing demand for wood and wood-related products is important to our nation's quality of life; and

WHEREAS, America's forest products companies have made considerable capital improvements in recycling, and the industry nationally has voluntarily set a goal to recover 50% of the paper it produces; and

WHEREAS, Missouri's forest products industry, in recognition of its stewardship responsibilities in nurturing the forest resources, has pledged itself to the continuing principles of sustainable forestry by initiating the "Sustainable Forestry Initiative Program", a comprehensive program committed to responsible environmental stewardship of the forests, water resources and wild life; and

WHEREAS, the goal of the Sustainable Forestry Initiative Program is to educate the public on the importance of industry leadership in voluntarily protecting these valuable resources, and to promote and monitor the progress made toward this worthy goal; and

WHEREAS, the Missouri Forest Products Association's members are actively demonstrating a commitment to the principles of sustainable forestry and are bench marking this commitment by implementing Sustainable Forestry Initiative Program principles and practices, such as prompt reforestation and protection of water quality and wildlife habitat:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninety-first General Assembly, First Regular Session, the House of Representatives concurring therein, recognize the Missouri Forest Products Association's member companies, forest landowners and loggers, and the state's forest products industry for its commitment to the responsible use of natural resources, and commend the creation and implementation of the Sustainable Forestry Initiative Program as a means to this end; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare copies of this resolution for the Missouri Forest Products Association.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HS HCS SCS SB 186, as amended**, and has taken up and passed **HS HCS SCS SB 186, as amended**.

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 157**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate, on Senate Committee Substitute for House Bill No. 157, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 157;
2. That the House recede from its position on House Bill No. 157;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 157 be adopted.

FOR THE HOUSE:

/s/ Craig Hosmer
/s/ Phil Smith
/s/ Phil Britt
/s/ William Linton
/s/ Mike Reid

FOR THE SENATE:

/s/ Roseann Bentley
/s/ Stephen Stoll
/s/ David Klarich
/s/ Doyle Childers
/s/ Anita Yeckel

**CONFERENCE COMMITTEE REPORT
ON
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 266**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate, on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 266, with House Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 9, 10 and 11; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 266, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 266;
3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 266 be Truly Agreed To and Finally Passed.

FOR THE HOUSE:

s/ Joan Barry
/s/ Phil Smith
/s/ Harry Kennedy
/s/ Roy Holand
/s/ Shannon Cooper

FOR THE SENATE:

/s/ Mary Bland
/s/ Steve Stoll
/s/ Sarah Steelman
/s/ Morris Westfall
/s/ Betty Sims

**CONFERENCE COMMITTEE REPORT
ON
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 236**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate, on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 236, with House Amendment Nos. 1, 2, 3, 4, 5, 6, House Substitute Amendment No. 1 for House Amendment No. 7, House Amendment Nos. 8, 11, 12, 13 and House Substitute Amendment No. 1 for House Amendment No. 14; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 236, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 236;

3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 236 be Truly Agreed To and Finally Passed.

FOR THE HOUSE:

/s/ Lana Ladd Baker
/s/ Dr. Charles Portwood
/s/ Mark Abel
/s/ Tim Harlan
/s/ Charles Shields

FOR THE SENATE:

/s/ Betty Sims
/s/ Roseann Bentley
/s/ Sarah Steelman
/s/ Jim Mathewson
/s/ Sidney Johnson

**CONFERENCE COMMITTEE REPORT
ON
HOUSE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 393**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate, on House Substitute for Senate Committee Substitute for Senate Bill No. 393, with House Amendment Nos. 1 and 2; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for Senate Committee Substitute for Senate Bill No. 393, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 393;
3. That the attached Conference Committee Substitute for House Substitute for Senate Committee Substitute for Senate Bill No. 393 be Truly Agreed To and Finally Passed.

FOR THE HOUSE:

/s/ Joseph Treadway
/s/ Richard Johnson
/s/ Wes Shoemyer
/s/ Roy Holand
/s/ Linda Bartelsmeyer

FOR THE SENATE:

/s/ Betty Sims
/s/ Roseann Bentley
/s/ Marvin Singleton
/s/ Mary Groves Bland
/s/ Harry Wiggins

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE BILL NO. 244**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate, on House Committee Substitute for Senate Substitute for Senate Bill No. 244, with House Amendment Nos. 1, 2, 4, 5, 6, 8, 9, 10, 11 and 13; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Bill No. 244, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Bill No. 244;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 244 be Truly Agreed To and Finally Passed.

FOR THE HOUSE:

/s/ Don Koller
/s/ Wayne Crump
/s/ Tim Green (15th)
/s/ Van Kelly (144th)
/s/ Carson Ross

FOR THE SENATE:

/s/ Danny Staples
/s/ James Mathewson
/s/ Doyle Childers
/s/ John Cauthorn
/s/ David Klindt

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 610**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate, on House Committee Substitute for Senate Bill No. 610, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 610;
2. That the Senate recede from its position on Senate Bill No. 610;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 610 be adopted.

FOR THE HOUSE:

/s/ Rep. Thomas Hoppe

/s/ Rep. Henry Rizzo

/s/ Rep. Bill Skaggs

FOR THE SENATE:

/s/ Sen. Morris Westfall

/s/ Sen. Chuck Gross

/s/ Sen. John Cauthorn

/s/ Sen. Sidney Johnson

/s/ Sen. Danny Staples

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 9:30 a.m., Friday, May 18, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Seventy-fifth Day, Wednesday, May 16, 2001, pages 2238 and 2239, roll call, by showing Representative Ridgeway voting "aye" rather than "absent with leave".

Page 2239, roll call, by showing Representatives Dempsey, Hosmer, Johnson (90) and Ridgeway voting "aye" rather than "absent with leave".

Page 2240, roll call, by showing Representatives Crawford and Ridgeway voting "aye" rather than "absent with leave".

Pages 2261 and 2262, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

Pages 2262 and 2263, roll call, by showing Representative Wright voting "aye" rather than "absent with leave".

Pages 2263 and 2264, roll call, by showing Representative Shields voting "aye" rather than "absent with leave".

Pages 2266 and 2267, roll call, by showing Representative Smith voting "no" rather than "absent with leave".

Pages 2270 and 2271, roll call, by showing Representatives King and Reinhart voting "aye" rather than "absent with leave".

Pages 2326 and 2327, roll call, by showing Representatives Shields, King and St. Onge voting "aye" rather than "absent with leave".

Pages 2331 and 2332, roll call, by showing Representatives Hosmer, King and Liese voting "aye" rather than "absent with leave".

Pages 2332 and 2333, roll call, by showing Representatives Hosmer and King voting "no" rather than "absent with leave".

Pages 2334 and 2335, roll call, by showing Representative Boucher voting "aye" rather than "absent with leave".

Pages 2334 and 2335, roll call, by showing Representatives Hosmer and King voting "no" rather than "absent with leave".

Pages 2337 and 2338, roll call, by showing Representatives Franklin, Hosmer, Kelly (27), King and Ward voting "aye" rather than "absent with leave".

Pages 2338 and 2339, roll call, by showing Representatives Franklin, Kelly (27) and Ward voting "aye" rather than "absent with leave".

Pages 2343 and 2344, roll call, by showing Representatives Black, Franklin, Kelly (27), King and Lowe voting "aye" rather than "absent with leave".

Pages 2344 and 2345, roll call, by showing Representatives Boucher, Enz, Froelker, King and Ridgeway voting "aye" rather than "absent with leave".

Page 2349, roll call, by showing Representatives King and Wagner voting "aye" rather than "absent with leave".

Pages 2349 and 2350, roll call, by showing Representatives King, Lowe and Wagner voting "aye" rather than "absent with leave".

Pages 2350 and 2351, roll call, by showing Representatives Franklin, King and Wagner voting "aye" rather than "absent with leave".

Page 2359, roll call, by showing Representatives King, Naeger and Wagner voting "aye" rather than "absent with leave".

Page 2359, roll call, by showing Representative Surface voting "no" rather than "aye".

Pages 2360 and 2361, roll call, by showing Representatives Black, King and Wagner voting "aye" rather than "absent with leave".

HOUSE CALENDAR

SEVENTY-SEVENTH DAY, FRIDAY, MAY 18, 2001

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 15 & 13 - Crawford

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 457, HA 2, as amended, tabled - Kreider
- 2 HCS HB 593 - Riback Wilson (25)
- 3 HCS HB 239 - Smith
- 4 HB 802 - Ransdall
- 5 HCS HB 374 - Fraser
- 6 HCS HB 635 - Barry
- 7 HCS HB 868 - Merideth
- 8 HCS HB 253 - Ross
- 9 HB 809, HCA 1 - Carnahan
- 10 HCS HB 340, 303 & 316 - Graham
- 11 HB 640 - Johnson (90)
- 12 HCS HB 723 - Mays (50)
- 13 HCS HB 117 - Riback Wilson (25)
- 14 HCS HB 307 - Wiggins
- 15 HCS HB 921 - Curls
- 16 HB 911 - Carnahan
- 17 HCS HB 511 - Johnson (90)
- 18 HB 63 - Reynolds
- 19 HCS HB 93 - Gaskill

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 113 - Hickey
- 2 HCS HB 853 & 258 - Crump
- 3 HCS HB 186 & 172 - Troupe
- 4 HCS HB 888, 942 & 943 - Scheve
- 5 HCS HB 472 - Burton
- 6 HCS HB 293 - Kennedy
- 7 HCS HB 663 & 375 - Kennedy
- 8 HCS HB 170 - Froelker

HOUSE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING

HCR 18, (5-14-01, pgs. 2135 & 2136) - Barry

HOUSE BILLS FOR THIRD READING

- 1 HB 527, (Fiscal Review 4-19-01) - Luetkenhaus
- 2 HB 366, E.C. - Champion
- 3 HS HB 286, E.C. - Smith
- 4 HS HB 715 - Foley

SENATE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING

HCS SCR 31, (5-17-01) - Relford

SENATE JOINT RESOLUTIONS FOR THIRD READING

- 1 HCS SS SCS SJR 1 & 4 - O'Toole
- 2 SS SJR 9 - Gambaro

SENATE BILLS FOR THIRD READING

- 1 SB 370, HCA 1 - Smith
- 2 SCS SB 52 & 91, HCA 1 & HCA 2 - Koller
- 3 HCS SCS SB 44 & 59 - Monaco
- 4 HCS SCS SB 136 - Barry
- 5 HCS SS SCS SB 551, 410, 539, 528 & 296, (Fiscal Review 5-15-01) - Barry
- 6 HCS SS SCS SB 46 & 47, E.C. (Fiscal Review 5-15-01) - Barry
- 7 SCS SB 578 - Green (73)
- 8 HCS SCS SB 317 - Hollingsworth
- 9 SB 430 - Carnahan
- 10 SB 76 - Skaggs

SENATE BILLS FOR THIRD READING - INFORMAL

- 1 SB 123 - Hampton
- 2 SB 416 - Wagner
- 3 HCS SB 392 - Rizzo
- 4 HCS SS SCS SB 433 & 248 - Hoppe
- 5 HCS SS SCS SB 476, 427 & 62, (Fiscal Review 5-14-01) - Seigfreid
- 6 HCS SS SCS SB 89 & 37, (Fiscal Review 5-15-01) - Hosmer
- 7 HCS SS SCS SB 214, 124, 209 & 322, (Fiscal Review 5-15-01) - Hosmer
- 8 SB 32, HCA 1 (Fiscal Review 5-15-01) - Merideth
- 9 SS#2 SCS SB 22 & 106, HCA 1 - Scheve

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 HB 955, SCA 1 - Green (73)
- 2 SCS HCR 24 - Boucher
- 3 HB 769, SAs 1,2,3,4,5,& 6 - Harlan
- 4 SCS HB 626 - Hosmer
- 5 HB 262, SCA 1, SA 2, SA 3, SA 1 to SA 4, SA 4, as amended - Linton
- 6 SS SCS HB 501 - Bowman

BILLS IN CONFERENCE

- 1 CCR HCS SS SB 193, as amended - Ward
- 2 CCR HCS SB 610 - Hoppe
- 3 HCS SB 304 - Monaco
- 4 CCR#2 HCS SCS SB 151 - Gaskill
- 5 CCR SCS HCS HB 205, 323 & 549 - Relford
- 6 CCR HCS SB 274 - Harlan
- 7 HS HCS SB 460, as amended, E.C. - Kennedy
- 8 HS HCS SB 72, as amended - Smith
- 9 CCR HS HCS SCS SB 236, as amended, E.C. - Ladd Baker
- 10 CCR HS HCS SS SCS SB 369, as amended - Burton
- 11 CCR HS SCS SB 393, as amended, E.C. - Treadway
- 12 CCR HS HCS SCS SB 266, as amended - Barry
- 13 HS HCS SS SCS SB 48, as amended - Hollingsworth
- 14 CCR HCS SS SB 244 - Koller
- 15 SCS HB 80, as amended, E.C. - Ross
- 16 HS HCS SB 365, as amended - Overschmidt
- 17 HS HCS SCS SB 617, as amended - Rizzo
- 18 CCR SCS HB 157 - Hosmer
- 19 SS SCS HS HCS HB 762, as amended - Barry
- 20 HS HCS SCS SB 591, as amended - Hoppe
- 21 HS SS SCS SB 351, as amended - Britt

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

SEVENTY-SEVENTH DAY, FRIDAY, MAY 18, 2001

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

God of mercy and grace: all thoughts are open to You, nothing is hidden. As these men and women of the House, the hard working staff and families, celebrate this day, as they bring to conclusion their work, give them Your peace.

It is sometimes dangerous to be kind and tender-hearted, dangerous to be forgiving and understanding. But help them to do that now. And give to them a joy for all that is good and fine in our life.

Keep them alive to new possibilities and the gifts of this day. And to You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Tyler D. Lewelling.

The Journal of the seventy-sixth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2216

through

House Resolution No. 2228 - Representative Portwood

House Resolution No. 2229 - Representative Kennedy

House Resolution No. 2230

and

House Resolution No. 2231 - Representative Hendrickson

House Resolution No. 2232

through

House Resolution No. 2236 - Representative Bland

House Resolution No. 2237 - Representatives Henderson and Hampton

House Resolution No. 2238

and

House Resolution No. 2239 - Representative Scott

House Resolution No. 2240 - Representative Ford, et al

House Resolution No. 2241 - Representative Hendrickson

House Resolution No. 2242

and

House Resolution No. 2243 - Representative Fares

House Resolution No. 2244 - Representative Hilgemann

House Resolution No. 2245 - Representative Lawson

House Resolution No. 2246

and

House Resolution No. 2247 - Representative Wilson (42)

House Resolution No. 2248 - Representative Ford, et al

House Resolution No. 2249

and

House Resolution No. 2250 - Representative Moore

House Resolution No. 2251

through

House Resolution No. 2255 - Representative Boucher

House Resolution No. 2256 - Representative Relford

House Resolution No. 2257 - Representative Wilson (42)

House Resolution No. 2258 - Representative Moore

House Resolution No. 2259 - Representative Johnson (90)

COMMITTEE REPORTS

Committee on Fiscal Review and Government Reform, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **SB 32 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS SS SCS SBs 89 & 37 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS SS SCS SBs 214, 124, 209 & 322 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS SS SCS SBs 476, 427 & 62 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS SS SCS SBs 551, 410, 539, 528 & 296 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE BILLS WITH SENATE AMENDMENTS

HB 955, with Senate Committee Amendment No. 1, relating to medicaid hospital reimbursement, was taken up by Representative Green (73).

On motion of Representative Green (73), the House concurred in **Senate Committee Amendment No. 1** by the following vote:

AYES: 152

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hohulin	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lowe	Luetkemeyer
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Baker	Cooper	Hilgemann	Holand	Lograsso
Long	Luetkenhaus	Secrest		

VACANCIES: 003

On motion of Representative Green (73), **HB 955, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 156

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambara	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lowe	Luetkemeyer	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Bowman	Lograsso	Long	Luetkenhaus
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VACANCIES: 003

Speaker Kreider declared the bill passed.

SS SCS HB 501, relating to water pollution bonds, was taken up by Representative Bowman.

SS SCS HB 501 was laid over.

Speaker Pro Tem Abel assumed the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 133**, entitled:

An act to repeal sections 441.500, 441.510, 441.520, 441.550, 441.590, 447.700 and 447.708, RSMo 2000, relating to property development, and to enact in lieu thereof eight new sections relating to the same subject, with an expiration date for a certain section.

With Senate Amendment No. 1

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Bill No. 133, Page 13, Section 447.708, Line 126, by striking the word “**shall**” and replacing in lieu thereof the word “**may**”.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report No. 2 on **SCS HCS HBs 302 & 38, as amended**, and has taken up and passed **CCS No. 2 SCS HCS HBs 302 & 38**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS HCS SS SCS SB 48, as amended**, and has taken up and passed **CCS HS HCS SS SCS SB 48**.

BILLS IN CONFERENCE

CCR HCS SS SB 193, as amended, relating to insurance producers, was taken up by Representative Ward.

On motion of Representative Ward, **CCR HCS SS SB 193, as amended**, was adopted by the following vote:

AYES: 099

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Bonner	Boucher	Britt	Burcham
Burton	Byrd	Carnahan	Cierpiot	Clayton
Cooper	Crawford	Crowell	Crump	Davis
Dempsey	Dolan	Enz	Fares	Ford
Froelker	Gaskill	George	Gratz	Griesheimer
Hagan-Harrell	Hanaway	Hartzler	Hegeman	Henderson
Hohulin	Hoppe	Hunter	Jetton	Jolly
Kelley 47	Kelly 144	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Lograsso	Long	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Myers

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Naeger	Nordwald	Ostmann	Portwood	Rector
Reinhart	Richardson	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Secrest	Selby
Shields	Shoemyer	Smith	St. Onge	Surface
Townley	Troupe	Vogel	Wagner	Ward
Wiggins	Williams	Willoughby	Wright	

NOES: 059

Black	Bland	Boatright	Bowman	Boykins
Bray 84	Brooks	Campbell	Champion	Coleman
Copenhaver	Cunningham	Curls	Farnen	Franklin
Fraser	Gambaro	Graham	Green 15	Green 73
Hampton	Harding	Harlan	Haywood	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hosmer	Johnson 61	Johnson 90	Kelly 27	Linton
Lowe	Murphy	O'Connor	O'Toole	Overschmidt
Phillips	Purgason	Ransdall	Reid	Relford
Reynolds	Rizzo	Scheve	Seigfreid	Shelton
Skaggs	Thompson	Treadway	Van Zandt	Villa
Walton	Wilson 25	Wilson 42	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 002

Baker	Foley
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VACANCIES: 003

On motion of Representative Ward, **HCS SS SB 193, as amended by the CCR**, was truly agreed to and finally passed by the following vote:

AYES: 121

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Britt	Brooks	Burcham	Burton
Byrd	Carnahan	Champion	Cierpiot	Clayton
Cooper	Crawford	Crowell	Crump	Curls
Davis	Dempsey	Dolan	Enz	Fares
Ford	Fraser	Froelker	Gambaro	Gaskill
George	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hanaway	Hartzler	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Hoppe	Hunter	Jetton
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Long
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	Nordwald
Ostmann	Overschmidt	Portwood	Purgason	Rector
Reinhart	Relford	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Selby	Shelton	Shields

Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Troupe	Vogel	Wagner
Ward	Wiggins	Williams	Willoughby	Wright
Mr. Speaker				

NOES: 036

Bowman	Boykins	Bray 84	Campbell	Coleman
Copenhaver	Cunningham	Farnen	Foley	Franklin
Graham	Green 73	Hampton	Harding	Hendrickson
Hohulin	Holand	Hollingsworth	Holt	Hosmer
Johnson 61	Johnson 90	Lowe	Murphy	O'Connor
O'Toole	Phillips	Ransdall	Reid	Seigfreid
Treadway	Van Zandt	Villa	Walton	Wilson 25
Wilson 42				

PRESENT: 000

ABSENT WITH LEAVE: 003

Baker	Harlan	Reynolds
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VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

CCR HCS SS SB 244, relating to motor vehicles and equipment, was taken up by Representative Koller.

Representative Crump moved the previous question on the motion to adopt **CCR HCS SS SB 244**.

Which motion was adopted by the following vote:

AYES: 085

Abel	Barnitz	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Coleman	Copenhaver	Crump	Curls	Davis
Farnen	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Harlan
Haywood	Hickey	Hilgemann	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Kelly 27	Kelly 36	Kennedy	Koller	Lawson
Liese	Lowe	Luetkenhaus	Mays 50	McKenna
Merideth	Monaco	O'Connor	O'Toole	Overschmidt
Ransdall	Relford	Reynolds	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Thompson	Treadway	Troupe	Van Zandt
Villa	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

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NOES: 073

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Froelker	Gaskill	Griesheimer
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Hunter	Jetton	Kelley 47
Kelly 144	King	Legan	Levin	Linton
Lograsso	Luetkemeyer	Marble	Marsh	May 149
Mayer	Miller	Moore	Murphy	Myers
Naeger	Nordwald	Ostmann	Phillips	Portwood
Purgason	Rector	Reid	Reinhart	Richardson
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Secrest	Shields	St. Onge	Surface
Townley	Vogel	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 002

Baker Long

VACANCIES: 003

On motion of Representative Koller, **CCR HCS SS SB 244** was adopted by the following vote:

AYES: 150

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowicz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Liese
Linton	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley

Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 006

Gambaro	Johnson 61	Levin	Lograsso	Murphy
Ridgeway				

PRESENT: 000

ABSENT WITH LEAVE: 004

Baker	Harlan	Legan	Long
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VACANCIES: 003

On motion of Representative Koller, **CCS HCS SS SB 244** was truly agreed to and finally passed by the following vote:

AYES: 149

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Levin	Liese	Linton
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 006

Gambaro	Haywood	Johnson 61	Lograsso	Murphy
Ridgeway				

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PRESENT: 000

ABSENT WITH LEAVE: 005

Baker	Bartle	Byrd	Legan	Long
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VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

CCR SCS HB 157, relating to marriage licenses, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **CCR SCS HB 157** was adopted by the following vote:

AYES: 129

Abel	Ballard	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boatright	Bonner	Boucher	Britt
Burcham	Burton	Byrd	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Ford
Franklin	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hampton	Hanaway	Harding	Hartzler	Hegeman
Henderson	Hendrickson	Hickey	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Long	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Roark	Robirds	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	St. Onge	Surface	Townley
Treadway	Villa	Vogel	Wagner	Walton
Ward	Willoughby	Wright	Mr. Speaker	

NOES: 022

Baker	Bland	Bowman	Boykins	Bray 84
Brooks	Campbell	Coleman	Curls	Fraser
Hagan-Harrell	Harlan	Haywood	Hilgemann	Johnson 61
Lowe	Mays 50	Thompson	Van Zandt	Williams
Wilson 25	Wilson 42			

PRESENT: 002

Foley	McKenna
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ABSENT WITH LEAVE: 007

Barnett	Rizzo	Ross	Scheve	Shoemyer
Troupe	Wiggins			

VACANCIES: 003

Representative Reid requested a verification of the roll call on the adoption of **CCR SCS HB 157**.

On motion of Representative Hosmer, **CCS SCS HB 157** was read the third time and passed by the following vote:

AYES: 124

Abel	Ballard	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boatright	Bonner	Boucher	Britt
Brooks	Burcham	Burton	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Davis	Dempsey
Enz	Fares	Farnen	Franklin	Froelker
Gambaro	Gaskill	George	Graham	Green 15
Green 73	Griesheimer	Hampton	Hanaway	Harding
Hartzler	Hegeman	Henderson	Hendrickson	Hickey
Hohulin	Holand	Hollingsworth	Holt	Hosmer
Hunter	Jetton	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Long	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Merideth
Miller	Moore	Murphy	Myers	Naeger
Nordwald	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Roark	Robirds	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Townley
Treadway	Villa	Vogel	Wagner	Walton
Ward	Willoughby	Wright	Mr. Speaker	

NOES: 020

Bland	Bowman	Boykins	Bray 84	Campbell
Coleman	Curls	Fraser	Hagan-Harrell	Harlan
Haywood	Hilgemann	Johnson 61	Lowe	Mays 50
Thompson	Van Zandt	Williams	Wilson 25	Wilson 42

PRESENT: 001

McKenna

ABSENT WITH LEAVE: 015

Baker	Barnett	Byrd	Dolan	Foley
Ford	Gratz	Hoppe	Monaco	O'Connor
Rizzo	Ross	Scheve	Troupe	Wiggins

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

Representative Reid requested a verification of the roll call on the vote to third read and finally pass **CCS SCS HB 157**.

Speaker Kreider resumed the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report No. 2 on **SS SCS HB 453, as amended**, and has taken up and passed **CCS No. 2 SS SCS HB 453**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HS HCS SCS SB 10, as amended**, and has taken up and passed **HS HCS SCS SB 10, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HS SS SCS SB 351, as amended**: Senators Singleton, Westfall, Bentley, Caskey and Johnson.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS HCS SCS SB 266, as amended**, and has taken up and passed **CCS HS HCS SCS SB 266**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS SS SCS SB 351, as amended**, and has taken up and passed **CCS HS SS SCS SB 351**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HS HCS SCS SB 591, as amended**: Senators Kenney, Cauthorn, Klindt, Wiggins and DePasco.

HOUSE BILLS WITH SENATE AMENDMENTS

SS SCS HB 501, relating to water pollution bonds, was again taken up by Representative Bowman.

On motion of Representative Bowman, **SS SCS HB 501** was adopted by the following vote:

AYES: 153

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Reynolds	Richardson
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 002

Murphy Relford

PRESENT: 000

ABSENT WITH LEAVE: 005

Baker Hagan-Harrell Harlan Ridgeway Townley

VACANCIES: 003

On motion of Representative Bowman, **SS SCS HB 501** was truly agreed to and finally passed by the following vote:

AYES: 152

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper

Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Monaco	Moore	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 002

Murphy Relford

PRESENT: 000

ABSENT WITH LEAVE: 006

Baker	Byrd	Hagan-Harrell	Harlan	Miller
Schwab				

VACANCIES: 003

Speaker Kreider declared the bill passed.

SCS HB 133, as amended, relating to the abatement of derelict property, was taken up by Representative Gambaro.

SCS HB 133, as amended, was laid over.

BILL IN CONFERENCE

CCR HCS SB 274, relating to county employees' retirement system, was taken up by Representative Harlan.

On motion of Representative Harlan, **CCR HCS SB 274** was adopted by the following vote:

AYES: 155

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Fraser
Froelker	Gambara	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 001

Bartelsmeyer

ABSENT WITH LEAVE: 004

Baker	Franklin	Monaco	Smith
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VACANCIES: 003

On motion of Representative Harlan, **CCS HCS SB 274** was truly agreed to and finally passed by the following vote:

AYES: 155

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper

Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 001

Bartelsmeyer

ABSENT WITH LEAVE: 004

Baker	Franklin	Miller	Monaco
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VACANCIES: 003

Speaker Kreider declared the bill passed.

THIRD READING OF SENATE BILL

SB 430, relating to taxation, was taken up by Representative Carnahan.

Representative Crump moved the previous question on the motion to truly agree to and finally pass **SB 430**.

Which motion was adopted by the following vote:

AYES: 084

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Haywood	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Kelly 27	Kennedy	Koller	Lawson
Liese	Lowe	Luetkenhaus	Mays 50	McKenna
Merideth	Monaco	O'Connor	O'Toole	Overschmidt
Ransdall	Relford	Reynolds	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Thompson	Treadway	Troupe	Van Zandt
Villa	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 074

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Froelker	Gaskill	Griesheimer
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Hunter	Jetton	Kelley 47
Kelly 144	King	Legan	Levin	Linton
Lograsso	Long	Luetkemeyer	Marble	Marsh
May 149	Mayer	Miller	Moore	Murphy
Myers	Naeger	Nordwald	Ostmann	Phillips
Portwood	Purgason	Rector	Reid	Reinhart
Richardson	Ridgeway	Roark	Robirds	Ross
Schwab	Scott	Secrest	Shields	St. Onge
Surface	Townley	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 002

Kelly 36 Wiggins

VACANCIES: 003

On motion of Representative Carnahan, **SB 430** was truly agreed to and finally passed by the following vote:

AYES: 092

Abel	Barnett	Barry 100	Bearden	Berkowitz
Bland	Bonner	Boucher	Bowman	Bray 84
Britt	Brooks	Burton	Campbell	Carnahan
Coleman	Copenhaver	Crump	Curls	Davis
Farnen	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 15

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Green 73	Hagan-Harrell	Hampton	Harding	Harlan
Haywood	Hegeman	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Johnson 90
Jolly	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Levin	Liese	Lowe
Luetkenhaus	Mays 50	McKenna	Merideth	Monaco
Moore	O'Connor	O'Toole	Ostmann	Overschmidt
Ransdall	Relford	Reynolds	Richardson	Rizzo
Robirds	Scheve	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	Thompson
Treadway	Troupe	Van Zandt	Villa	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 064

Ballard	Barnitz	Bartelsmeyer	Bartle	Behnen
Berkstresser	Black	Boatright	Boykins	Burcham
Byrd	Cierpiot	Cooper	Crawford	Crowell
Cunningham	Dempsey	Dolan	Enz	Fares
Froelker	Gaskill	Griesheimer	Hanaway	Hartzler
Henderson	Hendrickson	Hohulin	Hunter	Jetton
Johnson 61	Kelley 47	Kelly 144	Legan	Linton
Lograsso	Long	Luetkemeyer	Marble	Marsh
May 149	Mayer	Miller	Murphy	Myers
Naeger	Nordwald	Phillips	Portwood	Purgason
Rector	Reid	Reinhart	Ridgeway	Roark
Ross	Schwab	Scott	Secrest	St. Onge
Surface	Townley	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 004

Baker	Champion	Clayton	Wiggins
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VACANCIES: 003

Speaker Kreider declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HB 157**, and has taken up and passed **CCS SCS HB 157**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate conferees on **HS HCS SCS SB 591, as amended**, are allowed to exceed the differences on the livestock penalty provision.

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 762**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate, on Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 762, with Senate Amendment No. 1, Senate Substitute Amendment No. 1 for Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6 and Senate Amendment No. 7; begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 762, as amended;
2. That the House recede from its position on House Substitute for House Committee Substitute for House Bill No. 762;
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 762 be adopted.

FOR THE HOUSE:

/s/ Rep. Joan Barry
/s/ Rep. Dennis Bonner
/s/ Rep. Harold Selby
/s/ Rep. Roy Holand
/s/ Rep. Cindy Ostmann

FOR THE SENATE:

/s/ Sen. Betty Sims
/s/ Sen. Roseann Bentley
/s/ Sen. Doyle Childers
/s/ Sen. Harry Wiggins
/s/ Sen. Mary Groves Bland

BILL IN CONFERENCE

CCR SS SCS HS HCS HB 762, as amended, relating to women's health services, was taken up by Representative Barry.

On motion of Representative Barry, **CCR SS SCS HS HCS HB 762, as amended**, was adopted by the following vote:

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AYES: 153

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Fraser	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Lowe
Luetkemeyer	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Baker	Franklin	Froelker	Harlan	Long
Luetkenhaus	Nordwald			

VACANCIES: 003

On motion of Representative Barry, **CCS SS SCS HS HCS HB 762**, was read the third time and passed by the following vote:

AYES: 150

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Cierpiot	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls

Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Fraser	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Lawson	Legan	Levin	Liese	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Baker	Champion	Clayton	Franklin	Froelker
Harlan	Koller	Linton	Nordwald	Wiggins

VACANCIES: 003

Speaker Kreider declared the bill passed.

Speaker Pro Tem Abel resumed the Chair.

HOUSE BILLS WITH SENATE AMENDMENTS

HB 262, with Senate Committee Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 1 to Senate Amendment No. 4, and Senate Amendment No. 4, as amended, relating to school records, was taken up by Representative Linton.

Representative Linton moved that the House refuse to concur in **Senate Amendment No. 3** to **HB 262** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HB 133, as amended, relating to the abatement of derelict property, was again taken up by Representative Gambaro.

On motion of Representative Gambaro, **SCS HB 133, as amended**, was adopted by the following vote:

AYES: 149

Abel	Ballard	Barnett	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Lawson	Levin	Liese
Lograsso	Long	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 001

Lowe

ABSENT WITH LEAVE: 010

Baker	Barnitz	Green 73	Harlan	Koller
Legan	Linton	Reynolds	Wiggins	Williams

VACANCIES: 003

On motion of Representative Gambaro, **SCS HB 133, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 152

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Lawson	Legan
Levin	Liese	Lograsso	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Baker	Boucher	Harlan	Koller	Linton
Long	Wiggins	Williams		

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 80**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate, on Senate Committee Substitute for House Bill No. 80, with Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 1 to Senate Amendment No. 3, Senate Amendment No. 3, as amended, Senate Amendment No. 4, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 10, Senate Amendment No. 12, Senate Amendment No. 13 and Senate Amendment No. 14; begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 80, as amended;
2. That the House recede from its position on House Bill No. 80;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 80 be adopted.

FOR THE HOUSE:

/s/ Rep. William Gratz
/s/ Rep. Phil Smith
/s/ Rep. Gary Kelly
/s/ Rep. Carson Ross
/s/ Rep. Annie Reinhart

FOR THE SENATE:

/s/ Sen. Bill Kenney
/s/ Sen. David Klarich
/s/ Sen. Ronnie DePasco
/s/ Sen. James Mathewson
/s/ Sen. John Loudon

BILLS IN CONFERENCE

CCR SCS HB 80, as amended, relating to antifraud enforcement groups, was taken up by Representative Ross.

On motion of Representative Ross, **CCR SCS HB 80, as amended**, was adopted by the following vote:

AYES: 150

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Curls
Davis	Dempsey	Enz	Fares	Farnen

Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 002

Clayton Harlan

PRESENT: 000

ABSENT WITH LEAVE: 008

Baker	Cunningham	Dolan	Green 15	Linton
Mayer	Wagner	Wiggins		

VACANCIES: 003

On motion of Representative Ross, **CCS SCS HB 80** was read the third time and passed by the following vote:

AYES: 155

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller

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Lawson	Legan	Levin	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Baker	Harlan	Naeger	Wagner	Wiggins
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VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 152

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Selby

Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Baker	Dolan	Gambaro	Lograsso	Naeger
Seigfreid	Wagner	Wiggins		

VACANCIES: 003

CCR HS HCS SS SCS SB 369, as amended, relating to utility access to public rights-of-way, was taken up by Representative Burton.

Representative Smith raised a point of order that the conferees exceeded the differences by adding language to the original bill.

The Chair ruled the point of order untimely and not well taken.

On motion of Representative Burton, **CCR HS HCS SS SCS SB 369, as amended**, was adopted by the following vote:

AYES: 114

Abel	Ballard	Barnett	Barry 100	Bartelsmeyer
Bearden	Berkstresser	Black	Bland	Boatright
Boykins	Britt	Burcham	Burton	Campbell
Carnahan	Champion	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Davis
Dempsey	Enz	Foley	Ford	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hanaway
Hartzler	Hegeman	Henderson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kennedy	King	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mays 50	McKenna	Miller
Moore	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Portwood	Purgason
Rector	Reid	Reinhart	Richardson	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Selby	Shelton	Shields
Shoemyer	Skaggs	St. Onge	Surface	Thompson
Townley	Treadway	Van Zandt	Villa	Vogel
Wagner	Walton	Willoughby	Wright	

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NOES: 037

Barnitz	Bartle	Behnen	Berkowitz	Bonner
Boucher	Bowman	Bray 84	Brooks	Byrd
Curls	Fares	Farnen	Franklin	Fraser
Hampton	Harding	Haywood	Kelly 27	Kelly 36
Koller	Mayer	Merideth	Monaco	Murphy
Phillips	Ransdall	Relford	Reynolds	Ridgeway
Seigfreid	Smith	Ward	Williams	Wilson 25
Wilson 42	Mr. Speaker			

PRESENT: 002

Cierpiot Hendrickson

ABSENT WITH LEAVE: 007

Baker	Clayton	Dolan	Harlan	Hosmer
Troupe	Wiggins			

VACANCIES: 003

On motion of Representative Burton, **CCS HS HCS SS SCS SB 369** was truly agreed to and finally passed by the following vote:

AYES: 118

Abel	Ballard	Barnett	Barry 100	Bartelsmeyer
Bearden	Berkstresser	Black	Bland	Boatright
Boykins	Britt	Brooks	Burcham	Burton
Campbell	Carnahan	Champion	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Enz	Foley
Ford	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hanaway	Hartzler	Haywood	Hegeman
Henderson	Hickey	Hilgemann	Hohulin	Hollingsworth
Holt	Hoppe	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kennedy
King	Legan	Levin	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mays 50	McKenna
Miller	Moore	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Portwood
Purgason	Rector	Reid	Reinhart	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Selby
Shelton	Shields	Shoemyer	Skaggs	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Willoughby	Wilson 42	Wright		

NOES: 035

Barnitz	Bartle	Behnen	Berkowitz	Bonner
Boucher	Bowman	Bray 84	Byrd	Fares
Farnen	Franklin	Fraser	Hampton	Harding
Holand	Hosmer	Kelly 27	Kelly 36	Koller
Lawson	Mayer	Merideth	Monaco	Murphy
Phillips	Ransdall	Relford	Reynolds	Seigfreid
Smith	Ward	Williams	Wilson 25	Mr. Speaker

PRESENT: 002

Cierpiot Hendrickson

ABSENT WITH LEAVE: 005

Baker Clayton Dolan Harlan Wiggins

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

Speaker Kreider resumed the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HB 80, as amended**, and has taken up and passed **CCS SCS HB 80**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HS HCS HB 762, as amended**, and has taken up and passed **CCS SS SCS HS HCS HB 762**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 185**, entitled:

An act to repeal sections 64.170, 64.180 and 64.342, RSMo 2000, relating to building codes in certain counties, and to enact in lieu thereof six new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 780**, entitled:

An act to repeal sections 67.1300, 67.1360, 67.1545, 94.577, 135.110, 135.150, 135.205, 135.207, 135.230, 135.400, 135.403, 135.408, 135.411, 135.423, 135.460, 135.478, 135.481, 135.484, 135.487, 135.500, 135.503, 135.508, 135.516, 135.530, 135.545, 178.892, 215.036, 215.038, 348.300, 348.302, 429.015, 447.700, 447.708, 620.470, 620.474 and 620.1450, RSMo 2000, section 135.100 as enacted by conference committee substitute for senate

substitute for senate committee substitute for house substitute for house committee substitute for house bill no. 701, ninetieth general assembly, first regular session, section 135.100 as enacted by conference committee substitute for house substitute for house committee substitute for senate bill no. 827, eighty-ninth general assembly, second regular session, sections 135.200 and 135.535 as those sections were enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house committee substitute for house bill no. 701, ninetieth general assembly, first regular session, section 135.200 as enacted by conference committee substitute for house committee substitute for senate bill no. 1, eighty-ninth general assembly, second extraordinary session, section 135.200 as enacted by senate substitute for senate committee substitute for house substitute for house committee substitute for house bill no. 1656, eighty-ninth general assembly, second regular session, and section 135.535 as enacted by conference committee substitute no. 2 for house substitute for house committee substitute for senate bill no. 20, relating to support for community economic development, and to enact in lieu thereof forty-three new sections relating to the same subject, with an emergency clause for a certain section and an expiration date for a certain section.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 8, Senate Amendment No. 9, Senate Amendment No. 10, Senate Amendment No. 11, Senate Amendment No. 12, Part 2 of Senate Amendment No. 13, Senate Amendment No. 14 and Senate Perfecting Amendment No. 1

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 780, Page 82, Section 135.460.7, Line 26, by adding after “applicable.” the following sentence:

“No more than 15% of the available tax credits shall be made available for programs designated under Section 6 of this chapter.”.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 780, Page 2, In the Title, Line 3 of the title, by striking “a certain section” and inserting in lieu thereof the following: **“certain sections”**; and

Further amend said bill, Page 3, Section A, Line 9 of said page, by inserting immediately after said line the following:

“8.1000. As used in sections 8.1000 to 8.1027, the following terms shall mean:

- (1) “Design-build”, a project for which the design and construction services are furnished under one contract;**
- (2) “Design-build contract”, a contract between the division and a design-builder, to furnish the architecture or engineering and related design services required for a given public construction project and to furnish the labor, materials and other construction services for the same public project;**
- (3) “Design-builder”, any individual, partnership, joint venture, corporation or other legal entity that furnishes the architectural or engineering services and construction services, whether itself or through subcontracts;**
- (4) “Design criteria consultant”, a person, corporation, partnership or other legal entity duly registered and authorized to practice architecture or professional engineering in this state pursuant to chapter 327, RSMo, and who is employed by contract to the division to provide professional design and administrative services in connection with the preparation of the design criteria package;**
- (5) “Design criteria package”, performance- oriented specifications for the public construction project sufficient to permit a design-builder to prepare a response to the division's request for proposals for a design-build project;**
- (6) “Director”, the director of the division of design and construction;**

- (7) “Division”, the state office of administration, division of design and construction;
- (8) “Evaluation team”, a group of people selected by the director to evaluate the proposals of the design-builders. The team shall consist of at least two representatives of the division of design and construction and two representatives of the using agency. A fifth member shall be selected by the director and shall serve as chairman to facilitate the evaluation process and to vote only in case of a tie;
- (9) “Proposal”, an offer to enter into a design-build contract;
- (10) “Request for proposals”, the document by which the division solicits proposals for a design-build contract;
- (11) “Stipend”, an amount paid to the unsuccessful proposers to defray the cost of submission of phase II of the design build proposal.

8.1003. 1. Notwithstanding any other provision of the law, the division of design and construction is hereby authorized to institute a pilot program whereby the design-build procurement process may be utilized on a limited number of public projects as set out below for the purpose of demonstrating the benefits of the design-build process in the public sector. This authorization for design-build procurement shall be for the sole and exclusive use of the division of design and construction.

2. The maximum number of projects to be procured on a design-build basis during the course of this pilot program shall be no more than four projects each with an estimated cost of five million dollars or less and no more than four projects each with an estimated cost of more than five million dollars.

3. The director of design and construction shall select those projects for which the use of the design-build procurement process is appropriate. In making that determination, the director shall consider:

- (1) The likelihood that the design-build method of procurement will serve the public interest by providing substantial savings of time or money over the traditional design-bid-build delivery process;
- (2) The time available to complete the project and meet the needs of the end user and any need to expedite the delivery process;
- (3) The type of project and its suitability to the design-build process;
- (4) The size of the project;
- (5) The level of agency knowledge and confidence about the project scope and definition;
- (6) The availability of using agency staff to manage the project;
- (7) The availability of the division of design and construction staff to manage the project.

4. The director of design and construction shall present progress reports on any ongoing design-build projects to the general assembly at each regular session during the course of the pilot program. In addition, the director shall present a final detailed report of all completed design-build projects to the general assembly completed each year during the pilot program. Such final reports shall contain an assessment of the advantages and disadvantages of the design-build process relative to the traditional design-bid-build procurement process on such completed projects.

8.1006. The division may adopt regulations pursuant to chapter 536, RSMo, for the conduct of the design-build process.

8.1009. 1. The director shall determine the scope and level of detail required to permit qualified persons to submit proposals in accordance with the request for proposals given the nature of the project.

2. A design criteria consultant may be employed or retained by the division to assist in preparation of the request for proposal, perform periodic site visits, prepare progress reports, review and approve progress and final pay applications of the design-builder, review shop drawings and submittals, decide disputes, interpret the construction documents, perform inspections upon substantial and final completion, assist in warranty inspections and to provide any other professional service where the director deems it to be in the public interest to have an independent design professional assisting with the project administration. The consultant shall be selected and its contract negotiated in compliance with sections 8.285 to 8.291.

8.1012. 1. Notice of requests for proposals shall be advertised in accordance with section 8.250. The division shall publish a notice of a request for proposal with a description of the project, the rationale for the decision to use the design-build method of procurement, the procedures for submittal and the selection criteria to be used.

2. The director shall establish in the request for proposal a time, place and other specific instructions for the receipt of proposals. Proposals not submitted in strict accordance with those instructions shall be subject to rejection.

3. A request for proposals shall be prepared for each design-build contract containing at minimum the

following elements:

- (1) The procedures to be followed for submitting proposals, the criteria for evaluation of proposals and their relative weight and the procedures for making awards;
- (2) The proposed terms and conditions for the design-build contract;
- (3) The design criteria package;
- (4) A description of the drawings, specifications or other information to be submitted with the proposal, with guidance as to the form and level of completeness of the drawings, specifications or other information that will be acceptable;
- (5) A schedule for planned commencement and completion of the design-build contract;
- (6) Budget limits for the design-build contract, if any;
- (7) Affirmative action and minority or women business enterprise requirements for the design-build contract, if any;
- (8) Requirements including any available ratings for performance bonds, payment bonds and insurance;
- (9) Any other information that the division in its discretion chooses to supply, including without limitation, surveys, soil reports, drawings of existing structures, environmental studies, photographs or references to public records; and
- (10) No request for proposal for a design build project issued by the division of design and construction shall include a project labor agreement, collective bargaining agreement, pre-hire agreement or any other agreement with employees, their representatives or any labor organization as a condition of bidding, negotiating, being awarded or performing work on a design build project. Any bidder, offeror, contractor, subcontractor or taxpayer shall have standing to challenge any bid specification, project agreement, grant or cooperative agreement which contains a project labor agreement, collective bargaining agreement, pre-hire agreement or similar agreement as being in violation of this section.

4. The director shall solicit proposals in a three-stage process. Phase I shall be the solicitation of qualifications of the design-build team. Phase II shall be the solicitation of a technical proposal including conceptual design for the project, and phase III shall be the proposal of the construction cost.

5. The evaluation team shall review the submittals of the proposers and assign points to each proposal in accordance with sections 8.1000 to 8.1027 and section 327.395, RSMo, and as set out in the instructions of the request for proposal.

8.1015. 1. Phase I shall require all proposers to submit a statement of qualifications which shall include, but not be limited to:

- (1) Demonstrated ability to perform projects comparable in design, scope and complexity;
- (2) References of owners for whom design-build projects have been performed;
- (3) Qualifications of personnel who will manage the design and construction aspects of the project;
- (4) The names and qualifications of the primary design consultants and contractors with whom the design-builder proposes to subcontract. The design-builder may not replace an identified subcontractor or subconsultant without the written approval of the director.

2. The evaluation team shall evaluate the qualifications of all proposers in accordance with the instructions of the request for proposal. Designers on the project shall be evaluated in accordance with the requirements of section 8.285 to 8.291. Qualified proposers selected by the evaluation team may proceed to phase II of the selection process. Proposers lacking the necessary qualifications to perform the work shall be disqualified and shall not proceed to phase II of the process. Under no circumstances shall price or fee be a part of the prequalification criteria. Points assigned in the phase I evaluation process shall not carry forward to phase II of the process. All qualified proposers shall be ranked on points given in phases II and III only.

3. The director shall have discretion to disqualify any proposer, which in the director's opinion lacks the minimal qualifications required to perform the work.

4. Once a sufficient number of qualified proposers have been selected, the proposers shall have a specified amount of time with which to assemble phase II and phase III proposals.

8.1018. Phase II of the process shall be conducted as follows:

- (1) The director shall invite the top five qualified proposers to participate in phase II of the process. If there are not five qualified proposers, then all qualified proposers will be invited to submit phase II. If three qualified proposers cannot be identified, the contracting process will cease;
- (2) Proposers must submit their design for the project, to the level of detail required in the request for proposal. The design proposal should demonstrate compliance with the requirements set out in the request for

proposal;

(3) The schedule for completing a project as designed by a proposer may be considered as an element of evaluation in phase II;

(4) Up to twenty percent of the points awarded to each proposer in phase II may be based on each proposers' qualifications and ability to design, construct and deliver the project on time and within budget;

(5) Under no circumstances should the design proposal contain any reference to the cost of the proposal;

(6) The design submittals will be evaluated and assigned points in accordance with the requirements of the request for proposal. Phase II shall account for no more than fifty percent of the total point score as specified in the request for proposal.

8.1021. Phase III shall be conducted as follows:

(1) The phase III proposal must provide a firm, fixed cost of construction. The proposal must be accompanied by bid security and any other required submittals, such as statements of minority participation as required by the request for proposal;

(2) Cost proposals must be submitted in accordance with the instructions of the request for proposal. Failure to submit a cost proposal on time shall be cause to reject the proposal. Phase III shall account for not less than fifty percent of the total point score as specified in the request for proposal;

(3) Proposals for phase II and phase III shall be submitted concurrently at the time and place specified in the request for proposal. The phase III cost proposals shall be opened only after the phase II design proposals have been evaluated and assigned points;

(4) Cost proposals will be opened and read aloud at the time and place specified in the request for proposal. At the same time and place, the evaluation team will make public its scoring of phase II. Cost proposals will be evaluated in accordance with the requirements of the request for proposal. In evaluating the cost proposals, the low bidder shall be awarded the total number of points assigned to be awarded in phase III. For all other bidders, cost points will be calculated by reducing the maximum points available in phase III by two percent or more for each percentage point of the low bid by which the bidder exceeds the low bid and the points assigned will be added to the points assigned for phase II for each proposer;

(5) The responsive proposer with the highest total number of points will be awarded the contract. If the director determines, however, that it is not in the best interest of the state to proceed with the project pursuant to the proposal offered by the proposer with the highest total number of points, the director shall reject all proposals. In such event, all qualified proposers with lower point totals shall receive a stipend pursuant to section 8.1024 and the proposer with the highest total number of points shall receive an amount equal to two times such stipend;

(6) If all proposals are rejected, the director may solicit new proposals using different design criteria, budget constraints or qualifications.

8.1024. As an inducement to qualified proposers, the division shall pay a reasonable stipend, the amount of which shall be established in the request for proposal, to each prequalified design-builder whose proposal is responsive but not accepted. Upon payment of the stipend to any unsuccessful design-build proposer, the state shall acquire a nonexclusive right to use the design submitted by the proposer, and the proposer shall have no further liability for its use by the state in any manner. If the design-build proposer desires to retain all rights and interest in the design proposed, the proposer shall forfeit the stipend.

8.1027. Any person or corporation that enters into a design-build contract with the division of design and construction does not violate the requirements of chapter 327, RSMo, so long as the architectural, engineering or land surveying services to be performed under the contract are performed by:

(1) Persons who are duly licensed in this state and who are employees of the design-build contractor which holds a certificate of authority from the board of registration; or

(2) Persons who are duly licensed in this state and who are under contract to the design-build contractor;

or

(3) Corporations that hold current certificates of authority from the board for the appropriate profession which are under contract to the design-build contractor.”; and

Further amend said bill, Page 130, Section 215.038, Line 10, by inserting immediately after said line the following:

“227.107. 1. Notwithstanding any provision of section 227.100 to the contrary, as an alternative to the requirements and procedures specified by sections 227.040 to 227.100, the state highways and transportation commission is authorized to enter into one interstate highway design-build pilot project contract within ten years of the effective date of this section. Authority for design-build authorized by this section shall expire upon completion of the project selected, unless reauthorized by law.

2. For the purpose of this section a “design-builder” is defined as an individual, corporation, partnership, joint venture or other entity, including combinations of such entities making a proposal to perform or performing a design-build highway project contract.

3. For the purpose of this section, “design-build highway project contract” is defined as the procurement of all materials and services necessary for the design, construction, reconstruction or improvement of a state highway project in a single contract with a design-builder capable of providing the necessary materials and services.

4. For the purpose of this section, “highway project” is defined as the design, construction, reconstruction or improvement of highways or bridges under contract with the state highways and transportation commission, which is funded by state, federal or local funds or any combination of such funds.

5. In using a design-build highway project contract, the commission shall establish a written procedure by rule for prequalifying design-builders before such design-builders will be allowed to make a proposal on the project.

6. In any design-build highway project contract, whether involving state or federal funds, the commission shall require that each person submitting a request for qualifications provide a detailed disadvantaged business enterprise participation plan. The plan shall provide information describing the experience of the person in meeting disadvantaged business enterprise participation goals, how the person will meet the department of transportation's disadvantaged business enterprise participation goal and such other qualifications that the commission considers to be in the best interest of the state.

7. The commission is authorized to issue a request for proposals to a maximum of five design-builders prequalified in accordance with subsection 5 of this section.

8. The commission may require approval of any person performing subcontract work on the design-build highway project.

9. The bid bond and performance bond requirements of section 227.100 and the payment bond requirements of section 107.170, RSMo, shall apply to the design-build highway project.

10. The commission is authorized to prescribe the form of the contracts for the work.

11. The commission is empowered to make all final decisions concerning the performance of the work under the design-build highway project contract, including claims for additional time and compensation.

12. The provisions of sections 8.285 to 8.291, RSMo, shall not apply to the procurement of architectural, engineering or land surveying services for the design-build highway project, except that any person providing architectural, engineering or land surveying services for the design-builder on the design-build highway project must be licensed in Missouri to provide such services.

13. The commission shall pay a reasonable stipend to prequalified responsive design-builders who submit a proposal, but are not awarded the design-build highway project.

14. The commission shall comply with the provisions of any act of congress or any regulations of any federal administrative agency which provides and authorizes the use of federal funds for highway projects using the design-build process.

15. The commission shall promulgate administrative rules to implement this section or to secure federal funds. Such rules shall be published for comment in the Missouri Register and shall include prequalification criteria, the make-up of the prequalification review team, specifications for the design criteria package, the method of advertising, receiving and evaluating proposals from design-builders, the criteria for awarding the design-build highway project based on the design criteria package and a separate proposal stating the cost of construction, and other methods, procedures and criteria necessary to administer this section.

16. The commission shall make a status report to the members of the general assembly and the governor following the award of the design-build project, as an individual component of the annual report submitted by the commission to the Joint Transportation Oversight Committee in accordance with the provisions of section 21.795, RSMo. The annual report prior to advertisement of the design-build highway project contract shall state the goals of the project in reducing costs and/or the time of completion for the project in comparison to the design-bid-build method of construction and objective measurements to be utilized in determining achievement

of such goals. Subsequent annual reports shall include: the time estimated for design and construction of different phases or segments of the project and the actual time required to complete such work during the period; the amount of each progress payment to the design builder during the period and the percentage and a description of the portion of the project completed regarding such payment; the number and a description of design change orders issued during the period and the cost of each such change order; upon substantial and final completion, the total cost of the design-build highway project with a breakdown of costs for design and construction; and such other measurements as specified by rule. The annual report immediately after final completion of the project shall state an assessment of the advantages and disadvantages of the design-build method of contracting for highway and bridge projects in comparison to the design-bid-build method of contracting and an assessment of whether the goals of the project in reducing costs and/or the time of completion of the project were met.

17. The commission shall give public notice of a request for qualifications in at least two public newspapers that are distributed wholly or in part in this state and at least one construction industry trade publication that is distributed nationally.

18. The commission shall publish its cost estimates of the design-build highway project award and the project completion date along with its public notice of a request for qualifications of the design-build project.

19. If the commission fails to receive at least two responsive submissions from design-builders considered qualified, submissions shall not be opened and it shall readvertise the project.

20. The provisions of this section shall be applicable to one interstate pilot highway project which shall be selected by the commission and shall have a total maximum annual expenditure of one hundred twenty-five million dollars for the life of the design-build project.”; and

Further amend said bill, Page 130, Section 348.300, Line 11 of said page, by inserting immediately before said line the following:

“327.465. 1. As used in this section, the following terms shall mean:

(1) “Design-build”, a project for which the design and construction services are furnished under one contract;

(2) “Design-build contract”, a contract between the owner, owner's agent, tenant or other party and a design-build contractor to furnish the architecture, engineering and related design services, and the labor, materials and other construction services required for a specific public or private construction project;

(3) “Design-build contractor”, any individual, partnership, joint venture, corporation or other legal entity that furnishes architecture or engineering services and construction services either directly or through subcontracts.

2. Any design-build contractor that enters into a design-build contract for public or private construction shall be exempt from the requirement that such person or entity hold a certificate of registration or such corporation hold a certificate of authority if the architectural, engineering or land surveying services to be performed under the contract are performed by:

(1) Persons who hold a certificate of registration for the appropriate profession and who are not employees of the design-build contractor; or

(2) Corporations that hold current certificates of authority from the board for the appropriate profession.

3. Any design-build contractor who performs the design work directly, or who practices architecture, professional engineering or professional land surveying through the contractor's employees, or who contracts to do so, shall hold a current certificate of registration or certificate of authority from the board for the professional so practiced.

4. Nothing in this chapter shall prohibit the enforcement of a design-build contract by an unregistered or unauthorized design-build contractor who only furnishes, but does not directly or through its employees perform the architectural, engineering or surveying required by the contract and who does not hold itself out as able to perform such services.”; and

Further amend said bill, Page 156, Section B, Line 24 of said page, by inserting immediately after said line the following:

“Section C. The enactment of sections 8.1000, 8.1003, 8.1006, 8.1009, 8.1012, 8.1015, 8.1018, 8.1021, 8.1024 and 8.1027 shall expire on December 31, 2004.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 780, Page 125, Section 178.892, Line 19 of said page, by inserting after “industry” the following:

“, or a job retained as a result of the purchase of a bankrupt business with at least 5,000 employees, but”; and

Further amend Line 20 of said page by striking “or” as it appears the first time on said line.

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 780, Page 124, Section 135.545, Line 12, by inserting immediately after said line the following:

“144.020. 1. A tax is hereby levied and imposed upon all sellers for the privilege of engaging in the business of selling tangible personal property or rendering taxable service at retail in this state. The rate of tax shall be as follows:

(1) Upon every retail sale in this state of tangible personal property, a tax equivalent to four percent of the purchase price paid or charged, or in case such sale involves the exchange of property, a tax equivalent to four percent of the consideration paid or charged, including the fair market value of the property exchanged at the time and place of the exchange, except as otherwise provided in section 144.025;

(2) A tax equivalent to four percent of the amount paid for admission and seating accommodations, or fees paid to, or in any place of amusement, entertainment [or recreation], games and athletic events;

(3) A tax equivalent to four percent of the basic rate paid or charged on all sales of electricity or electrical current, water and gas, natural or artificial, to domestic, commercial or industrial consumers;

(4) A tax equivalent to four percent on the basic rate paid or charged on all sales of local and long distance telecommunications service to telecommunications subscribers and to others through equipment of telecommunications subscribers for the transmission of messages and conversations and upon the sale, rental or leasing of all equipment or services pertaining or incidental thereto; except that, the payment made by telecommunications subscribers or others, pursuant to section 144.060, and any amounts paid for access to the Internet or interactive computer services shall not be considered as amounts paid for telecommunications services;

(5) A tax equivalent to four percent of the basic rate paid or charged for all sales of services for transmission of messages of telegraph companies;

(6) A tax equivalent to four percent on the amount of sales or charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp or other place in which rooms, meals or drinks are regularly served to the public;

(7) A tax equivalent to four percent of the amount paid or charged for intrastate tickets by every person operating a railroad, sleeping car, dining car, express car, boat, airplane and such buses and trucks as are licensed by the division of motor carrier and railroad safety of the department of economic development of Missouri, engaged in the transportation of persons for hire;

(8) A tax equivalent to four percent of the amount paid or charged for rental or lease of tangible personal property, provided that if the lessor or renter of any tangible personal property had previously purchased the property under the conditions of “sale at retail” as defined in subdivision (8) of section 144.010 or leased or rented the property and the tax was paid at the time of purchase, lease or rental, the lessor, sublessor, renter or subrenter shall not apply or collect the tax on the subsequent lease, sublease, rental or subrental receipts from that property. The purchase or use of motor vehicles, trailers, boats, and outboard motors shall be taxed and the tax paid as provided in sections 144.070 and 144.440. No tax shall be collected on the rental or lease of motor vehicles, trailers, boats, and outboard motors, except as provided in sections 144.070 and 144.440. In no event shall the rental or lease of boats and outboard motors be considered a sale, charge, or fee to, for or in places of amusement, entertainment or recreation nor shall any such rental or lease be subject to any tax imposed to, for, or in such places of amusement, entertainment or recreation. Rental

and leased boats or outboard motors shall be taxed under the provisions of the sales tax laws as provided under such laws for motor vehicles and trailers. Tangible personal property which is exempt from the sales or use tax under section 144.030 upon a sale thereof is likewise exempt from the sales or use tax upon the lease or rental thereof;

(9) A tax equivalent to four percent of the amount paid for admission and seating accommodations, or fees paid to, or in any place of recreation, with the exception of dues or fees paid to health and fitness centers solely for health-benefit activities if such dues or fees are separately stated and do not include dues or fees for any other activities or services. For purposes of this subdivision, the term “health-benefit activities” means activities the primary purpose of which is to improve a person's health and fitness, including but not limited to strength programs, running and weight training; cardiovascular programs, exercises and training; lap swimming and aerobic programs, exercises and training; nutrition-related programs; weight control programs, exercises and training; multiple-step health programs; and any programs, activities, exercise, training or therapy which is referred by a physician or which is paid for by health insurance. Health-benefit activities do not include recreational activities including basketball, volleyball, racquetball, baseball, golf, tennis, karate, dancing, open swimming, diving, or any activity that is part of a game, contest or competition.

2. All tickets sold which are sold under the provisions of sections 144.010 to 144.525 which are subject to the sales tax shall have printed, stamped or otherwise endorsed thereon, the words “This ticket is subject to a sales tax.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 780, Page 20, Section 67.1545, Line 6, by inserting immediately after said line the following:

“71.794. A special business district may be established, enlarged or decreased in area as provided herein in the following manner:

(1) Upon petition by one or more owners of real property on which is paid the ad valorem real property taxes within the proposed district, the governing body of the city may adopt a resolution of intention to establish, enlarge or decrease in area a special business district. The resolution shall contain the following information:

- (a) Description of the boundaries of the proposed area;
- (b) The time and place of a hearing to be held by the governing body considering establishment of the district;
- (c) The proposed uses to which the additional revenue shall be put and the initial tax rate to be levied.

(2) Whenever a hearing is held as provided hereunder, the governing body of the city shall publish notice of the hearing on two separate occasions in at least one newspaper of general circulation not more than fifteen days nor less than ten days before the hearing; and shall mail a notice by [registered or certified] United States mail [with a return receipt attached] of the hearing to all owners of record of real property and licensed businesses located in the proposed district; and shall hear all protests and receive evidence for or against the proposed action; rule upon all protests which determination shall be final; and continue the hearing from time to time.

(3) If the governing body decides to change the boundaries of the proposed area, the hearing shall be continued to a time at least fifteen days after the decision. Notice shall be given in at least one newspaper of general circulation at least ten days prior to the time of said hearing showing the boundary amendments.

(4) If the governing body following the hearing decides to establish the proposed district, it shall adopt an ordinance to that effect. The ordinance shall contain the following:

- (a) The number, date and time of the resolution of intention pursuant to which it was adopted;
- (b) The time and place the hearing was held concerning the formation of the area;
- (c) The description of the boundaries of the district;
- (d) A statement that the property in the area established by the ordinance shall be subject to the provisions of additional tax as provided herein;
- (e) The initial rate of levy to be imposed upon the property lying within the boundaries of the district;
- (f) A statement that a special business district has been established;
- (g) The uses to which the additional revenue shall be put;
- (h) In any city with a population of less than three hundred fifty thousand, the creation of an advisory board or commission and enumeration of its duties and responsibilities;

(i) In any city with a population of three hundred fifty thousand or more, provisions for a board of commissioners to administer the special business district, which board shall consist of seven members who shall be appointed by the mayor with the advice and consent of the governing body of the city. Five members shall be owners of real property within the district or their representatives and two members shall be renters of real property within the district or their representatives. The terms of the members shall be structured so that not more than two members' terms shall expire in any one year. Subject to the foregoing, the governing body of the city shall provide in such ordinance for the method of appointment, the qualifications, and terms of the members.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 780, Page 3, Section A, Line 9, by inserting immediately after said line the following:

“67.398. 1. The governing body of any city, town or village, or any county having a charter form of government, **or any county of the first classification with a population of at least one hundred seventy thousand but not more than two hundred twenty thousand inhabitants**, or any county of the first classification that contains part of a city with a population of at least three hundred thousand inhabitants, may enact ordinances to provide for the abatement of a condition of any lot or land that has the presence of debris of any kind including, but not limited to, weed cuttings, cut and fallen trees and shrubs, overgrown vegetation and noxious weeds which are seven inches or more in height, rubbish and trash, lumber not piled or stacked twelve inches off the ground, rocks or bricks, tin, steel, parts of derelict cars or trucks, broken furniture, any flammable material which may endanger public safety or any material which is unhealthy or unsafe and declared to be a public nuisance.

2. Any ordinance authorized by this section may provide that if the owner fails to begin removing the nuisance within a specific time which shall not be longer than seven days of receiving notice that the nuisance has been ordered removed, or upon failure to pursue the removal of such nuisance without unnecessary delay, the building commissioner or designated officer shall cause the condition which constitutes the nuisance to be removed. If the building commissioner or designated officer causes such condition to be removed or abated, the cost of such removal shall be certified to the city clerk or officer in charge of finance who shall cause the certified cost to be included in a special tax bill or added to the annual real estate tax bill, at the collecting official's option, for the property and the certified cost shall be collected by the city collector or other official collecting taxes in the same manner and procedure for collecting real estate taxes. If the certified cost is not paid, the tax bill shall be considered delinquent, and the collection of the delinquent bill shall be governed by the laws governing delinquent and back taxes. The tax bill from the date of its issuance shall be deemed a personal debt against the owner and shall also be a lien on the property until paid.”.

Senate Amendment No. 7

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 780, Page 124, Section 135.545, Line 12, by inserting after all of said line the following:

“135.915. 1. As used in this section, the following terms shall mean:

- (1) “Child-occupied facility”, as defined in section 701.300, RSMo;**
- (2) “Dwelling”, as defined in section 701.300, RSMo;**
- (3) “Owner”, as defined in section 701.300, RSMo;**
- (4) “Qualified lead abatement project”, lead abatement project as defined in section 701.300, RSMo, which conforms to the requirements of sections 701.300 to 701.338, RSMo;**
- (5) “State tax liability”, in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, RSMo, chapter 147, RSMo, chapter 148, RSMo, and chapter 153, RSMo, exclusive of the provisions relating to the withholding of tax as provided for in sections 143.191 to 143.265, RSMo, and related provisions, and in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, RSMo.**

2. For tax years beginning on or after January 1, 2002, an owner of any individual parcel of real estate which contains a child-occupied facility or dwelling involved in a qualified lead abatement project shall, upon

application to and issuance of a certificate of tax credit by the department of health, be allowed to claim, for not more than two consecutive tax years, a credit against such owner's state tax liability, in an amount equal to fifty percent of costs paid during such owner's taxable year for such qualified lead abatement project. The credit shall be nonrefundable, but may be carried back to the preceding three years and carried forward to the next five succeeding taxable years until the full credit has been claimed. The department of health is authorized to adopt any rules or regulations deemed necessary for the effective administration of this section and is authorized to charge a reasonable processing fee for the issuance of certificates of tax credits pursuant to this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo. The cumulative amount of tax credits which may be claimed by all taxpayers in any one fiscal year shall not exceed 500,000 dollars.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 8

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 780, Page 72, Section 135.230, Line 10, by inserting immediately at the end of said line the following:

“135.344. 1. As used in this section, the following terms shall mean:

(1) “Contribution”, a donation of cash, stock, bonds or other marketable securities;
 (2) “Director”, the director of the department of economic development;
 (3) “Economic opportunity scholarship charity”, a charitable organization in this state that is exempt from federal taxation pursuant to section 501(c)(3) of the Internal Revenue Code, as amended, and that allocates at least ninety percent of its annual revenue for educational scholarships to children to allow them to attend a qualified school. For purposes of this section, the phrase “qualified school” means any elementary or secondary school of a child's parents' choice which is situated in this state and does not discriminate on the basis of race, color, handicap, national origin or ancestry which a child may attend to meet the requirements of section 167.031, RSMo. To qualify as an economic opportunity scholarship charity the charitable organization shall provide educational scholarships to students without limiting availability to students attending a particular school and shall give preference to students of families who demonstrate financial need.

(4) “State tax liability”, in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, RSMo, chapter 147, RSMo, chapter 148, RSMo, and chapter 153, RSMo, exclusive of the provisions relating to the withholding of tax as provided for in sections 143.191 to 143.265, RSMo, and related provisions, and in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, RSMo, exclusive of the provisions relating to the withholding of tax as provided for in sections 143.191 to 143.265, RSMo;

(5) “Taxpayer”, a person, firm, a partner in a firm, corporation or shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, RSMo, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, RSMo, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, RSMo, or an express company which pays an annual tax on its gross receipts in this state pursuant to chapter 153, RSMo, or an individual subject to the state income tax imposed by the provisions of chapter 143, RSMo.

2. In order to promote economic development and a well-trained workforce through the expansion of educational opportunities, for all taxable years beginning on or after January 1, 2002, a taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability, in an amount equal to fifty percent of the amount such taxpayer contributed to an economic opportunity scholarship charity. However, the tax credit shall not be allowed if the taxpayer designates the taxpayer's donation for the direct benefit of any dependent of the taxpayer.

3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year that the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty thousand dollars per taxable year. However, any amount of credit that cannot be claimed in the taxable year the contribution was made may be carried over to the next four succeeding taxable years until the

full credit has been claimed.

4. Except for any excess credit which is carried over pursuant to subsection 3 of this section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such taxpayer's contribution to an economic opportunity scholarship charity in such taxpayer's taxable year has a value of at least one hundred dollars.

5. The director shall determine, at least annually, which charities in this state may be classified as economic opportunity scholarship charities. The director may require a charity seeking to be classified as an economic opportunity scholarship charity to provide whatever information is reasonably necessary to make such a determination. The director shall classify a charity as an economic opportunity scholarship charity if such charity meets the definition set forth in subdivision (3) of subsection 1 of this section.

6. The director shall establish a procedure by which a taxpayer can determine if a charity has been classified as an economic opportunity scholarship charity, and by which such taxpayer can then contribute to such economic opportunity scholarship charity and claim a tax credit. The cumulative amount of tax credits which may be claimed by all the taxpayers contributing to economic opportunity scholarship charities in any one fiscal year shall not exceed one million dollars.

7. The director shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director, the cumulative amount of tax credits are equally apportioned among all charities classified as economic opportunity scholarship charities. If an economic opportunity scholarship charity fails to use all, or some percentage to be determined by the director, of its apportioned tax credits during this predetermined period of time, the director may reapportion these unused tax credits to those economic opportunity scholarship charities that have used all, or some percentage to be determined by the director, of their apportioned tax credits during this predetermined period of time. The director may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.”; and

Further amend the title, enacting clause and intersectional references accordingly.

Senate Amendment No. 9

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 780, Page 156, Section 1, Line 17 of said page, by inserting immediately after said line the following:

“Section 2. No new tax credits pursuant to sections 135.400 to 135.430 shall be made available after June 30, 2002, for qualified investments in Missouri small businesses which are enterprises which consist of one or more establishment assigned a SIC code of 8731 and the results of the activities of which are designed to be used by establishments assigned a SIC code of 2834, engaged solely in pharmaceutical research and development.”;
and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 10

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 780, Page 33, Section 135.100, Line 4, by striking all of said line; and

Further amend said page, Lines 24-28, by striking all of said lines; and

Further amend said section by renumbering the remaining paragraphs accordingly; and

Further amend said bill, Page 48, Section 135.110, Line 28, by striking the opening bracket; and

Further amend said section, Page 49, Line 1, by striking the closing bracket; and

Further amend said bill, Page 57, Section 135.200, Line 28, by striking all of said line; and

Further amend said section, Page 58, Lines 1-4, by striking all of said lines; and

Further amend said section by renumbering the remaining paragraphs accordingly; and

Further amend said bill, Page 68, Section 135.230, Lines 21-25, by striking the opening and closing brackets.

Senate Amendment No. 11

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 780, Page 124, Section 135.545, Line 12, by inserting after all of said line the following:

“173.840. 1. In addition to any other tax credit available pursuant to sections 173.196 to 173.199, there is hereby authorized a tax credit equal to thirty-five percent of the amount of any donation to the Missouri higher education scholarship donation fund created by section 173.196, for graduate study in chemistry, life sciences, and agricultural sciences, except that tax credits shall be awarded each fiscal year in the order donations are received and the amount of tax credits authorized by this section shall total no more than two hundred fifty thousand dollars for each fiscal year.

2. The department of revenue shall grant tax credits approved pursuant to this section which shall be applied in the order specified in subsection 1 of section 32.115, RSMo, until used. The tax credits provided pursuant to this section shall be refundable, and any tax credit not used in the fiscal year in which approved may be carried over the next five succeeding calendar or fiscal years until the full credit has been claimed.

3. No tax credit authorized pursuant to this section may be applied against any tax applied in a tax year beginning prior to January 1, 2002.

4. All revenues credited to the fund shall be used, subject to appropriations, to provide scholarships or fellowships authorized pursuant to sections 173.196 to 173.199, and for no other purpose.

5. Donations received by the Missouri higher education scholarship donation fund pursuant to this section shall be used for the purposes authorized pursuant to sections 173.196 to 173.199.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 12

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 780, Pages 113 and 114, Section 135.530, by striking the entire section from the bill; and

Further amend the title and enacting clause accordingly.

*Part II
of*

Senate Amendment No. 13

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 780, Page 124, Section 135.545, Line 12, by inserting after all of said line the following:

“135.630. 1. As used in this section, the following terms shall mean:

(1) “Contribution”, a donation of cash, stock, bonds or other marketable securities, or real property;

(2) “Director”, the director of the department of social services;

(3) “State tax liability”, in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapters 143, 147, 148 and 153, RSMo, exclusive of the provisions relating to withholding tax contained in sections 143.191 to 143.265, RSMo, and in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, RSMo, exclusive of the provisions relating to withholding tax contained in sections 143.191 to 143.265, RSMo;

(4) "Taxpayer", a person, firm, a partner in a firm, corporation or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, RSMo, a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, RSMo, an insurance company paying an annual tax on its gross premium receipts in this state or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, RSMo, an express company which pays an annual tax on its gross receipts in this state pursuant to chapter 153, RSMo, or an individual subject to the state income tax imposed by the provisions of chapter 143, RSMo;

(5) "Unplanned pregnancy resource center", a nonresidential facility located in this state:

(a) Established and operating primarily to provide assistance to women with crisis pregnancies or unplanned pregnancies by offering pregnancy testing, counseling, emotional and material support, and other similar services to encourage and assist such women in carrying their pregnancies to term; and

(b) Where childbirths are not performed; and

(c) Which does not perform or refer for abortions and which does not hold itself out as performing or referring for abortions; and

(d) Which provides direct client services, as opposed to merely providing counseling or referral services by telephone; and

(e) Which provides its services at no cost; and

(f) Which is exempt from income taxation pursuant to the United States Internal Revenue Code.

2. A taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability, in an amount equal to fifty percent of the amount such taxpayer contributed to an unplanned pregnancy resource center.

3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year that the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty thousand dollars per taxable year. However, any tax credit that cannot be claimed in the taxable year the contribution was made may be carried over to the next three succeeding taxable years until the full credit has been claimed.

4. Except for any excess credit which is carried over pursuant to subsection 3 of this section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such taxpayer's contribution or contributions to an unplanned pregnancy resource center or centers in such taxpayer's taxable year has a value of at least one hundred dollars.

5. The director shall determine, at least annually, which facilities in this state may be classified as unplanned pregnancy resource centers. The director may require a facility seeking to be classified as an unplanned pregnancy resource center to submit any information which is reasonably necessary to make such a determination. The director shall classify a facility as an unplanned pregnancy resource center if such facility meets the definition set forth in subsection 1 of this section.

6. The director shall establish a procedure by which a taxpayer can determine if a facility has been classified as an unplanned pregnancy resource center, and by which such taxpayer can then contribute to such centers and claim a tax credit. Unplanned pregnancy resource centers shall be permitted to decline a contribution from a taxpayer. The cumulative amount of tax credits which may be claimed by all the taxpayers contributing to unplanned pregnancy resource centers in any one fiscal year shall not exceed two million dollars. Tax credits shall be issued based on the order in which accepted contributions are received.

7. The director shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director, the cumulative amount of tax credits are equally apportioned among all facilities classified as unplanned pregnancy resource centers. If an unplanned pregnancy resource center fails to use all, or some percentage to be determined by the director, of its apportioned tax credits during this predetermined period of time, the director may reapportion these unused tax credits to those unplanned pregnancy resource centers that have used all, or some percentage to be determined by the director, of their apportioned tax credits during this predetermined period of time. The director may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

8. Each unplanned pregnancy resource center shall provide information to the director concerning the identity of each taxpayer making a contribution to the unplanned pregnancy resource center who is claiming

a tax credit pursuant to this section and the amount of the contribution. The director shall provide the information to the director of revenue. The director shall be subject to the confidentiality and penalty provisions of section 32.057, RSMo, relating to the disclosure of tax information.

9. This section shall become effective January 1, 2002, and shall apply to tax years after December 31, 2001.”; and

Further amend the title and enacting clause of said bill accordingly.

Senate Amendment No. 14

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 780, Page 78, Section 135.411, Line 14, by inserting at the end of said line the following:

“A minimum of thirty percent of qualified investments made in Missouri small businesses in distressed communities shall be invested in pre-seed and seed ventures located in incubators funded, in whole or in part, by the department of economic development. A pre-seed or seed company which receives such an investment shall either maintain its corporate headquarters in the distressed community for a minimum of five years from the date of the original qualified investment, or the company shall maintain its primary customer base within the distressed community for a minimum of five years from the date of the original qualified investment. For purposes of this section, “maintaining its primary customer base within the distressed community” means that at least fifty-one percent of the customers of the pre-seed or seed company shall reside or be based within the boundaries of the distressed community. Failure to fulfill these requirements shall result in revocation of the tax credit, and repayment of any amounts of the tax credit already applied against the investor’s state tax liability.”; and

Further amend said bill, Page 105, Section 135.516, Line 28, by inserting after “investments” the following:

“, and at least one of the companies receiving such investments shall be a pre-seed company”; and

Further amend Page 106, Line 3, by inserting after “investments” the following:

“, and at least one of the companies receiving such investments shall be a pre-seed company”; and

Further amend said bill, section and page, Line 7, by inserting after “investments” the following:

“, and at least one of the companies receiving such investments shall be a pre-seed company”.

Senate Perfecting Amendment No. 1

AMEND Senate Amendment No. 10 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 780, Page 1, by striking everything above Line 11 of said page and inserting in lieu thereof the following:

“Amend SS/SCS/HCS/House Bill No. 780, Page 57, Section 135.200,”.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

**CONFERENCE COMMITTEE REPORT
ON
HOUSE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 351**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate, on House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 351, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 3 and House Substitute Amendment No. 1 for House Amendment No. 4; begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 351, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 351;
3. That the attached Conference Committee Substitute for House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 351 be adopted.

FOR THE HOUSE:

/s/ Rep. Phillip Britt
/s/ Rep. Craig Hosmer
/s/ Rep. Ryan McKenna
/s/ Rep. Rex Barnett

FOR THE SENATE:

/s/ Sen. Marvin Singleton
/s/ Sen. Morris Westfall
/s/ Sen. Roseann Bentley
/s/ Sen. Harold Caskey
/s/ Sen. Sidney Johnson

BILL IN CONFERENCE

CCR HS SS SCS SB 351, as amended, relating to peace officer training, was taken up by Representative Britt.

Representative Crump moved the previous question on the motion to adopt **CCR HS SS SCS SB 351, as amended**.

Which motion was adopted by the following vote:

AYES: 085

Abel	Barnitz	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Coleman	Copenhaver	Crump	Curls	Davis
Farnen	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Harlan
Haywood	Hickey	Hilgemann	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Kelly 27	Kelly 36	Kennedy	Koller	Lawson
Liese	Lowe	Luetkenhaus	Mays 50	McKenna
Merideth	Monaco	O'Connor	O'Toole	Overschmidt
Ransdall	Relford	Reynolds	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Thompson	Treadway	Troupe	Van Zandt
Villa	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 071

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Dolan	Enz
Fares	Froelker	Gaskill	Griesheimer	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Hunter	Jetton	Kelley 47	Kelly 144
King	Levin	Linton	Lograsso	Luetkemeyer
Marble	Marsh	May 149	Mayer	Miller
Moore	Murphy	Myers	Naeger	Nordwald
Ostmann	Phillips	Portwood	Purgason	Rector
Reid	Reinhart	Richardson	Ridgeway	Roark
Robirds	Ross	Schwab	Scott	Secrest
Shields	St. Onge	Surface	Townley	Vogel
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 004

Baker	Champion	Legan	Long
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VACANCIES: 003

On motion of Representative Britt, **CCR HS SS SCS SB 351, as amended**, was adopted by the following vote:

AYES: 087

Abel	Barnett	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Campbell	Carnahan	Clayton
Coleman	Copenhaver	Crowell	Crump	Curls
Davis	Dolan	Farnen	Foley	Ford
Franklin	Gambaro	George	Graham	Green 15

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Green 73	Hagan-Harrell	Hampton	Harding	Harlan
Hickey	Hilgemann	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Kelly 27
Kelly 36	Kennedy	King	Lawson	Liese
Lowe	Luetkenhaus	Marsh	Mayer	Mays 50
McKenna	Merideth	Monaco	Myers	O'Toole
Overschmidt	Portwood	Ransdall	Reid	Relford
Reynolds	Rizzo	Roark	Ross	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	St. Onge	Treadway	Troupe	Van Zandt
Villa	Wagner	Walton	Williams	Willoughby
Wilson 42	Mr. Speaker			

NOES: 066

Ballard	Bartelsmeyer	Bartle	Bearden	Behnen
Berkstresser	Black	Boatright	Burcham	Burton
Champion	Cierpiot	Cooper	Crawford	Cunningham
Dempsey	Enz	Fares	Fraser	Froelker
Gaskill	Gratz	Griesheimer	Hanaway	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Hunter	Jetton	Kelley 47	Kelly 144
Koller	Legan	Levin	Linton	Lograsso
Luetkemeyer	Marble	May 149	Miller	Moore
Naeger	Nordwald	Ostmann	Phillips	Purgason
Rector	Reinhart	Richardson	Ridgeway	Robirds
Schwab	Scott	Secrest	Shields	Surface
Thompson	Townley	Vogel	Ward	Wilson 25
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 007

Baker	Brooks	Byrd	Long	Murphy
O'Connor	Wiggins			

VACANCIES: 003

On motion of Representative Britt, **CCS HS SS SCS SB 351** was truly agreed to and finally passed by the following vote:

AYES: 140

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Kelley 47

Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Lowe	Luetkemeyer	Luetkenhaus
Marsh	May 149	Mayer	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Portwood	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Rizzo
Roark	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 013

Ballard	Bartelsmeyer	Champion	Cierpiot	Enz
Hohulin	Hunter	Jetton	Marble	Phillips
Rector	Ridgeway	Surface		

PRESENT: 000

ABSENT WITH LEAVE: 007

Baker	Crowell	Hagan-Harrell	Long	Mays 50
Robirds	Ward			

VACANCIES: 003

Speaker Kreider declared the bill passed.

THIRD READING OF SENATE BILL - INFORMAL

HCS SS SCS SBs 476, 427 & 62, relating to election laws, was taken up by Representative Seigfreid.

Representative Seigfreid offered **HS HCS SS SCS SBs 476, 427 & 62**.

Representative Farnen offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 476, 427 & 62, by placing in the appropriate location in the bill the following:

"115.279. 1. Application for an absentee ballot may be made by the applicant in person, or by mail, or for the applicant, in person, by his or her guardian or a relative within the [second] **first** degree by consanguinity or affinity. The election authority [may] **shall** accept applications by facsimile transmission [at its discretion and] within the limits of its telecommunications capacity.

2. Each application shall be made to the election authority of the jurisdiction in which the person is or would be registered. Each application shall be in writing and shall state the applicant's name, address at which he or she is or would be registered, his or her reason for voting an absentee ballot and the address to which the ballot is to be mailed, if mailing is requested. Each application to vote in a primary election shall also state which ballot the applicant wishes

to receive. If any application fails to designate a ballot, the election authority shall, within three working days after receiving the application, notify the applicant by mail that it will be unable to deliver an absentee ballot until the applicant designates which political party ballot he or she wishes to receive. If the applicant does not respond to the request for political party designation, the election authority is authorized to provide the voter with that part of the ballot for which no political party designation is required.

3. All applications for absentee ballots received prior to the sixth Tuesday before an election shall be stored at the office of the election authority until such time as the applications are processed in accordance with section 115.281. No application for an absentee ballot received in the office of the election authority by mail, by facsimile transmission or by a guardian or relative after 5:00 p.m. on the Wednesday immediately prior to the election shall be accepted by any election authority. No application for an absentee ballot submitted by the applicant in person after 5:00 p.m. on the day before the election shall be accepted by any election authority, except as provided in subsections 6, 8 and 9 of this section.

4. Each application for an absentee ballot shall be signed by the applicant or, if the application is made by a guardian or relative pursuant to the provisions of this section, the application shall be signed by the guardian or relative, who shall note on the application his or her relationship to the applicant. If an applicant, guardian or relative is blind, unable to read or write the English language or physically incapable of signing the application, he or she shall sign by mark, witnessed by the signature of an election official or person of his or her own choosing. Any person who knowingly makes, delivers or mails a fraudulent absentee ballot application shall be guilty of a class one election offense.

5. Notwithstanding any law to the contrary, any resident of the state of Missouri who resides outside the boundaries of the United States or who is on active duty with the armed forces of the United States or members of their immediate family living with them may request an absentee ballot for both the primary and subsequent general election with one application.

6. An application for an absentee ballot by a new resident, as defined in section 115.275, shall be submitted in person by the applicant in the office of the election authority in the election jurisdiction in which such applicant resides. The application shall be received by the election authority no later than 7:00 p.m. on the day of the election. Such application shall be in the form of an affidavit, executed in duplicate in the presence of the election authority or any authorized officer of the election authority, and in substantially the following form:

"STATE OF

COUNTY OF, ss.

I,, do solemnly swear that:

(1) Before becoming a resident of this state, I resided at (residence address) in (town, township, village or city) of County in the state of

(2) I moved to this state after the last day to register to vote in such general presidential election and I am now residing in the county of, state of Missouri;

(3) I believe I am entitled pursuant to the laws of this state to vote in the presidential election to be held November, (year);

(4) I hereby make application for a presidential and vice presidential ballot. I have not voted and shall not vote other than by this ballot at such election.

Signed

(Applicant)

.....

(Residence Address)

Subscribed and sworn to before me this day of,

Signed

(Title and name of officer authorized to administer oaths)"

7. The election authority in whose office an application is filed pursuant to subsection 6 of this section shall immediately send a duplicate of such application to the appropriate official of the state in which the new resident applicant last resided and shall file the original of such application in its office.

8. An application for an absentee ballot by an intrastate new resident, as defined in section 115.275, shall be made in person by the applicant in the office of the election authority in the election jurisdiction in which such applicant resides. The application shall be received by the election authority no later than 7:00 p.m. on the day of the election. Such application shall be in the form of an affidavit, executed in duplicate in the presence of the election authority or

an authorized officer of the election authority, and in substantially the following form:

"STATE OF

COUNTY OF, ss.

I,, do solemnly swear that:

(1) Before becoming a resident of this election jurisdiction, I resided at (residence address) in (town, township, village or city) of county in the state of

(2) I moved to this election jurisdiction after the last day to register to vote in such election;

(3) I believe I am entitled pursuant to the laws of this state to vote in the election to be held (date);

(4) I hereby make application for an absentee ballot for candidates and issues on which I am entitled to vote pursuant to the laws of this state. I have not voted and shall not vote other than by this ballot at such election.

Signed

(Applicant)

.....

(Residence Address)

Subscribed and sworn to before me this day of,

Signed

(Title and name of officer authorized to administer oaths)"

9. An application for an absentee ballot by an interstate former resident, as defined in section 115.275, shall be received in the office of the election authority where the applicant was formerly registered by 5:00 p.m. on the Wednesday immediately prior to the election, unless the application is made in person by the applicant in the office of the election authority, in which case, such application shall be made no later than 7:00 p.m. on the day of the election."; and

Further amend said bill, by amending the title and enacting clause accordingly.

Representative Long offered **House Substitute Amendment No. 1 for House Amendment No. 1.**

House Substitute Amendment No. 1

for

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 476, 427 & 62, Page 14, Section 115.101, Line 24, by inserting after all of said line the following:

"115.133. 1. Except as provided in subsection 2 of this section, any citizen of the United States who is a resident of the state of Missouri and seventeen years and six months of age or older shall be entitled to register and to vote in any election which is held on or after his eighteenth birthday.

2. No person who is adjudged incapacitated shall be entitled to register or vote. No person shall be entitled to **register or** vote:

(1) While confined under a sentence of imprisonment;

(2) While on probation or parole after conviction of a felony, until finally discharged from such probation or parole; or

(3) After conviction of a felony or misdemeanor connected with the right of suffrage.

3. No person shall be entitled to vote if the person has not registered to vote in the jurisdiction of his or her residence prior to the deadline to register to vote.

115.135. 1. Any person who is qualified to vote, or who shall become qualified to vote on or before the day of election, shall be entitled to register in the jurisdiction within which he or she resides. In order to vote in any election for which registration is required, a person must be registered **to vote in the jurisdiction of his or her residence** no later than 5:00 p.m., or the normal closing time of any public building where the registration is being held if such time is later than 5:00 p.m., on the fourth Wednesday prior to the election. In no case shall registration for an election extend beyond 10:00 p.m. on the fourth Wednesday prior to the election. Any person registering after such date shall be

eligible to vote in subsequent elections.

2. A person applying to register with an election authority or a deputy registration official shall present a valid Missouri drivers license or other form of personal identification at the time of registration.

115.137. 1. Except as provided in subsection 2 of this section, any citizen who is entitled to register and vote shall be entitled to register for and vote **pursuant to the provisions of this chapter** in all statewide public elections and all public elections held for districts and political subdivisions within which he resides.

2. Any person who and only persons who fulfill the ownership requirements shall be entitled to vote in elections for which ownership of real property is required by law for voting."; and

Further amend said bill, Page 14, Section 115.101, Line 24, by inserting after all of said line the following:

"115.151. 1. Each qualified applicant who appears before the election authority shall be deemed registered as of the time the applicant's completed, signed and sworn registration application is witnessed by the election authority or deputy registration official.

2. Each applicant who registers by mail shall be deemed to be registered as of the date the application is postmarked, if such application is accepted and not rejected by the election authority and the verification notice required pursuant to section 115.155 is not returned as undeliverable by the postal service.

3. Each applicant who registers at a voter registration agency or the division of motor vehicle and drivers licensing of the department of revenue shall be deemed to be registered as of the date the application is signed by the applicant, if such application is accepted and not rejected by the election authority and the verification notice required pursuant to section 115.155 is not returned as undeliverable by the postal service. **Voter registration agencies and the division of motor vehicle and driver licensing of the department of revenue shall transmit voter registration application forms to the appropriate election authority not later than five business days after the form is completed by the applicant.**

115.155. 1. The election authority shall provide for the registration of each voter. Each application shall be in substantially the following form:

APPLICATION FOR REGISTRATION

.....
	Township (or Ward)
.....
Name	Precinct
.....
Home Address	Required Personal
	Identification Information
.....	
City ZIP	
.....
Date of Birth	Place of Birth (Optional)
.....
Telephone Number	Mother's Maiden Name
(Optional)	(Optional)
.....
Occupation (Optional)	Last Place Previously
	Registered
.....
Last four digits of	Under What Name
Social Security Number	
(Required for registration	
unless no Social Security	

number exists for Applicant)

Remarks:

.....
When

I am a citizen of the United States and a resident of the state of Missouri. I have not been adjudged incapacitated by any court of law. If I have been convicted of a felony or of a misdemeanor connected with the right of suffrage, I have had the voting disabilities resulting from such conviction removed pursuant to law. I do solemnly swear that all statements made on this card are true to the best of my knowledge and belief.

.....
Signature of Voter

.....
Date

.....
Signature of Election Official

2. After supplying all information necessary for the registration records, each applicant who appears in person before the election authority shall swear or affirm the statements on the registration application by signing his or her full name, witnessed by the signature of the election authority or such authority's deputy registration official. Each applicant who applies to register by mail pursuant to section 115.159, or pursuant to the provisions of section 115.160 or 115.162, shall attest to the statements on the application by his or her signature.

3. Upon receipt by mail of a completed and signed voter registration application, a voter registration application forwarded by the division of motor vehicle and drivers licensing of the department of revenue pursuant to section 115.160, or a voter registration agency pursuant to section 115.162, the election authority shall, if satisfied that the applicant is entitled to register, transfer all data necessary for the registration records from the application to its registration system. Within seven business days after receiving the application, the election authority shall send the applicant a verification notice. If such notice is returned as undeliverable by the postal service within the time established by the election authority, the election authority shall not place the applicant's name on the voter registration file.

4. If, upon receipt by mail of a voter registration application or a voter registration application forwarded pursuant to section 115.160 or 115.162, the election authority determines that the applicant is not entitled to register, such authority shall, within seven business days after receiving the application, so notify the applicant by mail and state the reason such authority has determined the applicant is not qualified. The applicant may have such determination reviewed pursuant to the provisions of section 115.223.

5. It shall be the responsibility of the secretary of state to prescribe specifications for voter registration documents so that they are uniform throughout the state of Missouri and comply with the National Voter Registration Act of 1993, including the reporting requirements, and so that registrations, name changes and transfers of registrations within the state may take place as allowed by law. **The secretary of state shall design numbered voter registration documents and a distribution system so that each application to register to vote can be traced to the person originally receiving the application from the secretary of state or election authority. The secretary of state shall ensure that each application to register to vote contains a form that can be detached from the application to register to vote, and provided to the voter registration applicant by the person providing the application, which indicates:**

- (1) That the applicant is not registered to vote until he or she receives notice from the election authority;
- (2) The procedures to follow if the applicant does not receive a notification that the application has been accepted;
- (3) The number of the application that has been assigned pursuant to this subsection;
- (4) Information on application procedures for an absentee ballot; and
- (5) Pollworker recruitment information.

The secretary of state shall design a request form for any person who requests from the secretary of state or election authority voter registration applications for distribution. Such request form shall include the requester's name, address and telephone number.

6. All voter registration applications shall be preserved in the office of the election authority.

115.157. 1. The election authority may place all information on any registration cards in computerized form

in accordance with subsection 2 of section 115.158. No election authority or secretary of state shall furnish to any member of the public electronic media or printout showing any registration information, except as provided in this section. **Except as provided in subsection 2 of this section,** the election authority or secretary of state shall make available electronic media or printouts showing unique voter identification numbers, voters' names, dates of birth, addresses, townships or wards, and precincts. Electronic data shall be maintained in at least the following separate fields:

- (1) Voter identification number;
- (2) First name;
- (3) Middle initial;
- (4) Last name;
- (5) Suffix;
- (6) Street number;
- (7) Street direction;
- (8) Street name;
- (9) Street suffix;
- (10) Apartment number;
- (11) City;
- (12) State;
- (13) Zip code;
- (14) Township;
- (15) Ward;
- (16) Precinct;
- (17) Senatorial district;
- (18) Representative district;
- (19) Congressional district.

All election authorities shall enter voter history in their computerized registration systems and shall, not more than six months after the election, forward such data to the centralized voter registration system established in section 115.158.

Except as provided in subsection 2 of this section, the election authority shall also furnish, for a fee, electronic media or a printout showing the names, dates of birth and addresses of voters, or any part thereof, within the jurisdiction of the election authority who voted in any specific election, including primary elections, by township, ward or precinct, provided that nothing in this chapter shall require such voter information to be released to the public over the Internet. The amount of fees charged for information provided in this section shall be established pursuant to chapter 610, RSMo.

All revenues collected by the secretary of state pursuant to this section shall be deposited in the state treasury and credited to the secretary of state's technology trust fund account established pursuant to section 28.160, RSMo. In even-numbered years, each election authority shall, upon request, supply the voter registration list for its jurisdiction to all candidates and party committees for a charge established pursuant to chapter 610, RSMo. **Except as provided in subsection 2 of this section,** all election authorities shall make the information described in this section available pursuant to chapter 610, RSMo. Any election authority who fails to comply with the requirements of this section shall be subject to the provisions of chapter 610, RSMo.

2. Any peace officer as defined in subsection 4 of section 590.100, RSMo, any person working as an undercover officer of a law enforcement agency of this state, agents of a federal law enforcement agency, persons in witness protection programs and victims of domestic violence and abuse who have received orders of protection pursuant to chapter 455, RSMo, shall be entitled to apply to the circuit court having jurisdiction in his or her county of residence to have the residential address on his or her voter registration records closed to the public if the release of such information could endanger the safety of the person. Any person working as an undercover agent or in a witness protection program shall also submit a statement from the chief executive officer, as defined in subsection 2 of section 590.100, RSMo, of the agency under whose direction he or she is serving. The petition to close the residential address shall be incorporated into any petition for protective order provided by circuit clerks pursuant to chapter 455, RSMo. If satisfied that the person filing the petition meets the qualifications of this subsection, the circuit court shall issue an order to the election authority to keep the residential address of the voter a closed record and the address may be used only for the purposes of administering elections pursuant to this chapter. The election authority may require the voter who has a closed residential address record to verify that his or her residential address has not changed or to file a change of address and to affirm that the reasons contained in the original petition are still accurate prior to receiving a

ballot. A change of address within an election authority's jurisdiction shall not require that the voter file a new petition. Any voter who no longer qualifies pursuant to this subsection to have his or her residential address as a closed record shall notify the circuit court. Upon such notification, the circuit court shall void the order closing the residential address and so notify the election authority.

115.160. 1. All Missouri driver's license applicants shall receive a voter registration application form as a simultaneous part of the application for a driver's license, renewal of driver's license, change of address, duplicate request and a nondriver's license.

2. If a single application form is used, the voter registration application portion of any application described in subsection 1 of this section may not require any information that duplicates information required in the driver's license portion of the form, except a second signature or other information required by law.

3. After conferring with the secretary of state as the chief state election official responsible for overseeing of the voter registration process, the director of revenue shall adopt rules and regulations pertaining to the format of the voter registration application used by the department.

4. No information relating to the failure of an applicant for a driver's license or nondriver's license to sign a voter registration application may be used for any purpose other than voter registration.

5. Any voter registration application received pursuant to the provisions of this section shall be forwarded to the election authority located within that county or any city not within a county, or if there is more than one election authority within the county, then to the election authority located nearest to the location where the driver's license application was received. The election authority receiving the application forms shall review the applications and forward any applications pertaining to a different election authority to that election authority.

6. A completed voter registration application accepted in the driver's licensing process shall be transmitted to the election authority described in subsection 5 of this section [not later than ten days after the date of acceptance or if the voter registration application is accepted within five days before the last day for registration to vote in an election, the application shall be transmitted to the election authority described in subsection 5 of this section] not later than five **business days after the [date of acceptance] form is completed by the applicant.**

115.162. 1. A voter registration application shall be provided by the secretary of state in all offices of the state that provide public assistance, all offices that provide state-funded programs primarily engaged in providing services to persons with disabilities, and other offices as directed by the governor. In addition all armed forces recruitment offices shall be considered a voter registration agency.

2. At each voter registration agency, the following services shall be made available:

(1) Assistance to applicants in completing voter registration application forms, unless the applicant refuses such assistance;

(2) Acceptance of completed voter registration application forms for transmittal to the election authority located in the same county or any city not within a county, or if there is more than one election authority within the county, to the election authority nearest to the office of the agency. The election authority receiving the application forms shall review the applications and forward any applications pertaining to a different election authority to that election authority[. Forms shall be transmitted as soon as possible and according to dates established by the state election authority];

(3) **Voter registration sites shall transmit voter registration application forms to the appropriate election authority not later than five business days after the form is completed by the applicant.**

(4) If a voter registration agency provides services to a person with a disability at the person's home, the agency shall provide the services provided in this section at the person's home.

3. An applicant declining to register in any agency shall be noted in a declination section incorporated into the voter registration form used by the agency. No information relating to a declination to register to vote in connection with an application made at a voter registration agency may be used for any purpose other than voter registration.

[4. Subject to the approval of the secretary of state, the voter registration agency shall adopt rules and regulations pertaining to the format of a voter registration application to be used by that agency.]; and

Further amend said bill, Page 21, Section 115.237, Line 6, by inserting after all of said line the following:

"115.277. 1. Except as provided in subsections 3, 4 and 5 of this section, any registered voter of this state may vote by absentee ballot for all candidates and issues for which such voter would be eligible to vote at the polling place if such voter expects to be prevented from going to the polls to vote on election day due to:

(1) Absence on election day from the jurisdiction of the election authority in which such voter is registered to

vote;

- (2) Incapacity or confinement due to illness or physical disability;
- (3) Religious belief or practice;
- (4) Employment as an election authority, as a member of an election authority, or by an election authority at a location other than such voter's polling place;
- (5) Incarceration, provided all qualifications for voting are retained; **or**
- (6) A person who is primarily responsible for the physical care of a person who is incapacitated or confined due to illness or disability.**

2. Any person in federal service, as defined in section 115.275, who is eligible to register and vote in any election in this state may vote in the election even if the person is not registered. Each person in federal service may vote by absentee ballot or, upon submitting an affidavit that the person is qualified to vote in the election, may vote at the person's polling place.

3. Any interstate former resident, as defined in section 115.275, may vote by absentee ballot for presidential and vice presidential electors.

4. Any intrastate new resident, as defined in section 115.275, may vote by absentee ballot at the election for presidential and vice presidential electors, United States senator, representative in Congress, statewide elected officials and statewide questions, propositions and amendments from such resident's new jurisdiction of residence after registering to vote in such resident's new jurisdiction of residence.

5. Any new resident, as defined in section 115.275, may vote by absentee ballot for presidential and vice presidential electors after registering to vote in such resident's new jurisdiction of residence.

115.279. 1. Application for an absentee ballot may be made by the applicant in person, or by mail, or for the applicant, in person, by his or her guardian or a relative within the [second] **first** degree by consanguinity or affinity. The election authority [may] **shall** accept applications by facsimile transmission [at its discretion and] within the limits of its telecommunications capacity.

2. Each application shall be made to the election authority of the jurisdiction in which the person is or would be registered. Each application shall be in writing and shall state the applicant's name, address at which he or she is or would be registered, his or her reason for voting an absentee ballot and the address to which the ballot is to be mailed, if mailing is requested. Each application to vote in a primary election shall also state which ballot the applicant wishes to receive. If any application fails to designate a ballot, the election authority shall, within three working days after receiving the application, notify the applicant by mail that it will be unable to deliver an absentee ballot until the applicant designates which political party ballot he or she wishes to receive. If the applicant does not respond to the request for political party designation, the election authority is authorized to provide the voter with that part of the ballot for which no political party designation is required.

3. All applications for absentee ballots received prior to the sixth Tuesday before an election shall be stored at the office of the election authority until such time as the applications are processed in accordance with section 115.281. No application for an absentee ballot received in the office of the election authority by mail, by facsimile transmission or by a guardian or relative after 5:00 p.m. on the Wednesday immediately prior to the election shall be accepted by any election authority. No application for an absentee ballot submitted by the applicant in person after 5:00 p.m. on the day before the election shall be accepted by any election authority, except as provided in subsections 6, 8 and 9 of this section.

4. Each application for an absentee ballot shall be signed by the applicant or, if the application is made by a guardian or relative pursuant to the provisions of this section, the application shall be signed by the guardian or relative, who shall note on the application his or her relationship to the applicant. If an applicant, guardian or relative is blind, unable to read or write the English language or physically incapable of signing the application, he or she shall sign by mark, witnessed by the signature of an election official or person of his or her own choosing. Any person who knowingly makes, delivers or mails a fraudulent absentee ballot application shall be guilty of a class one election offense.

5. Notwithstanding any law to the contrary, any resident of the state of Missouri who resides outside the boundaries of the United States or who is on active duty with the armed forces of the United States or members of their immediate family living with them may request an absentee ballot for both the primary and subsequent general election with one application.

6. An application for an absentee ballot by a new resident, as defined in section 115.275, shall be submitted in person by the applicant in the office of the election authority in the election jurisdiction in which such applicant resides. The application shall be received by the election authority no later than 7:00 p.m. on the day of the election. Such

application shall be in the form of an affidavit, executed in duplicate in the presence of the election authority or any authorized officer of the election authority, and in substantially the following form:

"STATE OF

COUNTY OF, ss.

I,, do solemnly swear that:

(1) Before becoming a resident of this state, I resided at (residence address) in (town, township, village or city) of County in the state of

(2) I moved to this state after the last day to register to vote in such general presidential election and I am now residing in the county of, state of Missouri;

(3) I believe I am entitled pursuant to the laws of this state to vote in the presidential election to be held November, (year);

(4) I hereby make application for a presidential and vice presidential ballot. I have not voted and shall not vote other than by this ballot at such election.

Signed

(Applicant)

.....

(Residence Address)

Subscribed and sworn to before me this day of,

Signed

(Title and name of officer authorized to administer oaths)"

7. The election authority in whose office an application is filed pursuant to subsection 6 of this section shall immediately send a duplicate of such application to the appropriate official of the state in which the new resident applicant last resided and shall file the original of such application in its office.

8. An application for an absentee ballot by an intrastate new resident, as defined in section 115.275, shall be made in person by the applicant in the office of the election authority in the election jurisdiction in which such applicant resides. The application shall be received by the election authority no later than 7:00 p.m. on the day of the election. Such application shall be in the form of an affidavit, executed in duplicate in the presence of the election authority or an authorized officer of the election authority, and in substantially the following form:

"STATE OF

COUNTY OF, ss.

I,, do solemnly swear that:

(1) Before becoming a resident of this election jurisdiction, I resided at (residence address) in (town, township, village or city) of county in the state of

(2) I moved to this election jurisdiction after the last day to register to vote in such election;

(3) I believe I am entitled pursuant to the laws of this state to vote in the election to be held (date);

(4) I hereby make application for an absentee ballot for candidates and issues on which I am entitled to vote pursuant to the laws of this state. I have not voted and shall not vote other than by this ballot at such election.

Signed

(Applicant)

.....

(Residence Address)

Subscribed and sworn to before me this day of,

Signed

(Title and name of officer authorized to administer oaths)"

9. An application for an absentee ballot by an interstate former resident, as defined in section 115.275, shall be received in the office of the election authority where the applicant was formerly registered by 5:00 p.m. on the Wednesday immediately prior to the election, unless the application is made in person by the applicant in the office of the election authority, in which case, such application shall be made no later than 7:00 p.m. on the day of the election.

115.283. 1. Each ballot envelope shall bear a statement on which the voter shall state the voter's name, the voter's voting address, the voter's mailing address and the voter's reason for voting an absentee ballot. On the form, the voter shall also state, under penalties of perjury that the voter is qualified to vote in the election, that the voter has not previously voted and will not vote again in the election, that the voter has personally marked the voter's ballot in secret or supervised the marking of the voter's ballot if the voter is unable to mark it, that the ballot has been placed in the

ballot envelope and sealed by the voter or under the voter's supervision if the voter is unable to seal it, and that all information contained in the statement is true. In addition, any person providing assistance to the absentee voter shall include a statement on the envelope identifying the person providing assistance under penalties of perjury. Persons authorized to vote only for federal and statewide officers shall also state their former Missouri residence.

2. The statement for persons voting absentee ballots who are registered voters shall be in substantially the following form:

State of Missouri

County (City) of

I, (print name), a registered voter of County (City of St. Louis, Kansas City), declare under the penalties of perjury that I expect to be prevented from going to the polls on election day due to (check one):

- absence on election day from the jurisdiction of the election authority in which I am registered;
- incapacity or confinement due to illness or physical disability;
- religious belief or practice;
- employment as an election authority or by an election authority at a location other than my polling place;
- incarceration, although I have retained all the necessary qualifications for voting;
- caring for a person who is incapacitated or confined due to illness or disability.**

I hereby state under penalties of perjury that I am qualified to vote at this election; I have not voted and will not vote other than by this ballot at this election. I further state that I marked the enclosed ballot in secret or that I am blind, unable to read or write English, or physically incapable of marking the ballot, and the person of my choosing indicated below marked the ballot at my direction; all of the information on this statement is, to the best of my knowledge and belief, true.

.....
Signature of Voter	Signature of Person
	Assisting Voter
	(if applicable)
.....	Subscribed and sworn to
.....	before me this day
Address of Voter	of,
.....
Mailing addresses	Signature of notary or
(if different)	other officer authorized
	to administer oaths

3. The statement for persons voting absentee ballots pursuant to the provisions of subsection 2, 3, 4 [or], 5 or 6 of section 115.277 without being registered shall be in substantially the following form:

State of Missouri

County (City) of

I, (print name), declare under the penalties of perjury that I am a citizen of the United States and eighteen years of age or older. I am not adjudged incapacitated by any court of law, and if I have been convicted of a felony or of a misdemeanor connected with the right of suffrage, I have had the voting disabilities resulting from such conviction removed pursuant to law. I hereby state under penalties of perjury that I am qualified to vote at this election.

- (1) I am a resident of the state of Missouri and (check one):
- am a member of the U.S. armed forces in active service;
 - am an active member of the U.S. merchant marine;
 - am a civilian employee of the U.S. government working outside the United States;
 - am an active member of a religious or welfare organization assisting servicemen;
 - have been honorably discharged or terminated my service in one of the groups mentioned above within sixty days of this election;
 - am a spouse or dependent of one of the above;
 - am a registered voter in County and moved from that county to County, Missouri, after the last day to register to vote in this election.

OR (check if applicable)

(2) I am an interstate former resident of Missouri and authorized to vote for presidential and vice presidential electors. I further state under penalties of perjury that I have not voted and will not vote other than by this

ballot at this election; I marked the enclosed ballot in secret or am blind, unable to read or write English, or physically incapable of marking the ballot, and the person of my choosing indicated below marked the ballot at my direction; all of the information on this statement is, to the best of my knowledge and belief, true.

..... Subscribed to and sworn Signature of Voter before me this day
of,

.....
.....
Address of Voter Signature of notary or
other officer authorized
to administer oaths

.....
.....
Mailing Address
(if different)

.....
.....
Signature of Person Address of Last Missouri
Assisting Voter Residence
(if applicable)

4. The statement for persons voting absentee ballots who are entitled to vote at the election pursuant to the provisions of subsection 2 of section 115.137 shall be in substantially the following form:

State of Missouri
County (City) of

I, (print name), declare under the penalties of perjury that I expect to be prevented from going to the polls on election day due to (check one):

- absence on election day from the jurisdiction of the election authority in which I am directed to vote;
- incapacity or confinement due to illness or physical disability;
- religious belief or practice;
- employment as an election authority or by an election authority at a location other than my polling place;
- incarceration, although I have retained all the necessary qualifications of voting;
- caring for a person who is incapacitated or confined due to illness or disability.**

I hereby state under penalties of perjury that I own property in the district and am qualified to vote at this election; I have not voted and will not vote other than by this ballot at this election. I further state that I marked the enclosed ballot in secret or that I am blind, unable to read and write English, or physically incapable of marking the ballot, and the person of my choosing indicated below marked the ballot at my direction; all of the information on this statement is, to the best of my knowledge and belief, true.

..... Subscribed and sworn to
Signature of Voter before me this
day of,

.....
.....
Address Signature of notary or
other officer authorized
to administer oaths

.....
Signature of Person
Assisting Voter
(if applicable)

5. The statement for persons providing assistance to absentee voters shall be in substantially the following form:

The voter needed assistance in marking the ballot and signing above, because of blindness, other physical disability, or inability to read or to read English. I marked the ballot enclosed in this envelope at the voter's direction, when I was alone with the voter, and I had no other communication with the voter as to how he or she was to vote. The voter swore or affirmed the voter affidavit above and I then signed the voter's name and completed the other voter information above. Signed under the penalties of perjury.

Reason why voter needed assistance:

ASSISTING PERSON SIGN HERE

1. (signature of assisting person)
2. (assisting person's name printed)
3. (assisting person's residence)
4. (assisting person's home city or town).

6. Notwithstanding any other provision of this section, any resident of the state of Missouri who resides outside the boundaries of the United States or who is on active duty with the armed forces of the United States or members of their immediate family living with them or persons who have declared themselves to be permanently disabled pursuant to section 115.284, otherwise entitled to vote, shall not be required to obtain a notary seal or signature on his or her absentee ballot.

7. Notwithstanding any other provision of this section or section 115.291 to the contrary, the subscription, signature and seal of a notary or other officer authorized to administer oaths shall not be required on any ballot, ballot envelope, or statement required by this section if the reason for the voter voting absentee is due to [illness or physical disability] **the reasons established pursuant to subdivisions (2) and (6) of subsection 1 of section 115.277.**"; and

Further amend said bill, Page 28, Section 115.613, Line 17, by inserting after all of said line the following:

"115.637. The following offenses, and any others specifically so described by law, shall be class four election offenses and are deemed misdemeanors not connected with the exercise of the right of suffrage. Conviction for any of these offenses shall be punished by imprisonment of not more than one year or by a fine of not more than two thousand five hundred dollars or by both such imprisonment and fine:

(1) Stealing or willfully concealing, defacing, mutilating, or destroying any sample ballots that may be furnished by an organization or individual at or near any voting place on election day, except that this subdivision shall not be construed so as to interfere with the right of an individual voter to erase or cause to be erased on a sample ballot the name of any candidate and substituting the name of the person for whom he intends to vote; or to dispose of the received sample ballot;

(2) Printing, circulating, or causing to be printed or circulated, any false and fraudulent sample ballots which appear on their face to be designed as a fraud upon voters;

(3) Purposefully giving a printed or written sample ballot to any qualified voter which is intended to mislead the voter;

(4) On the part of any candidate for election to any office of honor, trust, or profit, offering or promising to discharge the duties of such office for a less sum than the salary, fees, or emoluments as fixed by law or promising to pay back or donate to any public or private interest any portion of such salary, fees, or emolument as an inducement to voters;

(5) On the part of any canvasser appointed to canvass any registration list, willfully failing to appear, refusing to continue, or abandoning such canvass or willfully neglecting to perform his duties in making such canvass or willfully neglecting any duties lawfully assigned to him;

(6) On the part of any employer, making, enforcing, or attempting to enforce any order, rule, or regulation or adopting any other device or method to prevent an employee from engaging in political activities, accepting candidacy for nomination to, election to, or the holding of, political office, holding a position as a member of a political committee, soliciting or receiving funds for political purpose, acting as chairman or participating in a political convention, assuming the conduct of any political campaign, signing, or subscribing his name to any initiative, referendum, or recall petition, or any other petition circulated pursuant to law;

(7) On the part of any person authorized or employed to print official ballots, or any person employed in printing ballots, giving, delivering, or knowingly permitting to be taken any ballot to or by any person other than the official under whose direction the ballots are being printed, any ballot in any form other than that prescribed by law, or with unauthorized names, with names misspelled, or with the names of candidates arranged in any way other than that authorized by law;

(8) On the part of any election authority or official charged by law with the duty of distributing the printed ballots, or any person acting on his behalf, knowingly distributing or causing to be distributed any ballot in any manner other than that prescribed by law;

(9) Any person having in his possession any official ballot, except in the performance of his duty as an election authority or official, or in the act of exercising his individual voting privilege;

(10) Willfully mutilating, defacing, or altering any ballot before it is delivered to a voter;

(11) On the part of any election judge, willfully absenting himself from the polls on election day without good cause or willfully detaining any election material or equipment and not causing it to be produced at the voting place at the opening of the polls or within fifteen minutes thereafter;

(12) On the part of any election authority or official, willfully neglecting, refusing, or omitting to perform any duty required of him by law with respect to holding and conducting an election, receiving and counting out the ballots, or making proper returns;

(13) On the part of any election judge, or party watcher or challenger, furnishing any information tending in any way to show the state of the count to any other person prior to the closing of the polls;

(14) On the part of any voter, except as otherwise provided by law, allowing his ballot to be seen by any person with the intent of letting it be known how he is about to vote or has voted, or knowingly making a false statement as to his inability to mark his ballot;

(15) On the part of any election judge, disclosing to any person the name of any candidate for whom a voter has voted;

(16) Interfering, or attempting to interfere, with any voter inside a polling place;

(17) On the part of any person at any registration site, polling place, counting location or verification location, causing any breach of the peace or engaging in disorderly conduct, violence, or threats of violence whereby such registration, election, count or verification is impeded or interfered with;

(18) Exit polling, surveying, sampling, electioneering, distributing election literature, posting signs or placing vehicles bearing signs with respect to any candidate or question to be voted on at an election on election day inside the building in which a polling place is located or within [twenty-five] **fifty** feet of the building's outer door closest to the polling place, or, on the part of any person, refusing to remove or permit removal from property owned or controlled by him, any such election sign or literature located within such distance on such day after request for removal by any person."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Long, **House Substitute Amendment No. 1 for House Amendment No. 1** was adopted.

Representative Hanaway offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 476, 427 & 62, Page 2, Section A, Line 3, by inserting after all of said line the following:

"21.110. If the governor receives any resignation or notice of vacancy, or if he **or she** is satisfied of the death of any member of either house, [during the recess], he **or she** shall, [without delay] **within thirty days of the resignation or death of such member**, issue a writ of election to supply the vacancy."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hanaway, **House Amendment No. 2** was adopted by the following vote:

AYES: 122

Abel	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkstresser	Black
Boatright	Boykins	Bray 84	Britt	Burcham
Burton	Byrd	Campbell	Champion	Cierpiot
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Dempsey	Dolan	Enz

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Fares	Farnen	Ford	Fraser	Froelker
Gambaro	Gaskill	Gratz	Green 15	Green 73
Griesheimer	Hanaway	Harding	Hartzler	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 36	Kennedy	King	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Merideth	Miller
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Selby	Shelton	Shields	Shoemyer
Skaggs	St. Onge	Surface	Townley	Treadway
Troupe	Van Zandt	Vogel	Wagner	Willoughby
Wilson 25	Wright			

NOES: 035

Barry 100	Berkowitz	Bland	Bonner	Boucher
Bowman	Brooks	Carnahan	Clayton	Curls
Davis	Foley	Franklin	George	Graham
Hagan-Harrell	Hampton	Harlan	Haywood	Hollingsworth
Kelly 27	Koller	Mays 50	Monaco	Overschmidt
Relford	Seigfreid	Smith	Thompson	Villa
Walton	Ward	Williams	Wilson 42	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 003

Baker	McKenna	Wiggins
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VACANCIES: 003

Representative Crump moved the previous question on the motion to adopt **HS HCS SS SCS SBs 476, 427 & 62, as amended.**

Which motion was adopted by the following vote:

AYES: 086

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Coleman	Copenhaver	Crump	Curls
Davis	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Haywood	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Kelly 27	Kelly 36	Kennedy	Koller
Lawson	Liese	Lowe	Luetkenhaus	Mays 50
McKenna	Merideth	Monaco	O'Connor	O'Toole

Overschmidt	Ransdall	Relford	Reynolds	Rizzo
Scheve	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Villa	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 073

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Froelker	Gaskill	Griesheimer
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Hunter	Jetton	Kelley 47
Kelly 144	King	Legan	Levin	Linton
Lograsso	Long	Luetkemeyer	Marble	Marsh
May 149	Mayer	Miller	Moore	Murphy
Myers	Naeger	Nordwald	Ostmann	Phillips
Portwood	Purgason	Rector	Reinhart	Richardson
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Secrest	Shields	St. Onge	Surface
Townley	Vogel	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 001

Reid

VACANCIES: 003

On motion of Representative Seigfreid, **HS HCS SS SCS SBs 476, 427 & 62, as amended**, was adopted.

HS HCS SS SCS SBs 476, 427 & 62, as amended, was laid over.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report No. 2 on **HS HCS SCS SB 236, as amended**, and has taken up and passed **CCS No. 2 HS HCS SCS SB 236**.

Speaker Pro Tem Abel resumed the Chair.

THIRD READING OF SENATE BILL

HCS SCS SB 317, relating to manufactured homes, was taken up by Representative Hollingsworth.

Representative Hollingsworth moved that **HCS SCS SB 317** be adopted.

Which motion was defeated.

On motion of Representative Hollingsworth, **SCS SB 317** was truly agreed to and finally passed by the following vote:

AYES: 110

Abel	Baker	Barry 100	Berkowitz	Berkstresser
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Burton	Byrd	Campbell
Carnahan	Cierpiot	Coleman	Cooper	Copenhaver
Cunningham	Curls	Davis	Dolan	Fares
Farnen	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham	Green 15	Green 73
Griesheimer	Hagan-Harrell	Harding	Harlan	Hartzler
Haywood	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Hoppe	Hosmer	Hunter	Johnson 61
Johnson 90	Jolly	Kelly 27	Kelly 36	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Lowe	Luetkenhaus	Marble	Marsh
Mays 50	McKenna	Merideth	Miller	Monaco
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Ransdall	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
Surface	Thompson	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 046

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Behnen	Black	Boatright	Brooks
Burcham	Champion	Crawford	Crowell	Dempsey
Enz	Froelker	Gaskill	Gratz	Hampton
Hanaway	Hegeman	Henderson	Hohulin	Holt
Jetton	Kelley 47	Kelly 144	King	Luetkemeyer
May 149	Mayer	Moore	Murphy	Myers
Nordwald	Phillips	Portwood	Purgason	Rector
Reid	Roark	St. Onge	Townley	Ward
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 004

Clayton	Crump	Kennedy	Long
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VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

HOUSE BILL WITH SENATE AMENDMENT

SS SCS HB 185, relating to building regulations, was taken up by Representative Legan.

On motion of Representative Legan, **SS SCS HB 185** was adopted by the following vote:

AYES: 143

Abel	Ballard	Barnett	Barry 100	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burton	Byrd
Campbell	Carnahan	Champion	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Luetkemeyer
Luetkenhaus	Marsh	May 149	Mayer	Mays 50
McKenna	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 009

Barnitz	Bartelsmeyer	Boatright	Burcham	Kelly 144
Marble	Purgason	Rector	Shoemyer	

PRESENT: 000

ABSENT WITH LEAVE: 008

Baker	Cierpiot	Hunter	Kennedy	Long
Lowe	Merideth	Van Zandt		

VACANCIES: 003

On motion of Representative Legan, **SS SCS HB 185** was truly agreed to and finally passed by the following vote:

AYES: 150

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Baker	Boykins	Foley	Holand	Hollingsworth
Kennedy	Long	May 149	Murphy	Wiggins

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

BILLS IN CONFERENCE

CCR HS SCS SB 393, as amended, relating to gratuitous dental services, was taken up by Representative Treadway.

On motion of Representative Treadway, **CCR HS SCS SB 393, as amended**, was adopted by the following vote:

AYES: 157

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Wiggins	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Kelly 144	Kennedy	Williams
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VACANCIES: 003

On motion of Representative Treadway, **CCS HS SCS SB 393** was truly agreed to and finally passed by the following vote:

AYES: 155

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump

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Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Coleman	Foley	Kennedy	Miller	Wiggins
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VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 154

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Enz
Fares	Farnen	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27

Kelly 36	King	Koller	Lawson	Legan
Levin	Liese	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Clayton	Dolan	Foley	Kennedy	Linton
Wiggins				

VACANCIES: 003

**CONFERENCE COMMITTEE REPORT
ON
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 48**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate, on House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 48, with House Substitute Amendment No. 2 for House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Amendment No. 5 and House Amendment No. 6; begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 48, as amended;

2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 48;
3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 48 be adopted.

FOR THE HOUSE:

/s/ Rep. Katherine Hollingsworth
 /s/ Rep. Phillip Britt
 /s/ Rep. Marsha Campbell
 /s/ Rep. Luann Ridgeway
 /s/ Rep. Jason Crowell

FOR THE SENATE:

/s/ Sen. Betty Sims
 /s/ Sen. Roseann Bentley
 /s/ Sen. David Klarich
 /s/ Sen. Sidney Johnson
 /s/ Sen. Patrick Dougherty

CCR HS HCS SS SCS SB 48, as amended, relating to dependent care, was taken up by Representative Hollingsworth.

On motion of Representative Hollingsworth, **CCR HS HCS SS SCS SB 48, as amended**, was adopted by the following vote:

AYES: 146

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Coleman
Cooper	Copenhaver	Crawford	Crowell	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 36	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Moore	Murphy	Myers	Nordwald
O'Connor	O'Toole	Overschmidt	Phillips	Ransdall
Rector	Reid	Relford	Reynolds	Richardson
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 001

Purgason

PRESENT: 000

ABSENT WITH LEAVE: 013

Clayton	Crump	Kelly 27	Kennedy	Monaco
Naeger	Ostmann	Portwood	Reinhart	Rizzo
Scheve	Wiggins	Williams		

VACANCIES: 003

On motion of Representative Hollingsworth, **CCS HS HCS SS SCS SB 48** was truly agreed to and finally passed by the following vote:

AYES: 152

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Coleman
Cooper	Copenhaver	Crawford	Crowell	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Moore	Murphy	Myers
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 001

Purgason

PRESENT: 000

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ABSENT WITH LEAVE: 007

Clayton	Crump	Kennedy	Monaco	Naeger
Van Zandt	Wiggins			

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

Speaker Kreider resumed the Chair.

CCR HCS SB 610, relating to county collectors, was taken up by Representative Hoppe.

Representative Hoppe moved that **CCR HCS SB 610** be adopted.

Which motion was defeated by the following vote:

AYES: 064

Abel	Baker	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Brooks	Burton
Carnahan	Clayton	Coleman	Crump	Curls
Davis	Farnen	Foley	Ford	Fraser
George	Graham	Green 73	Hagan-Harrell	Harlan
Hickey	Hilgemann	Holand	Hollingsworth	Hoppe
Hosmer	Johnson 90	Jolly	Kelly 27	Kennedy
Koller	Lawson	Liese	Lowe	Mays 50
McKenna	O'Connor	Overschmidt	Ransdall	Relford
Reynolds	Rizzo	Scheve	Seigfreid	Selby
Shelton	Skaggs	Smith	Thompson	Treadway
Troupe	Villa	Wagner	Ward	Wiggins
Williams	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 093

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Behnen	Berkstresser	Black	Boatright
Boykins	Bray 84	Britt	Burcham	Byrd
Campbell	Champion	Cierpiot	Cooper	Copenhaver
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Franklin	Froelker	Gambaro
Gaskill	Gratz	Green 15	Griesheimer	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hohulin	Holt	Hunter
Jetton	Johnson 61	Kelley 47	Kelly 144	Kelly 36
King	Levin	Linton	Lograsso	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Toole	Ostmann
Phillips	Portwood	Purgason	Rector	Reid
Reinhart	Ridgeway	Roark	Robirds	Ross
Schwab	Scott	Secrest	Shields	Shoemyer
St. Onge	Surface	Townley	Van Zandt	Vogel
Walton	Willoughby	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 003

Legan Long Richardson

VACANCIES: 003

THIRD READING OF SENATE BILL - INFORMAL

HS HCS SS SCS SBs 476, 427 & 62, as amended, relating to election laws, was again taken up by Representative Seigfreid.

On motion of Representative Seigfreid, **HS HCS SS SCS SBs 476, 427 & 62, as amended**, was read the third time and passed by the following vote:

AYES: 147

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Britt
Burcham	Burton	Campbell	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Reynolds
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Ward	Wiggins	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 010

Bray 84	Brooks	Green 15	Haywood	Johnson 61
Kelly 27	Relford	Smith	Walton	Williams

PRESENT: 000

ABSENT WITH LEAVE: 003

Byrd

Green 73

Richardson

VACANCIES: 003

Speaker Kreider declared the bill passed.

**CONFERENCE COMMITTEE REPORT
ON
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 617**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate, on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 617, with House Amendment Nos. 1, 2, 3, 4, 5, 6, 8, 10, 11, 12, 13 and 15; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 617, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 617;
3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 617 be Truly Agreed To and Finally Passed.

FOR THE HOUSE:

/s/ Henry Rizzo
/s/ Dennis Bonner
/s/ Richard Byrd
/s/ Merrill Townley

FOR THE SENATE:

/s/ Sarah Steelman
/s/ David Klarich
/s/ Bill Kenney
/s/ Ted House
/s/ John Scott

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS HCS SCS SB 591, as amended**, and has taken up and passed **CCS HS HCS SCS SB 591**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate request the House grant further conference on **HS HCS SCS SB 617, as amended**, and that the conferees be allowed to exceed the differences.

CONFERENCE COMMITTEE REPORT NO. 2
ON
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 236

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate, on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 236, with House Amendment Nos. 1, 2, 3, 4, 5, 6, House Substitute Amendment No. 1 for House Amendment No. 7, House Amendment Nos. 8, 11, 12, 13 and House Substitute Amendment No. 1 for House Amendment No. 14; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 236, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 236;
3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 236 be Truly Agreed To and Finally Passed.

FOR THE HOUSE:

/s/ Lana Ladd Baker
/s/ Dr. Charles Portwood
/s/ Mark Abel
/s/ Tim Harlan
/s/ Charles Shields

FOR THE SENATE:

/s/ Betty Sims
/s/ Roseann Bentley
/s/ Sarah Steelman
/s/ Jim Mathewson
/s/ Sidney Johnson

BILL IN CONFERENCE

CCR No. 2 HS HCS SCS SB 236, as amended, relating to public assistance programs, was taken up by Representative Ladd Baker.

CCR No. 2 HS HCS SCS SB 236, as amended, was laid over.

BILL CARRYING REQUEST MESSAGE

HS HCS SCS SB 617, as amended, relating to enterprise zones, was taken up by Representative Rizzo.

Representative Rizzo moved that the House grant the Senate a further conference on **HS HCS SCS SB 617, as amended**, and the House conferees be allowed to exceed the differences.

Which motion was adopted.

RE-APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker re-appointed the following Conference Committee to act with a like Committee from the Senate on the following bill:

HS HCS SCS SB 617: Representatives Rizzo, Scheve, Bonner, Byrd and Townley

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has re-appointed the following Conference Committee to act with a like Committee from the House on **HS HCS SCS SB 617, as amended**: Senators Steelman, Klarich, Kenney, House and Scott.

BILLS IN CONFERENCE

CCR No. 2 HS HCS SCS SB 236, as amended, relating to public assistance programs, was again taken up by Representative Ladd Baker.

Representative Crump moved the previous question on the motion to adopt **CCR No. 2 HS HCS SCS SB 236, as amended**.

Which motion was adopted by the following vote:

AYES: 084

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Carnahan	Clayton
Coleman	Copenhaver	Crump	Curls	Davis
Farnen	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Harlan
Haywood	Hickey	Hilgemann	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Kelly 27	Kelly 36	Kennedy	Koller	Lawson

Liese	Lowe	Luetkenhaus	Mays 50	McKenna
Merideth	Monaco	O'Connor	O'Toole	Overschmidt
Ransdall	Relford	Reynolds	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Thompson	Treadway	Van Zandt	Villa
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 071

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Champion	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Dolan	Enz
Fares	Froelker	Gaskill	Griesheimer	Hartzler
Hegeman	Henderson	Hendrickson	Holand	Hunter
Jetton	Kelley 47	Kelly 144	King	Legan
Levin	Linton	Lograsso	Long	Luetkemeyer
Marble	Marsh	May 149	Mayer	Miller
Moore	Murphy	Myers	Naeger	Nordwald
Ostmann	Phillips	Portwood	Purgason	Rector
Reid	Reinhart	Richardson	Ridgeway	Roark
Robirds	Ross	Schwab	Scott	Shields
St. Onge	Surface	Townley	Troupe	Vogel
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 005

Byrd	Campbell	Hanaway	Hohulin	Secrest
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VACANCIES: 003

On motion of Representative Ladd Baker, **CCR No. 2 HS HCS SCS SB 236, as amended**, was adopted by the following vote:

AYES: 136

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Cunningham	Curls
Davis	Dempsey	Dolan	Fares	Farnen
Foley	Ford	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Murphy

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Myers	Naeger	Nordwald	O'Connor	Ostmann
Overschmidt	Phillips	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Ross	Scheve	Scott	Secrest
Selby	Shelton	Shoemyer	Skaggs	Smith
Surface	Townley	Treadway	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 014

Berkstresser	Byrd	Enz	Franklin	Hohulin
Kelly 27	Marble	Portwood	Purgason	Roark
Robirds	St. Onge	Thompson	Troupe	

PRESENT: 000

ABSENT WITH LEAVE: 010

Crump	Green 73	Hanaway	Hosmer	Monaco
Moore	O'Toole	Schwab	Seigfreid	Shields

VACANCIES: 003

On motion of Representative Ladd Baker, **CCS No. 2 HS HCS SCS SB 236** was truly agreed to and finally passed by the following vote:

AYES: 149

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 36	Kennedy	King
Koller	Lawson	Levin	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Townley

Treadway	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 004

Byrd	Kelly 27	Thompson	Troupe
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PRESENT: 000

ABSENT WITH LEAVE: 007

Franklin	Green 73	Hanaway	Hosmer	Legan
O'Connor	O'Toole			

VACANCIES: 003

Speaker Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 139

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Fraser	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Liese	Linton	Lowe	Luetkemeyer	Luetkenhaus
Marsh	May 149	Mayer	Mays 50	McKenna
Miller	Moore	Murphy	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Ransdall	Reid	Reinhart	Relford
Reynolds	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Townley
Treadway	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 009

Hohulin	Hunter	Kelly 27	Marble	Myers
Purgason	Rector	Thompson	Troupe	

PRESENT: 000

ABSENT WITH LEAVE: 012

Byrd	Franklin	Froelker	Green 73	Hanaway
Hosmer	Levin	Lograsso	Long	Merideth
Monaco	Richardson			

VACANCIES: 003

THIRD READING OF SENATE BILL - INFORMAL

HCS SS SCS SBs 89 & 37, relating to methamphetamine production, was taken up by Representative Hosmer.

Representative Hosmer offered **HS HCS SS SCS SBs 89 & 37**.

Representative Hosmer offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 89 & 37, Page 33, Section 287.780, Line 2, by deleting all of said section; and

Further amend said bill, Page 38, Section 537.605, Lines 13-21, by deleting said section; and

Further amend the title and enacting clause accordingly.

On motion of Representative Hosmer, **House Amendment No. 1** was adopted.

Representative Willoughby offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 89 & 37, Page 6, Section 160.261, Line 22, by deleting said line and inserting in lieu thereof the following: “**state law, acts of school violence or threatened acts of school violence, within the**”.

On motion of Representative Willoughby, **House Amendment No. 2** was adopted.

On motion of Representative Hosmer, **HS HCS SS SCS SBs 89 & 37, as amended**, was adopted.

On motion of Representative Hosmer, **HS HCS SS SCS SBs 89 & 37, as amended**, was read the third time and passed by the following vote:

AYES: 152

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Nordwald
O'Connor	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wiggins	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Byrd	Cunningham	Green 73	Hanaway	Long
Naeger	O'Toole	Secrest		

VACANCIES: 003

Speaker Kreider declared the bill passed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SS SCS SBs 476, 427 & 62, as amended**, and requests the House to recede from its position and failing to do so, grant the Senate a conference thereon.

BILL CARRYING REQUEST MESSAGE

HS HCS SS SCS SBs 476, 427 & 62, as amended, relating to election laws, was again taken up by Representative Seigfreid.

Representative Seigfreid moved that the House refuse to recede from its position on **HS HCS SS SCS SBs 476, 427 & 62, as amended**, and grant the Senate a conference.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like Committee from the Senate on the following bill:

HS HCS SS SCS SBs 476, 427 & 62: Representatives Seigfreid, Farnen, Smith, Bartelsmeyer and Long

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate request the House to recede from its position on **HS HCS SS SCS SB 226, as amended**, and take up and pass the bill.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HS HCS SS SCS SBs 476, 427 & 62, as amended**: Senators Yeckel, Kenney, Klarich, Wiggins and Stoll.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HB 471, as amended**, and has taken up and passed **CCS SCS HB 471**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HS HCS SS SCS SBs 89 & 37, as amended**, and has taken up and passed **HS HCS SS SCS SBs 89 & 37, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SB 470, as amended**, and has taken up and passed **SB 470, as amended**.

BILLS IN CONFERENCE

CCR HS HCS SCS SB 266, as amended, relating to Department of Health programs, was taken up by Representative Barry.

On motion of Representative Barry, **CCR HS HCS SCS SB 266, as amended**, was adopted by the following vote:

AYES: 151

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Franklin	Fraser	Froelker	Gambara	Gaskill
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	Ostmann
Overschmidt	Portwood	Purgason	Ransdall	Rector
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Schwab
Scott	Secrest	Selby	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Wiggins
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Crump	Green 73	Linton	O'Toole	Phillips
Reid	Scheve	Seigfreid	Shelton	

VACANCIES: 003

On motion of Representative Barry, **CCS HS HCS SCS SB 266** was truly agreed to and finally passed by the following vote:

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AYES: 154

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Cunningham	Curls	Davis	Dempsey	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Selby	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Wiggins	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Crump	Dolan	Green 73	O'Toole	Seigfreid
Shelton				

VACANCIES: 003

Speaker Kreider declared the bill passed.

CCR No. 2 HCS SCS SB 151, relating to auto insurance, was taken up by Representative Gaskill.

On motion of Representative Gaskill, **CCR No. 2 HCS SCS SB 151** was adopted by the following vote:

AYES: 150

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Ford	Franklin	Fraser
Froelker	Gambara	Gaskill	George	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	Ostmann	Overschmidt	Phillips
Portwood	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Selby	Shelton	Shields	Shoemyer
Skaggs	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Baker	Crump	Foley	Green 73	Long
O'Toole	Purgason	Richardson	Seigfreid	Smith

VACANCIES: 003

On motion of Representative Gaskill, **CCS No. 2 HCS SCS SB 151** was truly agreed to and finally passed by the following vote:

AYES: 148

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambara	Gaskill	George	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Secrest	Selby
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Wiggins	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Bray 84	Crump	Ford	Green 73	Kelly 27
Long	O'Toole	Richardson	Rizzo	Scheve
Seigfreid	Shelton			

VACANCIES: 003

Speaker Kreider declared the bill passed.

ADOPTION AND THIRD READING OF SENATE CONCURRENT RESOLUTION

HCS SCR 31, relating to forest products association, was taken up by Representative Relford.

Representative Relford moved that **HCS SCR 31** be adopted.

Which motion was defeated.

On motion of Representative Relford, **SCR 31** was truly agreed to and finally passed by the following vote:

AYES: 100

Ballard	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Boykins	Burcham	Burton	Byrd	Campbell
Champion	Cierpiot	Coleman	Cooper	Crawford
Crowell	Cunningham	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Ford	Froelker
Gaskill	Griesheimer	Hanaway	Hartzler	Hegeman
Henderson	Hendrickson	Hohulin	Holand	Holt
Hoppe	Hunter	Jetton	Kelley 47	Kelly 144
Kelly 27	King	Koller	Legan	Levin
Liese	Linton	Lograsso	Luetkemeyer	Marble
Marsh	May 149	Mayer	Merideth	Miller
Moore	Murphy	Myers	Naeger	Nordwald
O'Toole	Ostmann	Phillips	Portwood	Purgason
Ransdall	Rector	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Shelton
Shields	Smith	St. Onge	Surface	Townley
Treadway	Vogel	Ward	Wright	Mr. Speaker

NOES: 053

Abel	Bowman	Bray 84	Britt	Brooks
Carnahan	Clayton	Copenhaver	Curls	Foley
Franklin	Fraser	Gambara	George	Graham
Gratz	Green 15	Hagan-Harrell	Hampton	Harding
Harlan	Haywood	Hickey	Hilgemann	Hollingsworth
Hosmer	Johnson 61	Johnson 90	Jolly	Kelly 36
Kennedy	Lowe	Mays 50	McKenna	Monaco
O'Connor	Overschmidt	Reid	Reynolds	Selby
Shoemyer	Skaggs	Thompson	Troupe	Van Zandt
Villa	Wagner	Walton	Wiggins	Williams
Willoughby	Wilson 25	Wilson 42		

PRESENT: 000

ABSENT WITH LEAVE: 007

Baker	Crump	Green 73	Lawson	Long
Luetkenhaus	Seigfreid			

VACANCIES: 003

Speaker Kreider declared the bill passed.

RECONSIDERATION

Representative Shields, having voted on the prevailing side, moved that the vote by which the motion to refuse to concur in **Senate Amendment No. 3** to **HB 262**, request the Senate to recede from its position or grant the House a conference was adopted, be reconsidered.

Which motion was adopted by the following vote:

AYES: 130

Barnett	Barnitz	Barry 100	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Boucher	Bowman	Boykins
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Coleman
Cooper	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Ford	Froelker	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Holand	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Jolly	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lograsso
Lowe	Luetkemeyer	Marble	Marsh	May 149
Mayer	McKenna	Merideth	Miller	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Overschmidt	Phillips	Portwood	Purgason
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Selby	Shelton	Shields	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Ward	Wiggins	Willoughby	Wright	Mr. Speaker

NOES: 016

Bonner	Clayton	Copenhaver	Franklin	Fraser
Gambaro	Harding	Hollingsworth	Johnson 90	Kennedy
Monaco	Shoemyer	Walton	Williams	Wilson 25
Wilson 42				

PRESENT: 000

ABSENT WITH LEAVE: 014

Abel	Baker	Ballard	Bray 84	Foley
Harlan	Hohulin	Kelley 47	Long	Luetkenhaus
Mays 50	Ostmann	Ridgeway	Seigfreid	

VACANCIES: 003

HB 262, with Senate Committee Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 1 to Senate Amendment No. 4 and Senate Amendment No. 4, as amended, relating to school records, was again taken up by Representative Linton.

Representative Linton moved that the House concur in **Senate Committee Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 1 to Senate Amendment No. 4 and Senate Amendment No. 4, as amended**, but refuse to concur in **Senate Amendment No. 3 to HB 262** and request the Senate to recede from its position on **Senate Amendment No. 3** or, failing to do so, grant the House a conference.

Which motion was adopted by the following vote:

AYES: 115

Abel	Baker	Ballard	Barnett	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Boucher
Bowman	Britt	Brooks	Burcham	Burton
Byrd	Carnahan	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Curls	Dempsey
Dolan	Enz	Fares	Farnen	Froelker
Gaskill	George	Graham	Gratz	Green 15
Griesheimer	Hanaway	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 90	Jolly	Kelley 47	King
Lawson	Legan	Levin	Liese	Linton
Lograsso	Long	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	McKenna	Miller
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Overschmidt	Phillips	Portwood
Purgason	Rector	Reid	Reinhart	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Shelton	Shields	St. Onge	Surface	Townley
Treadway	Villa	Vogel	Wagner	Walton
Ward	Willoughby	Wilson 42	Wright	Mr. Speaker

NOES: 030

Barnitz	Bonner	Campbell	Clayton	Coleman
Copenhaver	Davis	Ford	Franklin	Fraser
Gambaro	Hagan-Harrell	Hampton	Harding	Johnson 61
Kelly 144	Kelly 27	Kennedy	Lowe	Mays 50
Merideth	Ransdall	Selby	Shoemyer	Skaggs
Smith	Thompson	Troupe	Williams	Wilson 25

PRESENT: 000

ABSENT WITH LEAVE: 015

Boykins	Bray 84	Crump	Foley	Green 73
Harlan	Hollingsworth	Kelly 36	Koller	Monaco
Ostmann	Relford	Seigfreid	Van Zandt	Wiggins

VACANCIES: 003

THIRD READING OF SENATE BILL - INFORMAL

HCS SB 392, relating to tax incentives for economic development, was taken up by Representative Rizzo.

Representative Rizzo moved that **HCS SB 392** be adopted.

Which motion was defeated.

Representative Rizzo offered **House Amendment No. 1**.

House Amendment No. 1 was withdrawn.

SB 392 was laid over.

**CONFERENCE COMMITTEE REPORT NO. 2
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NOS. 205, 323 & 549**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate, on Senate Committee Substitute for House Committee Substitute for House Bill Nos. 205, 323 & 549; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill Nos. 205, 323 & 549;
2. That the House recede from its position on House Committee Substitute for House Bill Nos. 205, 323 & 549;
3. That the attached Conference Committee Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 205, 323 & 549, be Truly Agreed To and Finally Passed.

FOR THE HOUSE:

/s/ Randall Relford
/s/ Frank Barnitz
/s/ Wayne Crump
/s/ Kenneth Legan
/s/ Rod Jetton

FOR THE SENATE:

/s/ Doyle Childers
/s/ Bill Foster
/s/ Morris Westfall
/s/ Sidney Johnson
/s/ Harold Caskey

**CONFERENCE COMMITTEE REPORT
ON
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NOS. 476, 427 & 62**

Mr. Speaker: Your Conference Committee, appointed to confer with a like Committee of the Senate, on House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 476, 427 & 62, with House Substitute Amendment No. 1 for House Amendment No. 1 and House Amendment No. 2; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 476, 427 & 62, as amended;
2. That the attached Conference Committee Amendment No. 1 be adopted;
3. That Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 476, 427 & 62, with Conference Committee Amendment No. 1, be Truly Agreed To and Finally Passed.

FOR THE HOUSE:

/s/ Jim Seigfreid
/s/ Beth Long
/s/ Linda Bartelsmeyer

FOR THE SENATE:

/s/ Anita Yeckel
/s/ Bill Kenney
/s/ Stephen Stoll
/s/ David Klarich
/s/ Harry Wiggins

Conference Committee Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 473, 427 & 62, Pages 5-6, Section 115.027, by striking all of said section from the bill; and

Further amend said bill, Pages 10-11, Section 115.126, by striking all of said section from the bill; and

Further amend said bill, Pages 33-34, Section 115.349, by striking all of said section from the bill; and

Further amend said bill, Pages 44-45, Section 115.637, Lines 80-83, by striking all of the bold-faced language from said lines; and

Further amend said bill, Page 48, Section 1, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

COMMITTEE REPORTS

Committee on Ethics, Chairman Clayton reporting:

Mr. Speaker: Your Committee on Ethics, to which was referred the **BARBED WIRE CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

To: Representative Robert Clayton, Chairman
House Ethics Committee

From: Representative Chuck Purgason
Barbed Wire Caucus Chairman

Date: May 14, 2001

Re: Barbed Wire Caucus

Pursuant to Section 105.473.3(2)(c)d RSMo, 1998 and the rules of the Missouri House of Representatives, a listing of the members of the 91st General Assembly's House of Representatives' Barbed Wire Caucus is attached.

Please consider this letter a formal application to the Committee on Ethics to approve this caucus to be recognized as a duly filed and approved caucus of the General Assembly.

I will serve as the designated member to present this request to the Committee. Please contact me at (573) 751-1882 if you have any questions concerning this caucus organization.

Attachment

/s/ Charlie Ballard - 140
/s/ Matt Boatright - 118
/s/ Shannon Cooper - 120
/s/ Catherine Enz - 99
/s/ Steve Hunter - 127
/s/ Van Kelly - 144
/s/ Gary Marble - 130
/s/ Chuck Purgason - 151
/s/ Luann Ridgeway - 35
/s/ Mark Wright - 137

/s/ Connie Cierpiot - 52
/s/ Jason Crowell - 158
/s/ Bubs Hohulin - 126
/s/ Rod Jetton - 156
/s/ Bill Linton - 89
/s/ Bob Mayer - 159
/s/ Rex Rector - 124
/s/ Brad Roark - 139

Mr. Speaker: Your Committee on Ethics, to which was referred additions to the **CONSERVATIVE ORGANIZATION FOR WOMEN CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

May 3, 2001

Representative Robert Clayton
Chairman, Ethics Committee
State Capitol, Rm. 413-A
Jefferson City, MO 65101

Dear Representative Clayton:

I would like to add Representatives Rod Jetton and Shannon Cooper to the Conservative Organization for Women Caucus.

/s/ Representative Rod Jetton
/s/ Representative Shannon Cooper

District 156
District 120

Thank You.

Sincerely,

/s/ Representative Luann Ridgeway

Mr. Speaker: Your Committee on Ethics, to which was referred additions to the **FRESHMAN CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

May 11, 2001

Rep. Robert Clayton, Chairman
Ethics Committee
State Capitol Room 413A

Dear Rep. Clayton,

Please add Representative Craig Bland to the membership of the Freshman Caucus. His signature consenting to this action is included on this request.

Sincerely,

/s/ Rep. Carl Bearden

/s/ Rep. Craig Bland, District 43

Mr. Speaker: Your Committee on Ethics, to which was referred additions to the **JOINT SENATE AND HOUSE VETERANS CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

April 11, 2001

The Honorable Robert Clayton, Chairman
Ethics—Standing Committee
State Capitol - Room 413A
Jefferson City, MO 65102

2557 *Journal of the House*

Dear Representative Clayton:

This letter will serve as my official request to have my name added to the Joint Senate and House Veterans Caucus.

Thank you for your attention to this matter.

My Best Regards,

/s/ Patrick A. Naeger
Representative - District 155

April 10, 2001

The Honorable Anita Yeckel, Bill Boucher & Carson Ross
Co-Chairs, Joint Senate & House Veterans Caucus
State Capitol Building
Jefferson City, MO 65101

Dear Senator and Representatives:

I respectfully request that my name be included on the roster of members of the **JOINT SENATE & HOUSE VETERANS CAUCUS**

Thank you for your time and attention to this matter.

Sincerely,

/s/ Randall Relford
Sixth District

Mr. Speaker: Your Committee on Ethics, to which was referred additions to the **MILLENNIUM MAJORITY CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

April 17, 2001

TO: Rep. Robert Clayton
Chairman, House Ethics Committee

FROM: Rep. Bob Behnen
Chairman, Millennium Majority Caucus

SUBJECT: Addition

I respectfully request that Judy Berkstresser be added to the Millennium Majority Caucus.

/s/ Judy Berkstresser – District 141

Mr. Speaker: Your Committee on Ethics, to which was referred additions to the **MISSOURI LEGISLATIVE BLACK CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

May 10, 2001

Honorable Robert Clayton, Chairman
Ethics Committee

Re: Addition to the Missouri Legislative Black Caucus

I would like to request that the following state representative be added as a member of the Missouri Legislative Black Caucus.

/s/ Rep. Craig Bland
District 43
1642 Bushman Road
Kansas City, MO 64110

Sincerely,

/s/ Amber H. Boykins
Chair

Mr. Speaker: Your Committee on Ethics, to which was referred the **MISSOURI RURAL INTERESTS CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

April 18, 2001

Robert M. Clayton, III
Chairman House Ethics Committee
Capitol Building
Jefferson City, MO 65101

Dear Chairman Clayton:

We the undersigned would like for you to approve the Missouri Rural Interests Caucus as an official House recognized caucus. The Chairman of the Caucus would be Dan Hegeman.

/s/ Daniel J. Hegeman #5
/s/ Bob Behnen #2
/s/ Richard Byrd #94
/s/ Estel Robirds #143
/s/ Shannon Cooper #120
/s/ Rod Jetton #156
/s/ Robert Mayer #159

/s/ Charlie Shields #28
/s/ Carson Ross #55
/s/ Mark Wright #137
/s/ Edwin Hartzler #123
/s/ Steve Hunter #127
/s/ David Schwab #157
/s/ Rex Barnett #4

Mr. Speaker: Your Committee on Ethics, to which was referred the **RURAL TRANSPORTATION CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

TO: State Representative Robert Clayton

FROM: State Representative Gary Wiggins

DATE: January 29, 2001

RE: Rural Transportation Caucus

In accordance with Section 105.473(2)(c)d RSMo 2000, we are listing the following members of the General Assembly as members of the Rural Transportation Caucus:

Representative	District
/s/ Abel, Mark	103
/s/ Ballard, Charlie	140
/s/ Barnett, Rex	4
/s/ Barnitz, Frank A.	150
/s/ Bartelsmeyer, Linda	132
/s/ Behnen, Robert J.	2
/s/ Berkowitz, Sam	1
/s/ Berkstresser, Judy	141
/s/ Black, Lanie	161
/s/ Boatright, Matt	118
/s/ Britt, Phillip M.	163
/s/ Burcham, Tom	106
/s/ Burton, Gary	128
/s/ Champion, Norma	134
/s/ Clayton III, Robert M.	10
/s/ Cooper, Shannon	120
/s/ Copenhaver, Nancy	22
/s/ Crawford, Larry	117
/s/ Crowell, Jason	158
/s/ Crump, Wayne	152
/s/ Davis, D.J.	122
/s/ Farnen, Ted	21
/s/ Froelker, James	111
/s/ Gaskill, Sam	131
/s/ Gratz, William	113
/s/ Graham, Chuck	24
/s/ Griesheimer, John E.	109
/s/ Hampton, Mark	147
/s/ Harlan, Tim	23
/s/ Hegeman, Daniel J.	5
/s/ Henderson, Steve	116
/s/ Holand, Roy	135
/s/ Hosmer, Craig	138
/s/ Hunter, Steve	127
/s/ Jetton, Rod	156
/s/ Kelly, Van	144
/s/ Kelly, Glenda	27
/s/ King, Jerry	125
/s/ Klindt, David	3
/s/ Koller, Don	153
/s/ Kreider, Jim	142
/s/ Lawson, Maurice	29
/s/ Legan, Kenneth	145
/s/ Long, Beth	146
/s/ Luetkemeyer, Blaine	115

/s/ Marble, Gary	130
/s/ May, Bob	149
/s/ Mayer, Robert	159
/s/ Merideth III, Denny	162
/s/ Miller, Ronnie	133
/s/ Moore, Danielle	20
/s/ Myers, Peter	160
/s/ Naeger, Patrick	155
/s/ Overschmidt, Francis	110
/s/ Purgason, Chuck	151
/s/ Ransdall, Bill	148
/s/ Rector, Rex	124
/s/ Relford, Randall	6
/s/ Richardson, Mark	154
/s/ Robirds, Estel	143
/s/ Schwab, David	157
/s/ Scott, Delbert	119
/s/ Seigfreid, James	26
/s/ Shields, Charlie	28
/s/ Shoemyer, Wes	9
/s/ Smith, Philip G.	11
/s/ Surface, Chuck	129
/s/ Townley, Merrill	112
/s/ Vogel, Carl	114
/s/ Ward, Dan	107
/s/ Wiggins, Gary	8
/s/ Williams, Deleta	121
/s/ Wilson, Vicky Riback	25
/s/ Wright, Mark	137

Mr. Speaker: Your Committee on Ethics, to which was referred the **SPORTSMEN LEGISLATORS CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

TO: State Representative Robert Clayton

FROM: State Representative Mark Richardson

DATE: April 19, 2001

RE: Sportsmen Legislators Caucus

In accordance with Section 105.473.3(2)(c)d RSMo 2000, we are listing the following members of the General Assembly as members of the Sportsman Legislators Caucus.

Representative	District
/s/ Abel, Mark C.	103
/s/ Ballard, Charles	140
/s/ Barnett, Rex	4
/s/ Barnitz, Frank A.	150
/s/ Bartelsmeyer, Linda	132
/s/ Bartle, Matt	56

/s/ Bearden, Carl	16
/s/ Behnen, Bob	2
/s/ Berkstresser, Judy	141
/s/ Black, Lanie	161
/s/ Boatright, Matt	118
/s/ Britt, Phillip M.	163
/s/ Burcham, Tom	106
/s/ Byrd, Richard	94
/s/ Carnahan, Russ	59
/s/ Champion, Norma	134
/s/ Cierpiot, Connie	52
/s/ Cooper, Shannon	120
/s/ Crawford, Larry	117
/s/ Crowell, Jason	158
/s/ Crump, Wayne	152
/s/ Davis, D.J.	122
/s/ Dempsey, Tom	18
/s/ Enz, Catherine S.	99
/s/ Fares, Kathryn	91
/s/ Froelker, James V.	111
/s/ Gambaro, Derio	65
/s/ Gaskill, Sam	131
/s/ Graham, Chuck	24
/s/ Hampton, Mark	147
/s/ Hartzler, Ed	123
/s/ Haywood, Esther	71
/s/ Hegeman, Daniel J.	5
/s/ Henderson, Steve	116
/s/ Hohulin, Martin (Bubs)	126
/s/ Holand, Roy W.	135
/s/ Hoppe, Thomas	46
/s/ Hunter, Steve	127
/s/ Jetton, Rod	156
/s/ Kelley, Pat	47
/s/ Kelly, Van	144
/s/ King, Jerry	125
/s/ Koller, Don	153
/s/ Lawson, Maurice	29
/s/ Legan, Kenneth	145
/s/ Levin, David	82
/s/ Linton, William	89
/s/ Lograsso, Don	54
/s/ Long, Beth	146
/s/ Luetkemeyer, Blaine	115
/s/ Marble, Gary	130
/s/ May, Bob	149
/s/ Mayer, Robert	159
/s/ Merideth, Denny	162
/s/ Monaco, Ralph	49
/s/ Moore, Danielle	20
/s/ Myers, Peter	160
/s/ Naeger, Patrick	155
/s/ Nordwald, Charles	19
/s/ O'Connor, Patrick	79

/s/ Ostmann, Cindy	14
/s/ Phillips, Susan	32
/s/ Portwood, Dr. Charles	92
/s/ Purgason, Chuck	151
/s/ Rector, Rex	124
/s/ Reinhart, Annie	34
/s/ Relford, Randall	6
/s/ Reynolds, David	77
/s/ Richardson, Mark	154
/s/ Ridgeway, Luann	35
/s/ Roark, Bradley	139
/s/ Robirds, Estel	143
/s/ Ross, Carson	55
/s/ Scott, Delbert	119
/s/ Seigfreid, James	26
/s/ Selby, Harold R.	105
/s/ Shields, Charles	28
/s/ Shoemyer, Wes	9
/s/ Skaggs, Bill	31
/s/ Smith, Philip	11
/s/ Clayton III, Robert M.	10
/s/ St. Onge, Neal	88
/s/ Surface, Chuck	129
/s/ Townley, Merrill	112
/s/ Vogel, Carl	114
/s/ Wagner, Wes	104
/s/ Wiggins, Gary	8
/s/ Wright, Mark	137
/s/ Ransdall, Bill	148
/s/ Schwab, David	157

Senator

/s/ Childers, Doyle	29
/s/ Foster, Bill	25
/s/ Klarich, David	26
/s/ Klindt, David	12
/s/ Westfall, Morris	28
/s/ Wiggins, Harry	10

Mr. Speaker: Your Committee on Ethics, to which was referred the **WESTERN MISSOURI REGIONAL CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

April 11, 2001

Robert M. Clayton III
Chairman House Ethics Committee
Capitol Building
Jefferson City, MO 65101

Dear Chairman Clayton:

We, the undersigned would like for you to approve the Western Missouri Regional Caucus as an official House recognized caucus. The Chairman of the Caucus would be Rex Barnett.

/s/ Daniel J. Hegeman #5

/s/ Bob Behnen #2

/s/ Connie Cierpiot #52

/s/ Martin (Bubs) Hohulin #126

/s/ Rex Barnett #4

/s/ Don Lograsso #54

/s/ Charlie Shields #28

/s/ Luann Ridgeway #35

/s/ Annie Reinhart #34

/s/ Shannon Cooper #120

/s/ Carson Ross #55

/s/ Pat Kelley #47

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 11:00 a.m., Tuesday, May 29, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Seventy-sixth Day, Thursday, May 17, 2001, pages 2372 and 2373, roll call, by showing Representatives Hosmer and Purgason voting "aye" rather than "absent with leave".

Pages 2374 and 2375, roll call, by showing Representative McKenna voting "aye" rather than "absent with leave".

Page 2375, roll call, by showing Representatives May (149), McKenna and Riback Wilson (25) voting "aye" rather than "absent with leave".

Page 2376, roll call, by showing Representative Wagner voting "aye" rather than "absent with leave".

Pages 2376 and 2377, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

Page 2379, roll call, by showing Representatives Barry, Berkstresser and Dolan voting "aye" rather than "absent with leave".

Pages 2379 and 2380, roll call, by showing Representatives Barry, Dolan and Shields voting "aye" rather than "absent with leave".

Pages 2392 and 2393, roll call, by showing Representatives Barnett, Barry, Dolan, Franklin, Hosmer, Moore and Shields voting "aye" rather than "absent with leave".

Pages 2393 and 2394, roll call, by showing Representatives Barnett, Barry, Boucher, Coleman, Copenhaver, Enz, Hosmer, Ridgeway and Willoughby voting "aye" rather than "absent with leave".

Pages 2394 and 2395, roll call, by showing Representatives Behnen, Carnahan, Coleman, Copenhaver, Hosmer, St. Onge and Willoughby voting "aye" rather than "absent with leave".

Pages 2395 and 2396, roll call, by showing Representatives Coleman and George voting "aye" rather than "absent with leave".

Page 2396, roll call, by showing Representatives Behnen, Coleman, Moore, Purgason and Wright voting "aye" rather than "absent with leave".

Page 2397, roll call, by showing Representative Coleman voting "aye" rather than "absent with leave".

Page 2397, roll call, by showing Representatives Purgason and Wright voting "no" rather than "absent with leave".

Pages 2400 and 2401, roll call, by showing Representative Murphy voting "aye" rather than "absent with leave".

Page 2401, roll call, by showing Representatives Fraser and Murphy voting "aye" rather than "absent with leave".

Pages 2402 and 2403, roll call, by showing Representatives Boucher and Moore voting "aye" rather than "absent with leave".

Pages 2407 and 2408, roll call, by showing Representatives Crowell, Franklin, Levin, Liese and Murphy voting "aye" rather than "absent with leave".

Pages 2410 and 2411, roll call, by showing Representatives Ridgeway and Shields voting "aye" rather than "absent with leave".

Pages 2416 and 2417, roll call, by showing Representative Naeger voting "aye" rather than "absent with leave".

Pages 2436 and 2437, roll call, by showing Representative Barry voting "aye" rather than "absent with leave".

Pages 2437 and 2438, roll call, by showing Representatives Barry and Franklin voting "aye" rather than "absent with leave".

Pages 2438 and 2439, roll call, by showing Representative Barry voting "aye" rather than "absent with leave".

Pages 2439 and 2440, roll call, by showing Representatives Barry and Wilson (42) voting "aye" rather than "absent with leave".

Pages 2439 and 2440, roll call, by showing Representative Franklin voting "no" rather than "absent with leave".

Pages 2440 and 2441, roll call, by showing Representatives Barry and Moore voting "aye" rather than "absent with leave".

Pages 2441 and 2442, roll call, by showing Representative Moore voting "aye" rather than "no".

Pages 2441 and 2442, roll call, by showing Representative Froelker voting "aye" rather than "absent with leave".

Page 2448, roll call, by showing Representatives Barry, Bonner, Champion, Franklin and Levin voting "aye" rather than "absent with leave".

Pages 2448 and 2449, roll call, by showing Representatives Barry, Bonner and Franklin voting "aye" rather than "absent with leave".

Pages 2449 and 2450, roll call, by showing Representative Barry voting "aye" rather than "absent with leave".

Pages 2450 and 2451, roll call, by showing Representatives Barry, Fraser and Myers voting "aye" rather than "absent with leave".

Pages 2451 and 2452, roll call, by showing Representative Barry voting "aye" rather than "absent with leave".

Pages 2452 and 2453, roll call, by showing Representatives Barry and Jetton voting "aye" rather than "absent with leave".

Pages 2453 and 2454, roll call, by showing Representatives Barry, Bonner, Burcham, Gaskill, Hosmer and Ridgeway voting "aye" rather than "absent with leave".

Pages 2454 and 2455, roll call, by showing Representatives Barry, Bonner, Copenhaver, Gaskill and Hosmer voting "aye" rather than "absent with leave".

JOURNAL OF THE HOUSE

First Regular Session, 91st GENERAL ASSEMBLY

SEVENTY-EIGHTH DAY, TUESDAY, MAY 29, 2001

The House met pursuant to adjournment.

Speaker Kreider in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

COMMITTEE REPORT

Committee on Rules, Joint Rules, and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules, and Bills Perfected and Printed, to which was referred **HS HJR 11, HB 1, CCS SCS HCS HB 2, CCS SCS HCS HB 3, CCS SCS HCS HB 4, CCS SCS HCS HB 5, CCS SCS HCS HB 6, CCS SCS HCS HB 7, CCS SCS HCS HB 8, CCS SCS HCS HB 9, CCS SCS HCS HB 10, CCS SCS HCS HB 11, CCS SCS HCS HB 12, CCS SCS HCS HB 13, CCS SCS HCS HB 14, CCS SCS HB 16, SCS HB 17, CCS SCS HCS HB 18, CCS SCS HCS HB 19, HB 45, HB 48, HB 78, CCS SCS HB 80, HB 84, HCS HB 106, SCS HS HCS HB 107, HB 129, SCS HB 133, CCS #2 SS SCS HCS HBs 144 & 46, CCS SCS HB 157, HB 163, HB 180, SS SCS HB 185, SCS HB 202, SCS HB 212, HB 218, SCS HB 219, SCS HB 236, CCS SCS HCS HB 241, SCS HB 242, HB 266, HCS HB 279, CCS #2 SCS HCS HBs 302 & 38, HB 321, SS #2 SCS HS HCS HBs 328 & 88, SCS HB 361, SS SCS HS HB 381, HB 408, HB 409, HB 410, HB 420, HS HCS HB 425, HB 431, HCS HBs 441, 94 & 244, CCS #2 SS SCS HB 453, HB 454, HB 458, SCS HB 459, HB 470, CCS SCS HB 471, SCS HB 473, CCS SCS HB 491, SCS HB 498, SS SCS HB 501, HB 502, HB 537, CCS SS SCS HCS HB 567, SS SCS HB 575, HB 590, HB 596, HB 600, SCS HB 603, SCS HB 606, SCS HB 607, CCS HB 621, SCS HB 644, SCS HBs 648, HB 477 & HB 805, SCS HCS HB 660, HB 664, HB 679, SCS HB 691, SCS HB 693, HB 725, HB 732, SS HCS HB 738, SCS HB 742, HB 745, CCS SS SCS HS HCS HB 762, HB 779, HB 788, SCS HB 796, SCS HBs 808 & 951, HB 816, HB 821, HB 825, HB 865, SCS HB 881, HB 897, SCS HB 904, HB 909, HB 922, HB 933, SCS HB 945, HB 955 and SCS HS HCS HB 1000**, begs leave to report it has examined the foregoing bills and finds the same to be truly and correctly printed as agreed to and finally passed.

SIGNING OF HOUSE JOINT RESOLUTION

All other business of the House was suspended while **HS HJR 11** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HS HJR 11** was delivered to the Secretary of State by the Chief Clerk of the House.

SIGNING OF HOUSE BILLS

All other business of the House was suspended while **HB 1, CCS SCS HCS HB 2, CCS SCS HCS HB 3, CCS SCS HCS HB 4, CCS SCS HCS HB 5, CCS SCS HCS HB 6, CCS SCS HCS HB 7, CCS SCS HCS HB 8, CCS SCS HCS HB 9, CCS SCS HCS HB 11, CCS SCS HCS HB 12, CCS SCS HCS HB 13, CCS SCS HCS HB 14, CCS SCS HB 16, SCS HB 17, CCS SCS HCS HB 18, CCS SCS HCS HB 19, HB 45, HB 48, HB 78, CCS SCS HB 80, HB 84, HCS HB 106, SCS HS HCS HB 107, HB 129, SCS HB 133, CCS #2 SS SCS HCS HBs 144 & 46, CCS SCS HB 157, HB 163, HB 180, SS SCS HB 185, SCS HB 202, SCS HB 212, HB 218, SCS HB 219, SCS HB 236, CCS SCS HCS HB 241, SCS HB 242, HB 266, HCS HB 279, CCS #2 SCS HCS HBs 302 & 38, HB 321, SS #2 SCS HS HCS HBs 328 & 88, SCS HB 361, SS SCS HS HB 381, HB 408, HB 409, HB 410, HB 420, HS HCS HB 425, HB 431, HCS HBs 441, 94 & 244, CCS #2 SS SCS HB 453, HB 454, HB 458, SCS HB 459, HB 470, CCS SCS HB 471, SCS HB 473, CCS SCS HB 491, SCS HB 498, SS SCS HB 501, HB 502, HB 537, CCS SS SCS HCS HB 567, SS SCS HB 575, HB 590, HB 596, HB 600, SCS HB 603, SCS HB 606, SCS HB 607, CCS HB 621, SCS HB 644, SCS HBs 648, HB 477 & HB 805, SCS HCS HB 660, HB 664, HB 679, SCS HB 691, SCS HB 693, HB 725, HB 732, SS HCS HB 738, SCS HB 742, HB 745, CCS SS SCS HS HCS HB 762, HB 779, HB 788, SCS HB 796, SCS HBs 808 & 951, HB 816, HB 821, HB 825, HB 865, SCS HB 881, HB 897, SCS HB 904, HB 909, HB 922, HB 933, SCS HB 945, HB 955, SCS HS HCS HB 1000 and HS HCR 25** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

Representative Riback Wilson (25) offered an objection to **CCS SCS HCS HB 10**.

CONSTITUTIONAL OBJECTION

In the first regular session of the ninety-first general assembly of the state of Missouri.

OBJECTION

Comes now, Representative Vicky Riback Wilson, duly elected member of the Missouri House of Representatives from the twenty-fifth district, to present the following objection pursuant to article III, section 30, of the Missouri Constitution, to Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 10. This bill should not be signed and this objection shall be so noted in the Journal and shall be annexed to the bill for the Governor's consideration.

I believe that this legislation is constitutionally infirm for the following reasons:

1. Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 10 contains language which encourages groups receiving funds under Title X of the federal Public Health Services Act to ignore federal regulatory provisions that may be prohibited under state law unless the group is specifically directed to do so by the Secretary of the United States Department of Health and Human Services by written order

directed to the organization, the order is final and no longer subject to appeal, and the refusal to perform such services would result in the withholding of federal funds. It further states that federal statutory or regulatory provisions or guidelines of general application shall not constitute such written order.

2. Such language is unconstitutional as a violation of article IV, section 23 of the Missouri Constitution which provides that appropriation bills must distinctly specify the amount and purpose of the appropriation without reference to any other law to fix the amount or purpose. The language in Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 10 attempts to condition the appropriation on avoidance of federal laws, rules and actions. This is in clear violation of article IV, section 23 of the state constitution.

3. Such language is unconstitutional as a violation of article III, section 23 of the Missouri Constitution which provides that no bill shall contain more than one subject...except general appropriation bills which may express the various subjects and accounts for which moneys are appropriated. The language in Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 10 attempts to legislate a substitute provision in an appropriation bill going beyond the “embracing” of various subjects and accounts. The courts of Missouri have established a clear pattern of opposing any attempt by the legislature to include general legislation in an appropriation bill. (State ex rel. Gaines v. Canada, 113 S.W.2d 783; Davis v. Smith, 75 S.W.2d 828).

4. Such language is unconstitutional as a violation of article VI of the Constitution of the United States which provides that “this constitution, and the laws of the United States which shall be made pursuant thereof....shall be the supreme law of the land.” The Secretary of the United States Department of Health and Human Services has issued rules under authority of the laws of the United States to require groups receiving federal moneys under Title X of the federal Public Health Services Act to provide family planning services. The language in Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 10 would encourage and may require groups seeking to receive state funds under the appropriations contained therein to violate federal regulation as a condition for the receipt of such state moneys. This would have the effect of placing a state amendment in direct contravention of federal requirements and would have the effect of rendering laws made in pursuance of the Constitution of the United States not the “supreme law of the land” but only a weak suggestion which state legislators may ignore at will.

5. Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 10 is unconstitutional in that the unequal treatment accorded to groups complying with the federal regulation, the supreme law of the land, is a violation of the equal protection provisions of article I, section 2 of the Constitution of Missouri and of the fourteenth amendment of the United States Constitution.

6. Accordingly, I conclude that Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 10 is unconstitutional for the above-stated reasons and should not be signed.

Respectfully submitted,

/s/ Vicky Riback Wilson
State Representative
District 25

/s/ Jim Kreider - 142
/s/ Melba J. Curls - 41
/s/ Craig C. Bland - 43
/s/ Barbara Wall Fraser - 83
/s/ Bill Skaggs - 31
/s/ Amber Boykins - 20
/s/ Tim Harlan - 23
/s/ Carol Jean Mays - 50
/s/ Ted Farnen - 21
/s/ Juanita Head Walton - 69
/s/ May Scheve - 98
/s/ Marsha Campbell - 39
/s/ Glenda Kelly - 27
/s/ Craig Hosmer - 138
/s/ Nancy Copenhaver - 22

/s/ Kate Hollingsworth - 101
/s/ Chuck Graham - 24
/s/ Russ Carnahan - 59
/s/ Maida Coleman - 63
/s/ John L. Bowman - 70
/s/ Meg Harding - 30
/s/ Sharon Sanders Brooks - 37
/s/ Cindy Ostmann - 14
/s/ Betty L. Thompson - 72
/s/ Joan Bray - 84
/s/ Esther Haywood - 71
/s/ Yvonne S. Wilson - 42
/s/ Mary Hagan-Harrell - 75
/s/ Deleta Williams - 121
/s/ Connie L. Johnson - 61

/s/ Cathy Jolly - 45
/s/ Rick Johnson - 90
/s/ Jenee Lowe - 44

/s/ Tim Van Zandt - 38
/s/ Richard Franklin - 53

All other business of the House was suspended while **CCS SCS HCS HB 10** was read at length and was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HB 1, CCS SCS HCS HB 2, CCS SCS HCS HB 3, CCS SCS HCS HB 4, CCS SCS HCS HB 5, CCS SCS HCS HB 6, CCS SCS HCS HB 7, CCS SCS HCS HB 8, CCS SCS HCS HB 9, CCS SCS HCS HB 10, CCS SCS HCS HB 11, CCS SCS HCS HB 12, CCS SCS HCS HB 13, CCS SCS HCS HB 14, CCS SCS HB 16, SCS HB 17, CCS SCS HCS HB 18, CCS SCS HCS HB 19, HB 45, HB 48, HB 78, CCS SCS HB 80, HB 84, HCS HB 106, SCS HS HCS HB 107, HB 129, SCS HB 133, CCS #2 SS SCS HCS HBs 144 & 46, CCS SCS HB 157, HB 163, HB 180, SS SCS HB 185, SCS HB 202, SCS HB 212, HB 218, SCS HB 219, SCS HB 236, CCS SCS HCS HB 241, SCS HB 242, HB 266, HCS HB 279, CCS #2 SCS HCS HBs 302 & 38, HB 321, SS #2 SCS HS HCS HBs 328 & 88, SCS HB 361, SS SCS HS HB 381, HB 408, HB 409, HB 410, HB 420, HS HCS HB 425, HB 431, HCS HBs 441, 94 & 244, CCS #2 SS SCS HB 453, HB 454, HB 458, SCS HB 459, HB 470, CCS SCS HB 471, SCS HB 473, CCS SCS HB 491, SCS HB 498, SS SCS HB 501, HB 502, HB 537, CCS SS SCS HCS HB 567, SS SCS HB 575, HB 590, HB 596, HB 600, SCS HB 603, SCS HB 606, SCS HB 607, CCS HB 621, SCS HB 644, SCS HBs 648, HB 477 & HB 805, SCS HCS HB 660, HB 664, HB 679, SCS HB 691, SCS HB 693, HB 725, HB 732, SS HCS HB 738, SCS HB 742, HB 745, CCS SS SCS HS HCS HB 762, HB 779, HB 788, SCS HB 796, SCS HBs 808 & 951, HB 816, HB 821, HB 825, HB 865, SCS HB 881, HB 897, SCS HB 904, HB 909, HB 922, HB 933, SCS HB 945, HB 955, SCS HS HCS HB 1000 and HS HCR 25** were delivered to the Governor by the Chief Clerk of the House.

SIGNING OF SENATE BILLS

All other business of the House was suspended while **SCS SB 4, HS HCS SCS SB 10, SCS SB 13, SB 25, CCS HS HCS SS SCS SB 48, SB 58, HCS SB 86, SB 87, HS HCS SS SCS SBs 89 & 37, SB 110, SB 111, HCS SB 130, SB 142, CCS #2 HCS SCS SB 151, HCS SCS SB 178, SB 179, HS HCS SCS SB 186, HCS SS SB 193, SCS SB 197, SB 200, SB 201, SB 203, SB 207, SB 223, HCS SB 227, SCS SB 234, CCS #2 HS HCS SCS SB 236, SCS SB 241, CCS HCS SS SB 244, SB 252, CCS HS HCS SCS SB 266, CCS HS HCS SS SCS SB 267, SCS SB 270, CCS HCS SB 274, SB 275, HS HCS SB 288, HS SCS SB 290, SB 295, SCS SB 301, SB 303, SB 316, SCS SB 317, CCS HCS SB 319, HCS SB 321, CCS HS SS SCS SBs 323 & 230, SCS SB 341, HCS SB 345, HCS SB 348, SCS SB 352, SB 353, SCS SB 357, CCS HS HCS SS SCS SB 369, HS HCS SB 371, HS SCS SB 374, SCS SB 383, SCS SB 384, SCS SB 387, CCS HS SCS SB 393, SB 394, SB 406, SCS SB 407, SB 430, SB 435, SB 436, HCS SB 441, SB 442, SB 451, CCS HCS SB 462, SB 470, SB 500, SCS SB 514, HCS SCS SB 515, HCS SCS SB 520, HCS SB 521, HCS SB 538, SB 540, HCS SB 543, HCS SB 544, SB 553, SB 556, HCS SCS SB 568, SB 575, SB 605, SRB 606, and SS SCR 6,** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

MESSAGES FROM THE GOVERNOR

EXECUTIVE OFFICE
May 23, 2001

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
FIRST REGULAR SESSION
91ST GENERAL ASSEMBLY
STATE OF MISSOURI

Herewith I return to you **House Bill No. 52** entitled:

"AN ACT"

To repeal section 56.066, RSMo 2000, relating to full-time prosecutors, and to enact in lieu thereof one new section relating to the same subject, with an emergency clause.

On May 23, 2001, I approved said **House Bill No. 52**.

Respectfully submitted,

/s/ Bob Holden
Governor

EXECUTIVE OFFICE
May 23, 2001

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
FIRST REGULAR SESSION
91ST GENERAL ASSEMBLY
STATE OF MISSOURI

Herewith I return to you **House Committee Substitute for House Bill No. 207** entitled:

"AN ACT"

To repeal sections 34.115 and 313.835, and to enact in lieu thereof two new sections relating to the veterans' commission capital improvement trust fund, with an emergency clause.

On May 23, 2001, I approved said **House Committee Substitute for House Bill No. 207**.

Respectfully submitted,

/s/ Bob Holden
Governor

EXECUTIVE OFFICE
May 23, 2001

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
FIRST REGULAR SESSION
91ST GENERAL ASSEMBLY
STATE OF MISSOURI

Herewith I return to you **Senate Committee Substitute for House Bill No. 801** entitled:

"AN ACT"

Relating to compliance with Title V of the federal Gramm-Leach-Bliley Financial Modernization Act of 1999, with an emergency clause.

On May 23, 2001, I approved said **Senate Committee Substitute for House Bill No. 801**.

Respectfully submitted,

/s/ Bob Holden
Governor

ADJOURNMENT

The Speaker declared the House of Representatives, 91st General Assembly, convened in First Regular Session on January 3, 2001, adjourned as of midnight, May 30, 2001, in accordance with the Constitution.

Journal of the House

NINETY-FIRST GENERAL ASSEMBLY
of the
STATE OF MISSOURI
FIRST EXTRAORDINARY SESSION

FIRST DAY, WEDNESDAY, SEPTEMBER 5, 2001

Speaker Kreider in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

MESSAGE FROM THE GOVERNOR

The following Proclamation was received from His Excellency, Governor Bob Holden.

PROCLAMATION

WHEREAS, Missouri's senior population is going to grow over the next nine years from 13.5 percent of our state population to over 20 percent; and

WHEREAS, American seniors over the age of 65 take an average of over nine different medications, and much of our growing senior population is struggling with the dilemma of how to afford the skyrocketing cost of these medications on limited and fixed incomes, often finding that they have to make the unthinkable choice between food and medicine; and

WHEREAS, the federal government has repeatedly failed to adequately address the problem of the rising costs of prescription drugs, and these costs are expected to more than double by the end of the decade; and

WHEREAS, Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 14, passed by the General Assembly of the State of Missouri and signed into law in 1999, created an unexpectedly expensive prescription drug program that does not help those Missouri seniors who are least able to pay for needed medication; and

WHEREAS, in spite of my making prescription drug cost relief one of the major priorities of the first budget of my administration, no consensus was reached by the end of the last regular legislative session on what form a relief program would take, although the General Assembly did appropriate money to pay for the state cost of the first year of such a program; and

WHEREAS, I have appointed a special task force that is holding public hearings and reviewing the issue throughout the summer, and this special task force is charged with making recommendations to the members of the General Assembly for a fiscally-responsible prescription drug relief plan that helps the most needy Missouri seniors; and

WHEREAS, Missouri's Medicaid income eligibility and asset limits for the elderly are some of the lowest in the country, and raising these income guidelines, in conjunction with a new prescription drug relief program, will ensure that Missouri's lowest income seniors will have access to needed prescription drugs; and

WHEREAS, the United States Congress enacted the Economic Growth and Tax Reconciliation Relief Act of 2001 (P.L. 107-16) on June 7, 2001, and President George W. Bush thereafter signed into law P.L. 107-16; and

WHEREAS, Section 101(b)(1) of P.L. 107-16 was codified as Internal Revenue Code Section 6428, which contains provisions that will reduce the federal income tax paid by many individual taxpayers, including many Missouri residents, for the taxpayer's first taxable year beginning in 2001; and

WHEREAS, for many Missouri residents, the effect of this reduction in federal income tax liability will be a reduction in the federal income tax deduction provided by Section 143.171, RSMo, and an increase in the Missouri tax liability for the taxpayer's first taxable year beginning in 2001; and

WHEREAS, Missouri is one of only nine states that allows for a deduction for federal income tax paid, which reduces the tax liability for Missouri taxpayers, and this advantageous aspect of Missouri tax law will no longer operate to the benefit of Missouri taxpayers unless the General Assembly changes the tax law to respond to the passage of P.L. 107-16; and

WHEREAS, P.L. 107-16 was enacted after the time allowed by Article III, section 20(a) of the Constitution of the State of Missouri for the Ninety-First General Assembly to consider any bill to alleviate the increase in Missouri tax due to the enactment of P.L. 107-16; and

WHEREAS, the inability of the Ninety-First General Assembly to consider a bill to alleviate the increase in Missouri tax due to the enactment of P.L. 107-16 will keep some Missouri taxpayers from realizing the full benefit of federal tax relief, which was intended to put a sum of money directly back into the hands of the citizens of Missouri; and

WHEREAS, open access to and expansion of markets and market options is an essential element of agricultural enterprise; and

WHEREAS, in 1999, Conference Committee Substitute for House Substitute for Senate Bill No. 310 (hereinafter "SB 310") enacted provisions of law that may to some degree change the climate of business transactions between animal producers and processors; and

WHEREAS, in May of 2001, when court challenges to the law ceased and the price discrimination provisions of SB 310 became enforceable, animal processors limited purchases of Missouri fed animals to a grade and yield method, curtailing cash sale options for producers and causing severe economic hardship to Missouri's fed cattle and hog industries; and

WHEREAS, maintaining a strong and vital agricultural economy is critical to the long term health of our state, in both rural and urban areas; and

WHEREAS, the ability to negotiate price on a cash basis is an essential element of maintaining the stability of the market and profitability for both small and large producers; and

WHEREAS, all parties have been engaged in the development of specific compromise language that will reopen cash market options for Missouri producers; and

WHEREAS, Article IV, Section 9 of the Missouri Constitution authorizes the Governor on extraordinary occasions to convene the General Assembly by proclamation, wherein he shall state specifically each matter on which action is deemed necessary; and

WHEREAS, the failure to create a new, fiscally-responsible prescription drug program, the passage of P.L 107-16 and its subsequent, adverse effect on Missouri taxpayers, and the passage of SB 310 and its subsequent, adverse effect on Missouri's fed cattle and hog industries are extraordinary occasions as envisioned by Article IV, Section 9, of the Constitution of the State of Missouri.

NOW THEREFORE, on the extraordinary occasions that exists in the state of Missouri:

I, BOB HOLDEN, GOVERNOR OF THE STATE OF MISSOURI, pursuant to the authority vested in me as Governor by the Constitution of the State of Missouri, do, by this Proclamation, convene the Ninety-First General Assembly of the State of Missouri in the First Extra Session of the First Regular Session; and

I HEREBY call upon the Senators and Representatives of said General Assembly to meet in the State Capitol in the City of Jefferson at the hour of 12:00 p.m., Central Daylight Time, on September 5, 2001; and

I HEREBY state that the action of said General Assembly is deemed necessary concerning each matter specifically designated and limited hereinafter as follows:

1. To repeal Section 135.095, Section 208.010, and Section 208.151, RSMo, and to enact in lieu thereof a new section or new sections creating a prescription drug program for seniors, the state cost for the first year of which is funded by an appropriation made by the General Assembly of the State of Missouri during the first regular session of the Ninety-First General Assembly, and the state cost for all subsequent years of which is subject to appropriation pursuant to Article III, section 36, of the Constitution of the State of Missouri, and expanding Medicaid eligibility for seniors.
2. To amend Section 143.171.2, RSMo, to allow a deduction from Missouri taxable income for the credit against the individual's federal income allowed by Internal Revenue Code Section 6428, enacted as part of P.L. 107-16 on June 7, 2001, for the taxpayer's first taxable year beginning on or after January 1, 2001, but before January 1, 2002.
3. To amend Sections 277.200 to 277.212, RSMo, to offer protections to producers against unjust discrimination in pricing, unreasonable preferences in pricing, manipulating or controlling prices, monopoly control, and unlawful activities in pricing, with enforcement provisions, and to address private causes of legal action and treble damages for discrimination.
4. To allow the Senate to consider appointments to boards, commissions, departments, and divisions that require the advice and consent of the Senate.
5. Such additional and other matters as may be recommended by the Governor by special message to the General Assembly after it shall have convened.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 24th day of August, 2001.

/s/ Bob Holden

GOVERNOR

ATTEST:

/s/ Matt Blunt

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1, introduced by Representative Froelker, relating to the deduction for federal income taxes.

HB 2, introduced by Representatives Secrest, Hegeman, Hanaway, Naeger, Shields, Reinhart, Luetkemeyer and Purgason, et al, relating to federal tax credit.

HB 3, introduced by Representatives Abel and Naeger, et al, relating to a pharmaceutical investment program.

HB 4, introduced by Representatives Shoemyer, Legan, Myers, Hegeman, Berkowitz, Merideth and Britt, et al, relating to livestock marketing.

HB 5, introduced by Representatives Kennedy, Kreider, Barry, Johnson (90), Smith, Crump and Gambaro, relating to the deduction for federal income taxes.

APPOINTMENT OF COMMITTEE

The following members have been appointed to the House Special Committee on Price Discrimination.

Chris Liese - Chair

Mark Abel - Vice Chair

Robert Clayton

Ralph Monaco

Bill Ransdall

Henry Rizzo

Daniel Hegeman

B.J. Marsh

Jim Murphy

Peter Myers

Charles Nordwald

COMMITTEE ASSIGNMENT

The Speaker submitted the following committee assignment:

Representative Jim Whorton has been appointed a member of the Ways and Means Committee.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SR 1**.

SENATE RESOLUTION NO. 1

BE IT RESOLVED by the Senate of the Ninety-first General Assembly, First Regular Session, that the Secretary of Senate inform the House of Representatives that the Senate is duly convened in the First Extra Session of the First Regular Session and is ready for consideration of its business.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SR 3**.

SENATE RESOLUTION NO. 3

WHEREAS, the governor of the great state of Missouri, the Honorable Bob Holden, has called a Special Session of the Ninety-first General Assembly to convene one week prior to the official opening of the Veto Session on September 12, 2001; and

WHEREAS, the Senate Chamber has been undergoing extensive renovation since the end of the First Regular Session of the Ninety-first General Assembly, a project that will not be complete until the beginning of next year; and

WHEREAS, the members of the Missouri House of Representatives, under the leadership of Speaker Jim Kreider, have most graciously granted the Senate permission to use the facilities of House Committee Rooms 3 and 6 during the Special Session as well as the Veto Session; and

WHEREAS, all members of the Missouri Senate, under the leadership of President Pro Tem Peter Kinder, greatly appreciate the generosity extended to this legislative body during these important days deliberation and wish to acknowledge for many hours of hard work contributed by the talented members of the House Staff through their genuine concern to render prompt and efficient assistance; and

WHEREAS, the thirty-four senators of the state of Missouri accept with deep gratitude the kind offer made by their illustrious colleagues in the House during this time of need:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, Ninety-first General Assembly, join unanimously in expressing sincere appreciation to the Missouri House of Representatives for the compassionate manner in which they have responded to the temporary need of the Senate for an appropriate venue to conduct business during both the Special and the Veto Session: and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the Missouri House of Representatives.

The following members' presence was noted: Abel, Hampton, Koller, Moore, Lawson, Linton, Franklin, Secrest, Mayer, Lograsso, Merideth, Richardson, Treadway, Griesheimer, Foley, Kelly (144), Shoemyer, Portwood, Kennedy, Naeger, Hagan-Harrell, Coleman, Daus, Bland, Carnahan, Harding, Robirds, Berkowitz, Green (73), Murphy, Ransdall, Wright, Boatright, Fares, Ostmann, Hickey and Monaco.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 9:00 a.m., Thursday, September 6, 2001.

COMMITTEE MEETINGS

APPROPRIATIONS - TRANSPORTATION

Thursday, September 13, 2001, 9:00 am. Hearing Room 4.
To get information from MODOT regarding personnel and safety.

CHILDREN, FAMILIES, AND HEALTH

Thursday, September 6, 2001, 12:30 pm. Hearing Room 5.
Bill(s) relating to prescription drug coverage for senior citizens.
Executive Session may follow.

JOINT COMMITTEE ON ECONOMIC DEVELOPMENT

Tuesday, September 11, 2001, 8:00 am. Hearing Room 5.
Enterprise Zones. Milan in Sullivan County, Butler in Bates County.
Presentation J. Driskill. Executive Session.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, September 12, 2001, 9:00 am. Hearing Room 1.
Agenda: Set price for the 2001 Supplements to the Revised Statutes.
Oversight interim report.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, September 13, 2001, 8:30 am. Hearing Room 1.
Full committee meeting. County Employees' Retirement Fund.
Subcommittee immediately following.

PRICE DISCRIMINATION

Thursday, September 6, 2001, 10:00 am. Hearing Room 1. REVISED.
Hearing will recess at noon and reconvene at 3:00 pm.
Executive Session may follow.
To be considered: HB 4

SUBCOMMITTEE ON APPROPRIATIONS - EDUCATION

Monday, September 10, 2001, 10:00 am. Hearing Room 5.

University of Missouri 10:00 am, Lincoln University 8:00 pm.

SUBCOMMITTEE ON APPROPRIATIONS - EDUCATION

Wednesday, September 12, 2001, 8:00 am. Hearing Room 4.

Presentation University of Missouri - Rolla.

SUBCOMMITTEE ON PROFESSIONAL REGISTRATION & LICENSING

Wednesday, September 12, 2001, 8:00 am. Hearing Room 7.

Chapter 273 - Pet breeding regulations.

WAYS AND MEANS

Thursday, September 6, 2001, 12:30 pm. Hearing Room 7.

Bill(s) will be heard relating to state taxation of federal rebate.

Executive Session will follow.

HOUSE CALENDAR

SECOND DAY, THURSDAY, SEPTEMBER 6, 2001

HOUSE BILLS FOR SECOND READING

HB 1 through HB 5

JOURNAL OF THE HOUSE

First Extraordinary Session, 91st GENERAL ASSEMBLY

SECOND DAY, THURSDAY, SEPTEMBER 6, 2001

Speaker Kreider in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

SECOND READING OF HOUSE BILLS

HB 1 through **HB 5** were read the second time.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 1** - Ways and Means
- HB 2** - Ways and Means
- HB 3** - Children, Families and Health
- HB 4** - Special Committee on Price Discrimination
- HB 5** - Ways and Means

COMMITTEE REPORTS

Committee on Children, Families and Health, Chairman Barry reporting:

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **HB 3**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Price Discrimination, Chairman Liese reporting:

Mr. Speaker: Your Committee on Price Discrimination, to which was referred **HB 4**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Ways and Means, Chairman Kennedy reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 5, HB 1** and **HB 2**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

The following members' presence was noted: Abel, Barnitz, Barry, Berkowitz, Black, Bland, Boatright, Britt, Carnahan, Clayton, Coleman, Cooper, Copenhaver, Curls, Daus, Davis, Fares, Foley, Fraser, Froelker, Gambaro, Graham, Hagan-Harrell, Harding, Hegeman, Hickey, Hilgemann, Hohulin, Holand, Hollingsworth, Hunter, Jetton, Kelly (36), Kelly (144), Kennedy, King, Koller, Legan, Liese, Luetkenhaus, Marsh, May (149), Mays (50), Merideth, Monaco, Murphy, Myers, Naeger, Nordwald, Ostmann, Phillips, Quinn, Ransdall, Reid, Richardson, Rizzo, Secrest, Seigfreid, Selby, Shoemyer, Treadway, Van Zandt, Vogel, Whorton, Riback Wilson (25), Wilson (42) and Wright.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 3:00 p.m., Friday, September 7, 2001, for a technical session, if needed; and then adjourn until 3:00 p.m., Monday, September 10, 2001.

COMMITTEE MEETINGS

APPROPRIATIONS - TRANSPORTATION

Thursday, September 13, 2001, 9:00 am. Hearing Room 4.
To get information from MODOT regarding personnel and safety.

JOINT COMMITTEE ON ECONOMIC DEVELOPMENT

Tuesday, September 11, 2001, 8:00 am. Hearing Room 5.
Enterprise Zones. Milan in Sullivan County, Butler in Bates County.
Presentation J. Driskill. Executive Session.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, September 12, 2001, 9:00 am. Hearing Room 1. Agenda.
Set price for the 2001 Supplements to the Revised Statutes.
Oversight interim report.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, September 13, 2001, 8:30 am. Hearing Room 1.
Full committee meeting. County Employees' Retirement Fund.
Subcommittee immediately following.

SUBCOMMITTEE ON APPROPRIATIONS - EDUCATION

Monday, September 10, 2001, 10:00 am. Hearing Room 5.
University of Missouri 10:00 am, Lincoln University 8:00 pm.

SUBCOMMITTEE ON APPROPRIATIONS - EDUCATION

Wednesday, September 12, 2001, 8:00 am. Hearing Room 4.

Presentation University of Missouri - Rolla.

SUBCOMMITTEE ON PROFESSIONAL REGISTRATION & LICENSING

Wednesday, September 12, 2001, 8:00 am. Hearing Room 7.

Chapter 273 - Pet breeding regulations.

HOUSE CALENDAR

THIRD DAY, FRIDAY, SEPTEMBER 7, 2001

HOUSE BILLS FOR PERFECTION

HCS HB 3 - Abel/Naeger

HCS HB 5, 1 & 2 - Kennedy

HCS HB 4 - Shoemyer

JOURNAL OF THE HOUSE

First Extraordinary Session, 91st GENERAL ASSEMBLY

THIRD DAY, FRIDAY, SEPTEMBER 7, 2001

Representative Foley in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

The following members' presence was noted: Abel, Crump, Whorton, Wright, Hegeman and O'Toole.

ADJOURNMENT

On motion of Representative Daus, the House adjourned until 3:00 p.m., Monday, September 10, 2001.

COMMITTEE MEETINGS

APPROPRIATIONS - TRANSPORTATION

Thursday, September 13, 2001, 9:00 am. Hearing Room 4. To get information from MODOT regarding personnel and safety.

JOINT COMMITTEE ON ECONOMIC DEVELOPMENT

Tuesday, September 11, 2001, 8:00 am. Hearing Room 5. Enterprise Zones. Milan in Sullivan County, Butler in Bates County. Presentation J. Driskill. Executive Session.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, September 12, 2001, 9:00 am. Hearing Room 1. Agenda. Set price for the 2001 Supplements to the Revised Statutes. Oversight interim report.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, September 13, 2001, 8:30 am. Hearing Room 1. Full committee meeting. County Employees' Retirement Fund. Subcommittee immediately following.

SUBCOMMITTEE ON APPROPRIATIONS - EDUCATION

Monday, September 10, 2001, 10:00 am. Hearing Room 5. University of Missouri 10:00 am, Lincoln University 8:00 pm.

SUBCOMMITTEE ON APPROPRIATIONS - EDUCATION

Wednesday, September 12, 2001, 8:00 am. Hearing Room 4. Presentation University of Missouri - Rolla.

SUBCOMMITTEE ON PROFESSIONAL REGISTRATION & LICENSING

Wednesday, September 12, 2001, 8:00 am. Hearing Room 7. Chapter 273 - Pet breeding regulations.

HOUSE CALENDAR

FOURTH DAY, MONDAY, SEPTEMBER 10, 2001

HOUSE BILLS FOR PERFECTION

HCS HB 3 - Abel/Naege

HCS HB 5, 1 & 2 - Kennedy

HCS HB 4 - Shoemyer

JOURNAL OF THE HOUSE

First Extraordinary Session, 91st GENERAL ASSEMBLY

FOURTH DAY, MONDAY, SEPTEMBER 10, 2001

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

Dear God, the challenge of this special session needs divine perspective. We pray for that. We count on that. There are so many difficult decisions to be made and important votes to be cast in these few days. The list is long, the issues thorny. We now pause for this brief moment, and try to sense how near You really are. May we then enthusiastically go on to the tasks at hand, pregnant with Your compassionate wisdom, motivated by Your direction, and moved by Your strength. Amen.

The Pledge of Allegiance to the flag was recited.

The Journals of the first day and second day were approved as corrected, and the Journal of the third day was approved as printed.

Representative Crump suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 149

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hosmer
Hunter	Jetton	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Quinn

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Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Villa	Vogel
Wagner	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 000

PRESENT: 001

Wright

ABSENT WITH LEAVE: 012

Baker	Boykins	Campbell	George	Green 73
Hoppe	Johnson 61	Lograsso	Portwood	Purgason
Troupe	Van Zandt			

VACANCIES: 001

PERFECTION OF HOUSE BILLS

HCS HB 3, relating to the Pharmaceutical Investment Program, was taken up by Representative Abel.

Representative Abel moved that Rule 49(d) be suspended for the purpose of offering **HS HCS HB 3**.

Which motion was adopted by the following vote:

AYES: 129

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burton
Carnahan	Champion	Cierpiot	Clayton	Coleman
Copenhaver	Crawford	Crump	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Harding
Harlan	Hartzler	Haywood	Hegeman	Hendrickson
Hickey	Hilgemann	Hollingsworth	Holt	Hosmer
Johnson 90	Jolly	Kelly 144	Kelly 27	Kelly 36
Kennedy	Koller	Lawson	Legan	Liese
Long	Lowe	Luetkemeyer	Luetkenhaus	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Quinn	Ransdall	Rector
Reid	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Scheve	Schwab

Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	Surface
Thompson	Townley	Treadway	Villa	Vogel
Wagner	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 022

Bartelsmeyer	Burcham	Byrd	Cooper	Crowell
Cunningham	Hanaway	Henderson	Hohulin	Holand
Hunter	Jetton	Kelley 47	King	Levin
Linton	Marble	Portwood	Reinhart	Roark
St. Onge	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Boykins	Campbell	George	Green 73
Hoppe	Johnson 61	Lograsso	Purgason	Troupe
Van Zandt				

VACANCIES: 001

Representative Abel offered **HS HCS HB 3**.

Representative Abel offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 3, Page 26, Section 208.550, Lines 2-7, by deleting all of said lines; and

Further amend said bill, page and section, Lines 21-24, by deleting all of said lines and delete Line 1 on Page 27.

On motion of Representative Abel, **House Amendment No. 1** was adopted.

Representative Abel offered **House Amendment No. 2**.

House Amendment No. 2 was withdrawn.

Representative Abel offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 3, Page 31, Section 208.556, Line 19, by inserting at the end of said line the following:

“Individuals who have benefits with an actuarial value greater than or equal to the benefits in the program are not eligible for the program.”.

On motion of Representative Abel, **House Amendment No. 2** was adopted.

Representative Naeger offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill No. 3, Page 30, Section 208.556, Line 11, by inserting the following:

“; except that the Commission shall either administer the rebate program established in Section 208.565 or contract with the Division of Medical Services for the rebate program established in Section 208.565”; and

Further amend said bill, Page 36, Section 208.562, Line 23, by deleting the word “cost” and inserting in lieu thereof the following: **“price”**; and

Further amend said bill, Page 37, Section 208.562, Line 2, by deleting the word “cost” and inserting in lieu thereof the following: **“price”**; and

Further amend said bill, Page 37, Section 208.565, by deleting all of said section and replacing it with the following:

“208.565. 1. As used in sections 208.565, the following terms mean:

- (a) "Direct seller", any person, partnership, corporation, institution or entity engaged in the selling of pharmaceutical products directly to consumers in this state;**
- (b) "Distributor", a private entity under contract with the original labeler or holder of the national code number to manufacture, package or market the covered prescription drug;**
- (c) "FDA", the Food and Drug Administration of the Public Health Services of the Department of Health and Human Services;**
- (d) "Manufacturer", shall include:**
 - (1) An entity which is engaged in any of the following:**
 - a. The production, preparation, propagation, compounding, conversion or processing of prescription drug products:**
 - (i) Directly or indirectly by extraction from substances of natural origin;**
 - (ii) Independently by means of chemical synthesis; or**
 - (iii) By a combination of extraction and chemical synthesis;**
 - b. The packaging, repackaging, labeling or relabeling, or distribution of prescription drug products;**
 - (b) The entity holding legal title to or possession of the national drug code number for the covered prescription drug;**
 - (c) The term does not include a wholesale distributor of drugs, drugstore chain organization or retail pharmacy licensed by the state;**
 - (e) "Unit", a drug unit in the lowest identifiable amount, such as tablet or capsule for solid dosage forms, milliliter for liquid forms and gram for ointments or creams. The manufacturer shall specify the unit for each dosage form and strength of each covered prescription drug in accordance with the instructions developed by the Center for Medicare and Medicaid Services (CMS) for purposes of the Federal Medicaid Rebate Program under section 1927 of Title XIX of the Social Security Act (49 Stat. 620, 42 U.S.C. section 301 et seq.);**
 - (f) "Wholesaler", any person, partnership, corporation, institution or entity to which the manufacturer sells the covered prescription drug, including a pharmacy or chain of pharmacies.**
 - (g) "National drug code number", the identifying drug number maintained by the FDA. The complete eleven-digit number must include the labeler code, product code and package size code;**
 - (h) "New drug", a covered prescription drug approved as a new drug under section 201(p) of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040, 21 U.S.C. S 321(p));**
- 2. The division shall issue a certificate of participation to pharmaceutical manufacturers participating in the PIPS. A pharmaceutical manufacturer may apply for participation in the program with an application form prescribed by the commission. A certificate of participation shall remain in effect for an initial period of not less than one year and shall be automatically renewed unless terminated by either the manufacturer or the state with sixty days notification.**

3. The division shall negotiate with participating manufacturers for the amount of rebates. The rebate amount for each unit dispensed of brand name drug shall be no less than fifteen percent of the average manufacturers' price as defined pursuant to 42 U.S.C. 1396r-8(k)(1). No other discounts shall apply. The rebate amount for each unit dispensed of generic drug shall be no less than eleven percent. No other discounts shall apply. In order to receive a certificate of participation a manufacturer or distributor participating in the PIPS shall provide the division of aging the average manufacturers' price for their contracted products. The following shall apply to the providing of average manufacturers' price information to the division of aging:

(1) Any manufacturer or distributor with an agreement under this section that knowingly provides false information is subject to a civil penalty in an amount not to exceed one hundred thousand dollars for each provision of false information. Such penalties shall be in addition to other penalties as prescribed by law;

(2) Notwithstanding any other provision of law, information disclosed by manufacturers or wholesalers pursuant to this subsection or under an agreement with the division pursuant to section 208.565 is confidential and shall not be disclosed by the division or any other state agency or contractor therein in any form which discloses the identity of a specific manufacturer or wholesaler or prices charged for drugs by such manufacturer or wholesaler, except to permit the state auditor to review the information provided and the division of medical services for rebate administration.

4. All rebates received through the program shall be used toward refunding the program. If a pharmaceutical manufacturer refuses to participate in the rebate program, such refusal shall not affect the manufacturer's status under the current Medicaid program.

5. Any prescription drug of a manufacturer that does not participate in the program shall not be paid for by the program.”; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Naeger, **House Amendment No. 3** was adopted.

Representative Naeger offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill No. 3, Page 6, Section 208.010, Lines 6-12, by deleting all of said lines and inserting the following:

“(4) Owns or possesses resources in the sum of :

(a) **Prior to July 1, 2002**, one thousand dollars or more; provided, however, that if such a person is married and living with spouse, he or she, or they, individually or jointly, may own resources not to exceed two thousand dollars;

(b) **On July 1, 2002 and thereafter, one thousand five hundred dollars; provided, however, that if such person is married and living with a spouse, he or she, or they, individually or jointly, may own resources not to exceed two thousand five hundred dollars;**

and provided further that in the case of a temporary assistance for needy families claimant, the provision of this subsection shall not apply;”; and

Further amend said bill, Page 22, Section 208.151, Line 16, by inserting after the word “**level**” the following: “**on July 1, 2002.**”.

Representative Hosmer offered **House Substitute Amendment No. 1 for House Amendment No. 4**.

House Substitute Amendment No. 1
for
House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill No. 3, Page 6, Section 208.010, Lines 6-12, by deleting all of said lines and inserting the following:

“(4) Owns or possesses resources in the sum of :

(a) **Prior to July 1, 2002**, one thousand dollars or more; provided, however, that if such a person is married and living with spouse, he or she, or they, individually or jointly, may own resources not to exceed two thousand dollars;

(b) **On July 1, 2002 and thereafter, two thousand five hundred dollars; provided, however, that if such person is married and living with a spouse, he or she, or they, individually or jointly, may own resources not to exceed four thousand five hundred dollars;**

and provided further that in the case of a temporary assistance for needy families claimant, the provision of this subsection shall not apply;” and

Further amend said bill, Page 22, Section 208.151, Line 16, by inserting after the word “**level**” the following: “**on July 1, 2002.**”.

On motion of Representative Hosmer, **House Substitute Amendment No. 1 for House Amendment No. 4** was adopted by the following vote:

AYES: 125

Ballard	Barnett	Barry 100	Bartle	Bearden
Behnen	Berkowitz	Berkstresser	Black	Bland
Boatright	Bonner	Boucher	Bowman	Bray 84
Britt	Brooks	Burcham	Burton	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Fraser	Gambaro	Gaskill	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hosmer	Hunter	Jetton
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Lawson	Levin
Liese	Linton	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Quinn	Ransdall
Rector	Reid	Reinhart	Reynolds	Ridgeway
Rizzo	Robirds	Ross	Scheve	Scott
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	St. Onge	Surface	Thompson	Treadway
Vogel	Wagner	Walton	Ward	Whorton
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 021

Abel	Barnitz	Bartelsmeyer	Byrd	Coleman
Crump	Farnen	Foley	Franklin	Froelker
Koller	Legan	Naeger	Relford	Richardson
Roark	Schwab	Secrest	Smith	Townley
Villa				

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker	Boykins	Campbell	Ford	George
Green 73	Harlan	Hoppe	Johnson 61	Lograsso
Long	Mayer	Purgason	Troupe	Van Zandt
Williams				

VACANCIES: 001

Representative Smith assumed the Chair.

Representative Portwood offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bill No. 3, Page 33, Section 208.556, Lines 7-11, by deleting all of said lines.

On motion of Representative Portwood, **House Amendment No. 5** was adopted.

Representative Reid offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for House Bill No. 3, Page 36, Section 208.559, Line 2 of said page, by inserting after the year "**2002.**" the following:

"A second initial enrollment period shall be held from November 1, 2002, through December 15, 2002, to allow persons who did not enroll during the April through May 2002 enrollment period to enroll with the program for calendar year 2003. Current enrollees in the program shall not be required to reenroll during the second initial enrollment period for calendar year 2003."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Reid, **House Amendment No. 6** was adopted by the following vote:

AYES: 128

Ballard	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bray 84	Britt	Burcham	Burton	Byrd

Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Dempsey	Dolan	Enz
Fares	Fraser	Froelker	Gambaro	Gaskill
Graham	Gratz	Green 15	Griesheimer	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Holt	Hunter	Jetton
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Lawson	Legan
Levin	Linton	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Toole	Ostmann
Phillips	Portwood	Quinn	Ransdall	Rector
Reid	Reinhart	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Vogel
Walton	Ward	Whorton	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 020

Abel	Bowman	Brooks	Coleman	Davis
Farnen	Foley	Franklin	Hagan-Harrell	Hollingsworth
Hosmer	Koller	Liese	Mays 50	O'Connor
Overschmidt	Relford	Shelton	Villa	Wagner

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker	Boykins	Campbell	Ford	George
Green 73	Hoppe	Johnson 61	Lograsso	Long
Purgason	Troupe	Van Zandt	Williams	

VACANCIES: 001

Representative Holand offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for House Bill No. 3, Page 31, Section 208.556, Lines 3 through 5, by deleting all of said lines and inserting in lieu thereof the following:

"subsection 4 of this section, and who has a household income at or below twelve thousand dollars for an individual or seventeen thousand dollars for a married couple is eligible to"; and

Further amend said bill, Page 32, Section 208.556, Lines 8 through 13, by deleting all of said lines and inserting in lieu thereof the following: **" five dollar enrollment fee to offset the administrative costs of the program.";** and

Further amend said bill, Page 33, Section 208.556, Lines 1 through 6, by deleting all of said lines and inserting in lieu thereof the following:

"(3) A catastrophic prescription benefit is also hereby established. Eligibility shall be limited to the following:

1. Persons over the age of sixty-five years,
2. Who have documented prescription drug costs exceeding twenty-five percent of their documented annual household income, as defined in section 208.550, on a quarterly basis. The individual's annual household income minus the amount expended on prescription drugs must be equal to or less than the limit required to qualify for participation in the program, pursuant to section 208.556
3. Eligibility for the catastrophic prescription benefit may be renewed quarterly, consistent with these qualifications."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Portwood offered **House Substitute Amendment No. 1 for House Amendment No. 7.**

*House Substitute Amendment No. 1
for
House Amendment No. 7*

AMEND House Substitute for House Committee Substitute for House Bill No. 3, Page 32, Section 208.556, Line 13, by inserting the following:

"Any senior in the state of Missouri may enroll in the program. After exceeding 25% of their annual household income or prescription drugs as a deductible, a senior may qualify for the program during a program year when their household income as defined in Section 135.010, RSMo, minus the amount expended on prescription drugs is equal to or less than the limit required to qualify for participation in the program pursuant to Section 208.556."

Representative Portwood moved that **House Substitute Amendment No. 1 for House Amendment No. 7** be adopted.

Which motion was defeated by the following vote:

AYES: 065

Ballard	Barnett	Bartle	Bearden	Behnen
Berkstresser	Boatright	Burcham	Byrd	Champion
Cierpiot	Cooper	Crawford	Crowell	Cunningham
Dempsey	Enz	Fares	Froelker	Gaskill
Griesheimer	Hanaway	Hartzler	Hegeman	Henderson
Hendrickson	Hohulin	Holand	Hosmer	Jetton
Kelley 47	Kelly 144	King	Lawson	Levin
Linton	Luetkemeyer	Marble	Marsh	May 149
Mayer	Miller	Monaco	Murphy	Myers
Nordwald	Phillips	Portwood	Quinn	Rector
Reid	Reinhart	Richardson	Ridgeway	Roark
Robirds	Ross	Schwab	Scott	Secrest
Shields	St. Onge	Surface	Vogel	Wright

NOES: 080

Abel	Barnitz	Barry 100	Bartelsmeyer	Berkowitz
Black	Bland	Bonner	Boucher	Bowman
Bray 84	Britt	Brooks	Burton	Carnahan

Clayton	Coleman	Copenhaver	Curls	Daus
Davis	Dolan	Farnen	Foley	Franklin
Fraser	Gambaro	Graham	Gratz	Green 15
Hagan-Harrell	Hampton	Harding	Harlan	Haywood
Hickey	Hilgemann	Hollingsworth	Holt	Johnson 90
Jolly	Kelly 27	Kelly 36	Kennedy	Koller
Legan	Liese	Lowe	Luetkenhaus	Mays 50
McKenna	Merideth	Moore	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Ransdall	Relford
Reynolds	Rizzo	Scheve	Seigfreid	Selby
Shelton	Shoemyer	Skaggs	Smith	Thompson
Treadway	Villa	Wagner	Walton	Ward
Whorton	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 017

Baker	Boykins	Campbell	Crump	Ford
George	Green 73	Hoppe	Hunter	Johnson 61
Lograsso	Long	Purgason	Townley	Troupe
Van Zandt	Williams			

VACANCIES: 001

House Amendment No. 7 was withdrawn.

Representative Levin offered **House Amendment No. 8**.

Representative Foley raised a point of order that **House Amendment No. 8** goes beyond the scope of the bill.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Marble offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for House Bill No. 3, Page 32, Section 208.556, Line 17, by inserting before the word “deductible” the word “**annual**” on said line.

On motion of Representative Marble, **House Amendment No. 8** was adopted.

On motion of Representative Abel, **HS HCS HB 3, as amended**, was adopted.

On motion of Representative Abel, **HS HCS HB 3, as amended**, was ordered perfected and printed.

HCS HBs 5, 1 & 2, relating to federal income tax deduction, was taken up by Representative Kennedy.

Representative Kennedy moved that Rule 49(d) be suspended for the purpose of offering **HS HCS HBs 5, 1 & 2**.

Which motion was adopted by the following vote:

AYES: 118

Abel	Ballard	Barnitz	Barry 100	Bearden
Behnen	Berkowitz	Berkstresser	Black	Bland
Boatright	Bonner	Boucher	Bowman	Bray 84
Britt	Brooks	Burton	Carnahan	Champion
Clayton	Coleman	Copenhaver	Crawford	Crump
Curls	Daus	Davis	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Harding
Harlan	Hartzler	Haywood	Hegeman	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Johnson 90	Jolly	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Quinn
Ransdall	Reid	Relford	Richardson	Rizzo
Robirds	Scheve	Schwab	Scott	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Surface	Thompson	Treadway	Villa	Vogel
Wagner	Walton	Ward	Whorton	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 018

Bartelsmeyer	Bartle	Burcham	Byrd	Cooper
Crowell	Cunningham	Dempsey	Hanaway	Henderson
Hohulin	Jetton	Kelley 47	Rector	Reynolds
Roark	Secrest	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 026

Baker	Barnett	Boykins	Campbell	Cierpiot
Ford	George	Green 73	Hoppe	Hosmer
Hunter	Johnson 61	Liese	Linton	Lograsso
Long	Purgason	Reinhart	Ridgeway	Ross
Smith	St. Onge	Townley	Troupe	Van Zandt
Williams				

VACANCIES: 001

Representative Kennedy offered **HS HCS HBs 5, 1 & 2**.

On motion of Representative Kennedy, **HS HCS HBs 5, 1 & 2** was adopted.

On motion of Representative Kennedy, **HS HCS HBs 5, 1 & 2** was ordered perfected and printed.

On motion of Representative Crump, the House recessed until 8:00 p.m.

The hour of recess having expired, the House was called to order by Speaker Kreider.

COMMITTEE REPORT

Committee on Rules, Joint Rules, and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules, and Bills Perfected and Printed, to which was referred **HS HCS HB 3** and **HS HCS HBs 5, 1 & 2**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HS HCS HB 3 - Fiscal Review and Government Reform (Fiscal Note)

HS HCS HBs 5, 1 & 2 - Fiscal Review and Government Reform (Fiscal Note)

COMMITTEE REPORTS

Committee on Fiscal Review and Government Reform, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HS HCS HB 3 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HS HCS HBs 5, 1 & 2 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

PERFECTION OF HOUSE BILL

HCS HB 4, relating to livestock marketing, was taken up by Representative Shoemyer.

Representative Shoemyer moved that Rule 49(d) be suspended for the purpose of offering **HS HCS HB 4**.

Which motion was adopted by the following vote:

AYES: 118

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Bray 84	Britt	Brooks	Burcham	Burton
Carnahan	Champion	Clayton	Coleman	Copenhaver
Crawford	Crump	Curls	Daus	Davis
Dempsey	Dolan	Enz	Farnen	Foley
Fraser	Froelker	Gaskill	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Harding
Harlan	Hartzler	Haywood	Hegeman	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hosmer	Johnson 90	Jolly	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Levin	Liese	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	Ostmann	Quinn	Ransdall	Reid
Relford	Reynolds	Rizzo	Robirds	Ross
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	Surface
Thompson	Townley	Treadway	Villa	Vogel
Wagner	Walton	Ward	Whorton	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 024

Bartle	Bearden	Byrd	Cierpiot	Cooper
Crowell	Cunningham	Fares	Hanaway	Henderson
Hohulin	Hunter	Jetton	Kelley 47	Phillips
Portwood	Rector	Reinhart	Richardson	Ridgeway
Roark	Secrest	St. Onge	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 020

Baker	Boykins	Campbell	Ford	Franklin
Gambaro	George	Green 73	Hoppe	Johnson 61
Linton	Lograsso	Long	O'Toole	Overschmidt
Purgason	Scheve	Troupe	Van Zandt	Williams

VACANCIES: 001

Representative Shoemyer offered **HS HCS HB 4**.

On motion of Representative Shoemyer, **HS HCS HB 4** was adopted.

On motion of Representative Shoemyer, **HS HCS HB 4** was ordered perfected and printed.

COMMITTEE REPORT

Committee on Rules, Joint Rules, and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules, and Bills Perfected and Printed, to which was referred **HS HCS HB 4**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

Representative Monaco assumed the Chair.

THIRD READING OF HOUSE BILLS

HS HCS HB 3, relating to the Pharmaceutical Investment Program, was taken up by Representative Abel.

On motion of Representative Abel, **HS HCS HB 3** was read the third time and passed by the following vote:

AYES: 135

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Bonner	Boucher	Bowman
Bray 84	Britt	Brooks	Burcham	Burton
Byrd	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Fraser	Gambaro	Gaskill	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Haywood	Hegeman
Henderson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hosmer	Jetton	Johnson 90	Jolly
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Lowe	Luetkemeyer	Luetkenhaus	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Treadway	Villa
Vogel	Wagner	Walton	Ward	Whorton
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 010

Ballard	Boatright	Froelker	Hendrickson	Hohulin
Hunter	Kelley 47	Marble	Roark	Townley

PRESENT: 000

ABSENT WITH LEAVE: 017

Baker	Boykins	Campbell	Ford	Franklin
George	Green 73	Hartzler	Hoppe	Johnson 61
Linton	Lograsso	Long	Purgason	Troupe
Van Zandt	Williams			

VACANCIES: 001

Representative Monaco declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 129

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Bonner	Boucher
Bowman	Bray 84	Brooks	Burton	Byrd
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Enz
Fares	Farnen	Foley	Fraser	Gambaro
Gaskill	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Haywood
Hegeman	Henderson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hosmer	Jetton	Johnson 90
Jolly	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Legan	Levin	Liese
Lowe	Luetkemeyer	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Thompson	Townley	Treadway	Villa	Vogel
Wagner	Walton	Ward	Whorton	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 007

Boatright	Hendrickson	Hohulin	Hunter	Kelley 47
Marble	Roark			

PRESENT: 000

ABSENT WITH LEAVE: 026

Baker	Boykins	Britt	Burcham	Campbell
Crowell	Dolan	Ford	Franklin	Froelker
George	Graham	Green 73	Hartzler	Hoppe

Johnson 61	Lawson	Linton	Lograsso	Long
Luetkenhaus	Purgason	Surface	Troupe	Van Zandt
Williams				

VACANCIES: 001

HS HCS HBs 5, 1 & 2, relating to federal income tax deduction, was taken up by Representative Kennedy.

On motion of Representative Kennedy, **HS HCS HBs 5, 1 & 2** was read the third time and passed by the following vote:

AYES: 132

Abel	Ballard	Barnett	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Bowman
Britt	Burton	Byrd	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Foley	Fraser	Froelker	Gambaro	Gaskill
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hosmer	Hunter
Jetton	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Villa
Vogel	Wagner	Ward	Whorton	Willoughby
Wright	Mr. Speaker			

NOES: 012

Boucher	Bray 84	Brooks	Burcham	Daus
Farnen	Harlan	Lowe	Reynolds	Walton
Wilson 25	Wilson 42			

PRESENT: 000

ABSENT WITH LEAVE: 018

Baker	Barnitz	Boykins	Campbell	Ford
Franklin	George	Green 73	Hartzler	Hoppe
Johnson 61	Linton	Lograsso	Long	Purgason
Troupe	Van Zandt	Williams		

VACANCIES: 001

Representative Monaco declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 133

Abel	Ballard	Barnett	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Bowman
Britt	Burcham	Burton	Byrd	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Foley	Fraser	Froelker	Gambaro
Gaskill	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hosmer
Hunter	Jetton	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Villa	Vogel	Ward	Whorton	Willoughby
Wilson 25	Wright	Mr. Speaker		

NOES: 011

Boucher	Bray 84	Brooks	Daus	Farnen
Harlan	Lowe	Reynolds	Wagner	Walton
Wilson 42				

PRESENT: 000

ABSENT WITH LEAVE: 018

Baker	Barnitz	Boykins	Campbell	Ford
Franklin	George	Green 73	Hartzler	Hoppe
Johnson 61	Linton	Lograsso	Long	Purgason
Troupe	Van Zandt	Williams		

VACANCIES: 001

HS HCS HB 4, relating to livestock marketing, was taken up by Representative Shoemyer.

On motion of Representative Shoemyer, **HS HCS HB 4** was read the third time and passed by the following vote:

AYES: 097

Abel	Barry 100	Bearden	Berkowitz	Black
Bland	Bonner	Boucher	Bowman	Britt
Brooks	Burton	Byrd	Carnahan	Cierpiot
Clayton	Coleman	Copenhaver	Crump	Curls
Daus	Davis	Fares	Farnen	Foley
Fraser	Gambara	Graham	Gratz	Green 15
Hagan-Harrell	Hampton	Harding	Haywood	Hegeman
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hosmer	Johnson 90	Jolly	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Liese	Lowe	Luetkemeyer	Luetkenhaus
Marsh	May 149	Mays 50	McKenna	Merideth
Moore	Myers	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Ransdall	Rector	Reid
Relford	Reynolds	Ridgeway	Rizzo	Robirds
Ross	Scheve	Schwab	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Thompson	Townley	Treadway	Villa
Wagner	Walton	Ward	Whorton	Willoughby
Wilson 25	Wilson 42			

NOES: 047

Ballard	Barnett	Bartelsmeyer	Bartle	Behnen
Berkstresser	Boatright	Bray 84	Burcham	Champion
Cooper	Crawford	Crowell	Cunningham	Dempsey
Dolan	Enz	Froelker	Gaskill	Griesheimer
Hanaway	Harlan	Henderson	Hendrickson	Hohulin
Hunter	Jetton	Kelley 47	Levin	Marble
Mayer	Miller	Monaco	Murphy	Naeger
Phillips	Portwood	Quinn	Reinhart	Richardson
Roark	Scott	Secrest	Surface	Vogel
Wright	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 018

Baker	Barnitz	Boykins	Campbell	Ford
Franklin	George	Green 73	Hartzler	Hoppe
Johnson 61	Linton	Lograsso	Long	Purgason
Troupe	Van Zandt	Williams		

VACANCIES: 001

Representative Monaco declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 111

Abel	Ballard	Barnitz	Barry 100	Bartelsmeyer
Berkowitz	Berkstresser	Black	Bland	Bonner
Boucher	Bowman	Britt	Brooks	Burton
Byrd	Carnahan	Cierpiot	Clayton	Coleman
Copenhaver	Crump	Cunningham	Curls	Daus
Davis	Fares	Farnen	Foley	Fraser
Gambaro	Graham	Gratz	Green 15	Hagan-Harrell
Hampton	Hanaway	Harding	Haywood	Hegeman
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hosmer	Johnson 90	Jolly	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Koller	Lawson
Legan	Liese	Lowe	Luetkemeyer	Luetkenhaus
Marsh	May 149	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Ridgeway	Rizzo
Robirds	Ross	Scheve	Schwab	Scott
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Thompson	Townley
Treadway	Villa	Vogel	Wagner	Walton
Ward	Whorton	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 033

Barnett	Bartle	Bearden	Behnen	Boatright
Bray 84	Burcham	Champion	Cooper	Crawford
Crowell	Dempsey	Dolan	Enz	Froelker
Gaskill	Griesheimer	Henderson	Hendrickson	Hohulin
Hunter	Jetton	Kelley 47	Levin	Marble
Mayer	Portwood	Quinn	Richardson	Roark
Secrest	Surface	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 018

Baker	Boykins	Campbell	Ford	Franklin
George	Green 73	Harlan	Hartzler	Hoppe
Johnson 61	Linton	Lograsso	Long	Purgason
Troupe	Van Zandt	Williams		

VACANCIES: 001

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 2**, entitled:

An act to repeal sections 277.203 and 277.212, RSMo, relating to livestock packers, and to enact in lieu thereof three new sections relating to the same subject, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 3, 8 & 9**, entitled:

An act relating to individual income tax treatment of federal credit or advance refund of federal credit allowed to individual taxpayers under section 6428 of the Internal Revenue Code for tax year 2001, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 4, 1, 5 & 6**, entitled:

An act to repeal sections 135.095, 208.010 and 208.151, RSMo, relating to medical assistance for the elderly, and to enact in lieu thereof twelve new sections relating to the same subject, with a contingent effective date for a certain section, an expiration date and an emergency clause.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Tuesday, September 11, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, First Day, Wednesday, September 5, 2001, page 6, line 6, by inserting at the end of said line the name "Legan".

Correct House Journal Second Day, Thursday, September 6, 2001, page 9, line 13, by inserting at the end of said line the names "Moore and Portwood".

COMMITTEE MEETINGS

APPROPRIATIONS - TRANSPORTATION

Thursday, September 13, 2001, 9:00 am. Hearing Room 4.

To get information from MODOT regarding personnel and safety.

CHILDREN, FAMILIES, AND HEALTH

Tuesday, September 11, 2001, 11:30 am. Hearing Room 5.

Executive Session will follow.

To be considered - SB 4

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Thursday, September 13, 2001, 8:30 am. Senate Committee Room 2.
13CSR 40-60.010 and 050. 11 CSR 40-5.065.

JOINT COMMITTEE ON ECONOMIC DEVELOPMENT

Tuesday, September 11, 2001, 8:00 am. Hearing Room 5. Enterprise Zones.
Milan in Sullivan County, Butler in Bates County.
Presentation by J. Driskill.
Executive Session.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, September 12, 2001, 9:00 am. Hearing Room 1. Agenda.
Set price for the 2001 Supplements to the Revised Statutes. Oversight interim report.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, September 13, 2001, 8:30 am. Hearing Room 1.
Full committee meeting. County Employees' Retirement Fund.
Subcommittee immediately following.

SPECIAL COMMITTEE ON PRICE DISCRIMINATION

Tuesday, September 11, 2001, 1:30 pm. Hearing Room 1.
Executive Session may follow.
To be considered - SB 2

SUBCOMMITTEE ON APPROPRIATIONS - EDUCATION

Wednesday, September 12, 2001, 8:00 am. Hearing Room 4.
Presentation University of Missouri - Rolla.

SUBCOMMITTEE ON PROFESSIONAL REGISTRATION & LICENSING

Wednesday, September 12, 2001, 8:00 am. Hearing Room 7.
Chapter 273 - Pet breeding regulations.

WAYS AND MEANS

Tuesday, September 11, 2001, 10:30 am. Hearing Room 7. AMENDED.
Executive Session will follow.
To be considered - SB 3

HOUSE CALENDAR

FIFTH DAY, TUESDAY, SEPTEMBER 11, 2001

SENATE BILLS FOR SECOND READING

SB 2

SCS SB 3, 8 & 9

SCS SB 4, 1, 5 & 6

JOURNAL OF THE HOUSE

First Extraordinary Session, 91st GENERAL ASSEMBLY

FIFTH DAY, TUESDAY, SEPTEMBER 11, 2001

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

Lord our God - a God who brings peace to the human heart - - please guide our nation today as we deal with hatred and terrorism. Guide also this state of ours, that the judgments and decisions our representatives make be guided by Your sanity and the power of Your love. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fourth day was approved as corrected by the following vote:

AYES: 143

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Bray 84	Britt
Burton	Byrd	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Enz	Fares	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambaro
Gaskill	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Harding	Harlan	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hosmer	Hunter
Jetton	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Quinn
Ransdall	Rector	Reid	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Villa	Vogel	Wagner
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 003

Hanaway Hohulin Lograsso

PRESENT: 000

ABSENT WITH LEAVE: 016

Boykins	Brooks	Burcham	Campbell	Carnahan
Dolan	George	Green 73	Hartzler	Hoppe
Johnson 61	Purgason	Reinhart	Troupe	Van Zandt
Wright				

VACANCIES: 001

SECOND READING OF SENATE BILLS

SB 2, SCS SBs 3, 8 & 9 and SCS SBs 4, 1, 5 & 6 were read the second time.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SB 2 - Special Committee on Price Discrimination
SCS SBs 3, 8 & 9 - Ways and Means
SCS SBs 4, 1, 5 & 6 - Children, Families and Health

The Senate in a body was admitted to the House Chambers for the purpose of receiving a special address given by the Honorable Bob Holden, Governor of the State of Missouri.

The Governor was duly escorted by Representatives Foley and Lograsso to the House Chamber and the Speaker's dais, where he delivered the following message.

SPECIAL ADDRESS BY GOVERNOR BOB HOLDEN

Our nation today is numbed by the tragic events that are unfolding as terrorist forces have struck at the heart of our democracy. Like Americans everywhere, I am shocked and saddened by this senseless loss of human life and unbelievable destruction. While it may be some time before we know the extent of this tragedy, I am praying that death and injuries are at a minimum. My thoughts and prayers are with the people of New York City and Washington D.C.

I want to assure Missourians that our state government is on heightened alert and that all security resources at our command have been put in place to protect our citizens. I am in constant contact with our State Emergency Management Agency authorities who will keep me apprized of the situation and the actions we have taken. I have placed the Missouri National Guard, the Missouri State Highway Patrol, and the Capitol Police on alert to support any requests from local, state, or federal law enforcement agencies. Our Office of Administration is in constant contact with State Management Facilities authorities and our department directors to keep them apprized of the latest developments. All high traffic areas in our state are under federal alert. As a further precaution, additional security

officers have been placed on duty at all state office buildings, including St. Louis, Kansas City, Springfield, and Jefferson City. We also have restricted access to the State Capitol Building and other state buildings, including vehicular entrances.

For now, I ask our state employees to remain calm. I have been assured by all security officials that we have no reason to believe there are any potential threats to any state buildings. We have no plans to close down any state operations at this time.

This is certainly not the first nor will it be the last time our democracy comes under siege. But Americans are a strong and courageous people, and I am confident we will work through this crisis as we have so many others—united in support of each other and our resolve to see that democracy triumphs. I would call for a moment of silence for the victims and families of this tragedy. God bless America and Americans everywhere.

COMMITTEE REPORT

Committee on Ways and Means, Chairman Kennedy reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **SCS SBs 3, 8 & 9**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

HCS SCS SBs 3, 8 & 9 - Fiscal Review and Government Reform (Fiscal Note)

The following members' presence was noted: Wright and Burcham.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, September 12, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fourth Day, Monday, September 10, 2001, pages 13 and 14, roll call, by showing Representative Portwood voting "aye" rather than "absent with leave".

Page 2, roll call, by showing Representatives Barnett and Ross voting "aye" rather than "absent with leave".

Pages 27 and 28, roll call, by showing Representative Crowell voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

APPROPRIATIONS - TRANSPORTATION

Thursday, September 13, 2001, 9:00 am. Hearing Room 4.

To get information from MODOT regarding personnel and safety.

CHILDREN, FAMILIES, AND HEALTH

Wednesday, September 12, 2001, 10:30 am. Hearing Room 5.

Executive Session. Hearing will begin at time mentioned or upon recess of the House.

To be considered - SB 4

FISCAL REVIEW AND GOVERNMENT REFORM

Wednesday, September 12, 2001. Hearing Room 2 upon morning adjournment.

AMENDED.

To be considered - SB 3, SB 4

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Thursday, September 13, 2001, 8:30 am. Senate Committee Room 2.

13CSR 40-60.010 and 050. 11 CSR 40-5.065.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, September 12, 2001, 9:00 am. Hearing Room 1.

Agenda: Set price for the 2001 Supplements to the Revised Statutes.

Oversight interim report.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, September 13, 2001, 8:30 am. Hearing Room 1.

Full committee meeting. County Employees' Retirement Fund.

Subcommittee immediately following.

SUBCOMMITTEE ON APPROPRIATIONS - EDUCATION

Wednesday, September 12, 2001, 8:00 am. Hearing Room 4.

Presentation by Lincoln University. AMENDED.

SUBCOMMITTEE ON APPROPRIATIONS - EDUCATION

Thursday, September 13, 2001, 8:00 am. Hearing Room 7.

Presentation by Lincoln University. CANCELLED.

SUBCOMMITTEE ON LEGISLATIVE RESEARCH PERSONNEL

Thursday, September 13, 2001, 9:00 am. Hearing Room 2.

Closed meeting within the meaning of Chapter 610, RSMo.

SUBCOMMITTEE ON PROFESSIONAL REGISTRATION & LICENSING

Wednesday, September 12, 2001, 8:00 am. Hearing Room 7.

Chapter 273 - Pet breeding regulations.

JOURNAL OF THE HOUSE

First Extraordinary Session, 91st GENERAL ASSEMBLY

SIXTH DAY, WEDNESDAY, SEPTEMBER 12, 2001

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

O Lord, with countless children of Yours over the ages, we too are feeling a deep and aching righteous anger. Our prayers this day are for our countrymen and women who have faced terror, some of whom are fighting for life, some grieving, some striving to rescue those still in danger.

We give You thanks for the heroes and valiant ones, medical personnel, police and firefighters, who have given their best in the cause of life.

We join our prayers now, with others, for our President and those who lead our President and those who lead our nation and state. Bless Your servants in this House, and sustain them in the hope that Your Light will dispel all darkness and all evil.

O Lord, we pray that "Your kingdom come and Your will be done". To You be glory and honor, now and forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fifth day was approved as corrected.

On motion of Representative Crump, the House recessed until 7:00 p.m.

The hour of recess having expired, the House was called to order by Speaker Kreider.

COMMITTEE REPORTS

Committee on Price Discrimination, Chairman Liese reporting:

Mr. Speaker: Your Committee on Price Discrimination, to which was referred **SB 2**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Children, Families and Health, Chairman Barry reporting:

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **SCS SBs 4, 1, 5 & 6**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

HCS SCS SBs 4, 1, 5 & 6 - Fiscal Review and Government Reform (Fiscal Note)

COMMITTEE REPORTS

Committee on Fiscal Review and Government Reform, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS SCS SBs 3, 8 & 9 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS SCS SBs 4, 1, 5 & 6 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF SENATE BILL

HCS SCS SBs 4, 1, 5 & 6, relating to pharmaceutical assistance, was taken up by Representative Abel.

Representative Abel moved that Rule 43(a) be suspended for the purpose of taking up **HCS SCS SBs 4, 1, 5 & 6**.

Which motion was adopted by the following vote:

AYES: 094

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bearden	Bland	Bonner	Boucher
Bowman	Bray 84	Brooks	Burton	Byrd
Carnahan	Champion	Coleman	Copenhaver	Crawford
Crump	Curls	Daus	Davis	Dolan
Farnen	Foley	Franklin	Fraser	Gambaro
Graham	Gratz	Griesheimer	Hagan-Harrell	Harding
Hartzler	Haywood	Hegeman	Hilgemann	Holand
Hollingsworth	Holt	Hosmer	Johnson 61	Johnson 90
Jolly	Kelly 27	Kelly 36	Kennedy	Lawson
Liese	Lowe	Marsh	May 149	Mays 50
McKenna	Merideth	Monaco	Murphy	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Portwood
Ransdall	Relford	Reynolds	Rizzo	Robirds
Ross	Scheve	Scott	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
Surface	Thompson	Treadway	Villa	Vogel
Wagner	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 043

Bartelsmeyer	Bartle	Behnen	Black	Boatright
Burcham	Cooper	Crowell	Cunningham	Dempsey
Enz	Fares	Froelker	Gaskill	Hanaway
Henderson	Hendrickson	Hohulin	Hunter	Jetton
Kelley 47	Kelly 144	King	Levin	Linton
Lograsso	Luetkemeyer	Marble	Mayer	Miller
Moore	Myers	Naeger	Phillips	Quinn
Rector	Richardson	Roark	Schwab	Secrest
St. Onge	Townley	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 025

Berkowitz	Berkstresser	Boykins	Britt	Campbell
Cierpiot	Clayton	Ford	George	Green 15
Green 73	Hampton	Harlan	Hickey	Hoppe
Koller	Legan	Long	Luetkenhaus	Purgason
Reid	Reinhart	Ridgeway	Troupe	Van Zandt

VACANCIES:001

Representative Abel moved that Rule 65(a) be suspended for the purpose of taking up **HCS SCS SBs 4, 1, 5 & 6.**

Which motion was adopted by the following vote:

AYES: 106

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bearden	Berkstresser	Bland	Bonner
Boucher	Bowman	Bray 84	Brooks	Burcham
Burton	Byrd	Carnahan	Champion	Coleman
Copenhaver	Crawford	Crump	Curls	Daus
Davis	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	Graham
Gratz	Griesheimer	Hagan-Harrell	Harding	Harlan
Hartzler	Haywood	Hegeman	Hilgemann	Holand
Hollingsworth	Holt	Hosmer	Johnson 61	Johnson 90
Jolly	Kelly 144	Kelly 27	Kelly 36	Kennedy
Lawson	Levin	Liese	Lowe	Marble
Marsh	May 149	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Portwood
Quinn	Ransdall	Relford	Reynolds	Rizzo
Robirds	Ross	Scheve	Schwab	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	Surface	Thompson	Treadway
Villa	Vogel	Wagner	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 031

Bartle	Behnen	Black	Boatright	Cooper
Crowell	Cunningham	Dempsey	Dolan	Enz
Hanaway	Henderson	Hendrickson	Hohulin	Hunter
Jetton	Kelley 47	King	Linton	Lograsso
Luetkemeyer	Mayer	Myers	Nordwald	Phillips
Rector	Roark	Scott	St. Onge	Townley
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 025

Ballard	Berkowitz	Boykins	Britt	Campbell
Cierpiot	Clayton	Ford	George	Green 15
Green 73	Hampton	Hickey	Hoppe	Koller
Legan	Long	Luetkenhaus	Purgason	Reid
Reinhart	Richardson	Ridgeway	Troupe	Van Zandt

VACANCIES: 001

Representative Abel offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 4, 1, 5 & 6, Page 20, Section 208.559, Lines 3-6, by deleting all of said lines, beginning with the word “**Beginning**” and ending with the word “**sought**” and replacing in lieu thereof the following:

“Beginning with the enrollment period for fiscal year 2003, open enrollment periods for the program shall be held from January 1 to February 28.”.

On motion of Representative Abel, **House Amendment No. 1** was adopted.

Representative Abel offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 4, 1, 5 & 6, Page 17, Section 208.556, Lines 31-33, by deleting all of said lines; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Abel, **House Amendment No. 2** was adopted.

Representative Naeger offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 4, 1, 5 & 6, Page 14, Section 208.553, Line 3, by deleting “**pharmaceutical investment program for seniors**” and inserting in lieu thereof “**Missouri Senior Rx Program**”; and

Further amend said bill, Page 17, Section 208.556, Line 45, by deleting “**pharmaceutical investment program for seniors**” and inserting in lieu thereof “**Missouri Senior Rx Program**”; and

Further amend said bill, Page 19, Section 208.556, Line 112, by deleting the word “**senior**” and inserting in lieu thereof the word “**seniors**”; and

Further amend said bill, Page 19, Section 208.556, Line 114, by deleting “**pharmaceutical investment program for seniors**” and inserting in lieu thereof “**Missouri Senior Rx Program**”; and

Further amend said bill, Page 19, Section 208.556, Line 117, by deleting “**pharmaceutical insurance program for seniors**” and inserting in lieu thereof “**Missouri Senior Rx Program**”; and

Further amend said bill, Page 21, Section 208.568, Lines 1-2, by deleting “**Rx Program**” and inserting in lieu thereof “**Rx Program Fund**”; and

Further amend said bill, Page 21, Section 208.568, Lines 7-8, by deleting “**pharmaceutical investment program for seniors**” and inserting in lieu thereof “**Missouri Senior Rx Program**”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Naeger, **House Amendment No. 3** was adopted.

Representative Kelley (47) offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 4, 1, 5 & 6, Page 1, In the Title, Line 3, by deleting the words “**an emergency**” and inserting in lieu thereof the words “**a referendum**”; and

Further amend said bill, Page 22, Section B, Lines 1 to 5, by deleting all of said lines and inserting in lieu thereof the following:

“Section B. Section A of this act is hereby submitted to the qualified voters of this state for approval or rejection at an election which is hereby ordered and which shall be held and conducted on the Tuesday immediately following the first Monday in April, 2002, pursuant to the laws and constitutional provisions of this state applicable to general elections and the submission of referendum measures by initiative petition, and it shall become effective when approved by a majority of the votes cast thereon at such election and not otherwise.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Smith assumed the Chair.

Representative Byrd offered **House Substitute Amendment No. 1 for House Amendment No. 4**.

House Substitute Amendment No. 1 for House Amendment No. 4 was withdrawn.

House Amendment No. 4 was withdrawn.

Speaker Kreider resumed the Chair.

Representative Byrd offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 4, 1, 5 & 6, Page 21, Section 1, Line 5, by adding the following sentence:

“It is the intent of the legislature that if the modification to Section 135.095 is determined to be in violation of the constitution of the state of Missouri that the legislature would have passed the remainder of this bill absent the modifications to Section 135.095.”.

Representative Byrd moved that **House Amendment No. 4** be adopted.

Which motion was defeated.

Representative Riback Wilson (25) offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 4, 1, 5 & 6, Page 16, Section 208.556, Line 15, by inserting after the word “a” the following: **“responsive, cost-effective”**; and

Further amend said bill, said section, Page 16, Line 15, by inserting after the word “no” the following: **“responsive, cost-effective”**.

On motion of Representative Riback Wilson (25), **House Amendment No. 5** was adopted.

Representative Wright offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 4, 1, 5 & 6, Page 21, Section 1, Line 5, by inserting after said line the following:

“Section 2. The provisions of sections 208.550, 208.553, 208.556, 208.559, 208.562, 208.565, 208.568 and Section 1, RSMo, shall expire on June 30, 2005”; and

Further amend the title, enacting clause and intersectional references accordingly.

Representative Wright moved that **House Amendment No. 6** be adopted.

Which motion was defeated by the following vote:

AYES: 024

Ballard	Boatright	Cierpiot	Cooper	Cunningham
Dempsey	Fares	Froelker	Hendrickson	Hohulin
Hunter	Kelly 144	Lograsso	Luetkemeyer	May 149
Murphy	Myers	Phillips	Richardson	Roark
Schwab	St. Onge	Townley	Wright	

NOES: 118

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Bonner	Boucher	Bowman
Britt	Brooks	Burcham	Burton	Byrd
Carnahan	Champion	Coleman	Copenhaver	Crawford
Crowell	Crump	Curls	Daus	Davis
Dolan	Enz	Farnen	Foley	Franklin
Fraser	Gambaro	Gaskill	Graham	Gratz
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Hollingsworth	Holt	Hoppe
Hosmer	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 27	Kelly 36	Kennedy	King
Lawson	Legan	Levin	Liese	Lowe
Marble	Marsh	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Naeger
Nordwald	O'Toole	Ostmann	Overschmidt	Portwood
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Ridgeway	Rizzo	Robirds
Ross	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	Surface
Thompson	Treadway	Villa	Vogel	Wagner
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 020

Bartelsmeyer	Boykins	Bray 84	Campbell	Clayton
Ford	George	Green 15	Green 73	Holand
Koller	Linton	Long	Luetkenhaus	O'Connor
Purgason	Scheve	Scott	Troupe	Van Zandt

VACANCIES: 001

Representative Hosmer requested a verification of the roll call on the vote to adopt **House Amendment No. 6**.

On motion of Representative Abel, **HCS SCS SBs 4, 1, 5 & 6, as amended**, was adopted.

On motion of Representative Abel, **HCS SCS SBs 4, 1, 5 & 6, as amended**, was read the third time and passed by the following vote:

AYES: 144

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Carnahan
Champion	Cierpiot	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz

Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	Graham	Gratz
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Kennedy	King	Lawson	Legan
Levin	Liese	Lograsso	Lowe	Luetkemeyer
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Villa	Vogel	Wagner
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 003

Hendrickson	Hunter	Roark
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PRESENT: 000

ABSENT WITH LEAVE: 015

Boykins	Campbell	Clayton	Ford	George
Green 15	Green 73	Koller	Linton	Long
Luetkenhaus	O'Connor	Purgason	Troupe	Van Zandt

VACANCIES: 001

Speaker Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 142

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Bray 84	Britt
Burcham	Burton	Byrd	Carnahan	Champion
Cierpiot	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	Graham	Gratz	Griesheimer
Hagan-Harrell	Hampton	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy

King	Lawson	Legan	Levin	Liese
Lograsso	Lowe	Luetkemeyer	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Villa	Vogel	Wagner	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 003

Hendrickson	Hunter	Roark
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PRESENT: 000

ABSENT WITH LEAVE: 017

Boykins	Brooks	Campbell	Clayton	Ford
George	Green 15	Green 73	Hanaway	Koller
Linton	Long	Luetkenhaus	O'Connor	Purgason
Troupe	Van Zandt			

VACANCIES: 001

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HS HCS HB 4**, entitled:

An act to repeal sections 277.203 and 277.212, RSMo, relating to livestock marketing, and to enact in lieu thereof three new sections relating to the same subject, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HS HCS HBs 5, 1 & 2**, entitled:

An act relating to individual income tax treatment of federal credit or advance refund of federal credit allowed to individual taxpayers under section 6428 of the Internal Revenue Code for tax year 2001, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, September 13, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifth Day, Tuesday, September 11, 2001, pages 34 and 35, roll call, by showing Representatives Burcham, Sanders Brooks and Wright voting "aye" rather than "absent with leave".

Pages 34 and 35, roll call, by showing Representative Reinhart voting "present" rather than "absent with leave".

COMMITTEE MEETINGS

APPROPRIATIONS - TRANSPORTATION

Thursday, September 13, 2001, 9:00 am. Hearing Room 4.
To get information from MODOT regarding personnel and safety.

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Thursday, September 13, 2001, 8:30 am. Senate Committee Room 2.
13CSR 40-60.010 and 050. 11 CSR 40-5.065.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, September 13, 2001, 8:30 am. Hearing Room 1.
Full committee meeting. County Employees' Retirement Fund.
Subcommittee immediately following.

SUBCOMMITTEE ON APPROPRIATIONS - EDUCATION

Thursday, September 13, 2001, 8:00 am. Hearing Room 7.
Presentation by Lincoln University. CANCELLED.

SUBCOMMITTEE ON LEGISLATIVE RESEARCH PERSONNEL

Thursday, September 13, 2001, 9:00 am. Hearing Room 2.
Closed meeting within the meaning of Chapter 610, RSMo.

JOURNAL OF THE HOUSE

First Extraordinary Session, 91st GENERAL ASSEMBLY

SEVENTH DAY, THURSDAY, SEPTEMBER 13, 2001

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Teach us, Gracious God, to serve You as You deserve to be served. Keep these Your servants in this House, alert to the important things in our life and in our State: Your eternal truth, our families, working for the right and the just, helping those who need help.

Amid the noise, the hate and the hunger of our society, help these men and women hear the “still small voice” that You give to all who listen. Bless them and to You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Andrea Jean Baker.

The Journal of the sixth day was approved as corrected by the following vote:

AYES: 150

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway

Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Villa
Vogel	Wagner	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 002

Lograsso Wright

PRESENT: 001

Ford

ABSENT WITH LEAVE: 009

Boykins	Campbell	Dolan	George	Green 73
Purgason	Rizzo	Troupe	Van Zandt	

VACANCIES: 001

On motion of Representative Crump, the House recessed until 12:30 p.m.

The hour of recess having expired, the House was called to order by Speaker Kreider.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HS HCS HB 3**, entitled:

An act to repeal section 135.095, RSMo, relating to the Missouri Senior Rx Program, and to enact in lieu thereof ten new sections relating to the same subject, with an expiration date for certain sections, an emergency clause and penalty provisions.

With Senate Substitute Amendment No. 1 for Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 5 and Senate Substitute Amendment No. 1 for Senate Amendment No. 7

Senate Substitute Amendment No. 1 for Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 3, Page 2, Section 135.095, Line 14 of said page, by inserting immediately after said line the following:

“208.151. 1. For the purpose of paying medical assistance on behalf of needy persons and to comply with Title XIX, Public Law 89-97, 1965 amendments to the federal Social Security Act (42 U.S.C. Section 301 et seq.) as amended, the following needy persons shall be eligible to receive medical assistance to the extent and in the manner hereinafter provided:

- (1) All recipients of state supplemental payments for the aged, blind and disabled;
- (2) All recipients of aid to families with dependent children benefits, including all persons under nineteen years of age who would be classified as dependent children except for the requirements of subdivision (1) of subsection 1 of

section 208.040;

(3) All recipients of blind pension benefits;

(4) All persons who would be determined to be eligible for old age assistance benefits, permanent and total disability benefits, or aid to the blind benefits under the eligibility standards in effect December 31, 1973, or less restrictive standards as established by rule of the division of family services, who are sixty-five years of age or over and are patients in state institutions for mental diseases or tuberculosis;

(5) All persons under the age of twenty-one years who would be eligible for aid to families with dependent children except for the requirements of subdivision (2) of subsection 1 of section 208.040, and who are residing in an intermediate care facility, or receiving active treatment as inpatients in psychiatric facilities or programs, as defined in 42 U.S.C. 1396d, as amended;

(6) All persons under the age of twenty-one years who would be eligible for aid to families with dependent children benefits except for the requirement of deprivation of parental support as provided for in subdivision (2) of subsection 1 of section 208.040;

(7) All persons eligible to receive nursing care benefits;

(8) All recipients of family foster home or nonprofit private child-care institution care, subsidized adoption benefits and parental school care wherein state funds are used as partial or full payment for such care;

(9) All persons who were recipients of old age assistance benefits, aid to the permanently and totally disabled, or aid to the blind benefits on December 31, 1973, and who continue to meet the eligibility requirements, except income, for these assistance categories, but who are no longer receiving such benefits because of the implementation of Title XVI of the federal Social Security Act, as amended;

(10) Pregnant women who meet the requirements for aid to families with dependent children, except for the existence of a dependent child in the home;

(11) Pregnant women who meet the requirements for aid to families with dependent children, except for the existence of a dependent child who is deprived of parental support as provided for in subdivision (2) of subsection 1 of section 208.040;

(12) Pregnant women or infants under one year of age, or both, whose family income does not exceed an income eligibility standard equal to one hundred eighty-five percent of the federal poverty level as established and amended by the federal Department of Health and Human Services, or its successor agency;

(13) Children who have attained one year of age but have not attained six years of age who are eligible for medical assistance under 6401 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989). The division of family services shall use an income eligibility standard equal to one hundred thirty-three percent of the federal poverty level established by the Department of Health and Human Services, or its successor agency;

(14) Children who have attained six years of age but have not attained nineteen years of age. For children who have attained six years of age but have not attained nineteen years of age, the division of family services shall use an income assessment methodology which provides for eligibility when family income is equal to or less than equal to one hundred percent of the federal poverty level established by the Department of Health and Human Services, or its successor agency. As necessary to provide Medicaid coverage under this subdivision, the department of social services may revise the state Medicaid plan to extend coverage under 42 U.S.C. 1396a (a)(10)(A)(i)(III) to children who have attained six years of age but have not attained nineteen years of age as permitted by paragraph (2) of subsection (n) of 42 U.S.C. 1396d using a more liberal income assessment methodology as authorized by paragraph (2) of subsection (r) of 42 U.S.C. 1396a;

(15) The following children with family income which does not exceed two hundred percent of the federal poverty guideline for the applicable family size:

(a) Infants who have not attained one year of age with family income greater than one hundred eighty-five percent of the federal poverty guideline for the applicable family size;

(b) Children who have attained one year of age but have not attained six years of age with family income greater than one hundred thirty-three percent of the federal poverty guideline for the applicable family size; and

(c) Children who have attained six years of age but have not attained nineteen years of age with family income greater than one hundred percent of the federal poverty guideline for the applicable family size. Coverage under this subdivision shall be subject to the receipt of notification by the director of the department of social services and the revisor of statutes of approval from the secretary of the U.S. Department of Health and Human Services of applications for waivers of federal requirements necessary to promulgate regulations to implement this subdivision. The director of the department of social services shall apply for such waivers. The regulations may provide for a basic primary and preventive health care services package, not to include all medical services covered by section 208.152, and may also

establish co-payment, coinsurance, deductible, or premium requirements for medical assistance under this subdivision. Eligibility for medical assistance under this subdivision shall be available only to those infants and children who do not have or have not been eligible for employer-subsidized health care insurance coverage for the six months prior to application for medical assistance. Children are eligible for employer-subsidized coverage through either parent, including the noncustodial parent. The division of family services may establish a resource eligibility standard in assessing eligibility for persons under this subdivision. The division of medical services shall define the amount and scope of benefits which are available to individuals under this subdivision in accordance with the requirement of federal law and regulations. Coverage under this subdivision shall be subject to appropriation to provide services approved under the provisions of this subdivision;

(16) The division of family services shall not establish a resource eligibility standard in assessing eligibility for persons under subdivision (12), (13) or (14) of this subsection. The division of medical services shall define the amount and scope of benefits which are available to individuals eligible under each of the subdivisions (12), (13), and (14) of this subsection, in accordance with the requirements of federal law and regulations promulgated thereunder except that the scope of benefits shall include case management services;

(17) Notwithstanding any other provisions of law to the contrary, ambulatory prenatal care shall be made available to pregnant women during a period of presumptive eligibility pursuant to 42 U.S.C. Section 1396r-1, as amended;

(18) A child born to a woman eligible for and receiving medical assistance under this section on the date of the child's birth shall be deemed to have applied for medical assistance and to have been found eligible for such assistance under such plan on the date of such birth and to remain eligible for such assistance for a period of time determined in accordance with applicable federal and state law and regulations so long as the child is a member of the woman's household and either the woman remains eligible for such assistance or for children born on or after January 1, 1991, the woman would remain eligible for such assistance if she were still pregnant. Upon notification of such child's birth, the division of family services shall assign a medical assistance eligibility identification number to the child so that claims may be submitted and paid under such child's identification number;

(19) Pregnant women and children eligible for medical assistance pursuant to subdivision (12), (13) or (14) of this subsection shall not as a condition of eligibility for medical assistance benefits be required to apply for aid to families with dependent children. The division of family services shall utilize an application for eligibility for such persons which eliminates information requirements other than those necessary to apply for medical assistance. The division shall provide such application forms to applicants whose preliminary income information indicates that they are ineligible for aid to families with dependent children. Applicants for medical assistance benefits under subdivision (12), (13) or (14) shall be informed of the aid to families with dependent children program and that they are entitled to apply for such benefits. Any forms utilized by the division of family services for assessing eligibility under this chapter shall be as simple as practicable;

(20) Subject to appropriations necessary to recruit and train such staff, the division of family services shall provide one or more full-time, permanent case workers to process applications for medical assistance at the site of a health care provider, if the health care provider requests the placement of such case workers and reimburses the division for the expenses including but not limited to salaries, benefits, travel, training, telephone, supplies, and equipment, of such case workers. The division may provide a health care provider with a part-time or temporary case worker at the site of a health care provider if the health care provider requests the placement of such a case worker and reimburses the division for the expenses, including but not limited to the salary, benefits, travel, training, telephone, supplies, and equipment, of such a case worker. The division may seek to employ such case workers who are otherwise qualified for such positions and who are current or former welfare recipients. The division may consider training such current or former welfare recipients as case workers for this program;

(21) Pregnant women who are eligible for, have applied for and have received medical assistance under subdivision (2), (10), (11) or (12) of this subsection shall continue to be considered eligible for all pregnancy-related and postpartum medical assistance provided under section 208.152 until the end of the sixty-day period beginning on the last day of their pregnancy;

(22) Case management services for pregnant women and young children at risk shall be a covered service. To the greatest extent possible, and in compliance with federal law and regulations, the department of health and senior services shall provide case management services to pregnant women by contract or agreement with the department of social services through local health departments organized under the provisions of chapter 192, RSMo, or chapter 205, RSMo, or a city health department operated under a city charter or a combined city-county health department or other department of health and senior services designees. To the greatest extent possible the department of social services and

the department of health and senior services shall mutually coordinate all services for pregnant women and children with the crippled children's program, the prevention of mental retardation program and the prenatal care program administered by the department of health and senior services. The department of social services shall by regulation establish the methodology for reimbursement for case management services provided by the department of health and senior services. For purposes of this section, the term "case management" shall mean those activities of local public health personnel to identify prospective Medicaid-eligible high-risk mothers and enroll them in the state's Medicaid program, refer them to local physicians or local health departments who provide prenatal care under physician protocol and who participate in the Medicaid program for prenatal care and to ensure that said high-risk mothers receive support from all private and public programs for which they are eligible and shall not include involvement in any Medicaid prepaid, case-managed programs;

(23) By January 1, 1988, the department of social services and the department of health and senior services shall study all significant aspects of presumptive eligibility for pregnant women and submit a joint report on the subject, including projected costs and the time needed for implementation, to the general assembly. The department of social services, at the direction of the general assembly, may implement presumptive eligibility by regulation promulgated pursuant to chapter 207, RSMo;

(24) All recipients who would be eligible for aid to families with dependent children benefits except for the requirements of paragraph (d) of subdivision (1) of section 208.150;

(25) All persons who would be determined to be eligible for old age assistance benefits, permanent and total disability benefits, or aid to the blind benefits, under the eligibility standards in effect December 31, 1973[, or those supplemental security income recipients who would be determined eligible for general relief benefits under the eligibility standards in effect December 31, 1973, except income; or less restrictive standards as established by rule of the division of family services]; **except that, on or after July 1, 2002, less restrictive income methodologies, as authorized in 42 U.S.C. Section 1396a (r)(2), shall be used to raise the income limit to eighty percent of the federal poverty level and, as of July 1, 2003, less restrictive income methodologies, as authorized in 42 U.S.C. Section 1396a(r)92), shall be used to raise the income limit to ninety percent of the federal poverty level and, as of July 1, 2004, less restrictive income methodologies, as authorized in 42 U.S.C. Section 1396a(r)92), shall be used to raise the income limit to one hundred percent of the federal poverty level.** If federal law or regulation authorizes the division of family services to, by rule, exclude the income or resources of a parent or parents of a person under the age of eighteen and such exclusion of income or resources can be limited to such parent or parents, then notwithstanding the provisions of section 208.010:

(a) The division may by rule exclude such income or resources in determining such person's eligibility for permanent and total disability benefits; and

(b) Eligibility standards for permanent and total disability benefits shall not be limited by age;

(26) Within thirty days of the effective date of an initial appropriation authorizing medical assistance on behalf of "medically needy" individuals for whom federal reimbursement is available under 42 U.S.C. 1396a (a)(10)(c), the department of social services shall submit an amendment to the Medicaid state plan to provide medical assistance on behalf of, at a minimum, an individual described in subclause (I) or (II) of clause 42 U.S.C. 1396a (a)(10)(C)(ii);

(27) Persons who have been diagnosed with breast or cervical cancer and who are eligible for coverage pursuant to 42 U.S.C. 1396a (a)(10)(A)(ii)(XVIII). Such persons shall be eligible during a period of presumptive eligibility in accordance with 42 U.S.C. 1396r-1.

2. Rules and regulations to implement this section shall be promulgated in accordance with section 431.064, RSMo, and chapter 536, RSMo. [No rule or portion of a rule promulgated under the authority of this chapter shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.] **Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.**

3. After December 31, 1973, and before April 1, 1990, any family eligible for assistance pursuant to 42 U.S.C. 601 et seq., as amended, in at least three of the last six months immediately preceding the month in which such family became ineligible for such assistance because of increased income from employment shall, while a member of such family is employed, remain eligible for medical assistance for four calendar months following the month in which such family would otherwise be determined to be ineligible for such assistance because of income and resource limitation.

After April 1, 1990, any family receiving aid pursuant to 42 U.S.C. 601 et seq., as amended, in at least three of the six months immediately preceding the month in which such family becomes ineligible for such aid, because of hours of employment or income from employment of the caretaker relative, shall remain eligible for medical assistance for six calendar months following the month of such ineligibility as long as such family includes a child as provided in 42 U.S.C. 1396r-6. Each family which has received such medical assistance during the entire six-month period described in this section and which meets reporting requirements and income tests established by the division and continues to include a child as provided in 42 U.S.C. 1396r-6 shall receive medical assistance without fee for an additional six months. The division of medical services may provide by rule the scope of medical assistance coverage to be granted to such families.

4. For purposes of section 1902(1), (10) of Title XIX of the federal Social Security Act, as amended, any individual who, for the month of August, 1972, was eligible for or was receiving aid or assistance pursuant to the provisions of Titles I, X, XIV, or Part A of Title IV of such act and who, for such month, was entitled to monthly insurance benefits under Title II of such act, shall be deemed to be eligible for such aid or assistance for such month thereafter prior to October, 1974, if such individual would have been eligible for such aid or assistance for such month had the increase in monthly insurance benefits under Title II of such act resulting from enactment of Public Law 92-336 amendments to the federal Social Security Act (42 U.S.C. 301 et seq.), as amended, not been applicable to such individual.

5. When any individual has been determined to be eligible for medical assistance, such medical assistance will be made available to him for care and services furnished in or after the third month before the month in which he made application for such assistance if such individual was, or upon application would have been, eligible for such assistance at the time such care and services were furnished; provided, further, that such medical expenses remain unpaid.

6. The department of social services may apply to the federal Department of Health and Human Services for a Medicaid waiver amendment to the section 1115 demonstration waiver or for any additional Medicaid waivers necessary and desirable to implement the increased resource limit, as authorized in subdivision (4) of subsection 2 of section 208.010 and to implement the increased income limit, as authorized in subdivision (25) of subsection 1 of section 208.151.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 3, Page 6, Section 208.553, Line 3, by striking the word “**thirteen**” and inserting in lieu thereof the word “**fourteen**”; and

Further amend said section, said page, Line 18, by adding after all of said line the following:

“The chairperson of the commission on special health, psychological and social needs of minority older individuals;”; and

Further amend said section, Page 7, Line 14, by adding after all of said line the following:

“2. Recognizing the unique medical needs of the senior African American population, the president pro tem of the senate, speaker of the house of representatives and governor will collaborate to ensure that there is adequate minority representation among legislative members and other members of the commission.”; and

Further renumber remaining subsections accordingly.

Senate Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 3, Page 19, Section C, Line 2, by inserting the following after the word “**sections**” on said line: “**208.151 and**”.

*Senate Substitute Amendment No. 1
for
Senate Amendment No. 7*

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 3, Page 18, Section 1, Lines 17-23, by striking all of said lines and inserting in lieu thereof the following:

“Section 1. If section 135.095 is found unconstitutional, it shall be non-severable from sections 208.550 through 208.571.”.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SBs 4, 1, 5 & 6, as amended**, and requests the House recede from its position and failing to do so, grant the Senate a conference thereon and the conferees be allowed to exceed the differences.

HOUSE BILL WITH SENATE AMENDMENTS

SS SCS HS HCS HB 3, as amended, relating to pharmaceutical assistance, was taken up by Representative Abel.

Representative Abel moved that the House refuse to adopt **SS SCS HS HCS HB 3, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference and the conferees be allowed to exceed the differences.

Which motion was adopted.

BILL CARRYING REQUEST MESSAGE

Representative Abel moved that the House refuse to recede from its position on **HCS SCS SBs 4, 1, 5 & 6, as amended**, grant the Senate a conference and the conferees be allowed to exceed the differences.

Which motion was adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HS HCS HB 3, as amended**, and grants the House a conference thereon and the conferees be allowed to exceed the differences.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SS SCS HS HCS HB 3, as amended**: Senators Singleton, Steelman, Kenney, Quick and Mathewson.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SBs 4, 1, 5 & 6, as amended**: Senators Singleton, Steelman, Kenney, Quick and Mathewson.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like Committee from the Senate on the following bills:

SS SCS HS HCS HB 3: Representatives Abel, Barry, Hollingsworth, Naeger and Portwood
HCS SCS SBs 4, 1, 5 & 6: Representatives Abel, Barry, Hollingsworth, Naeger and Portwood

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 9:00 a.m., Friday, September 14, 2001.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixth Day, Wednesday, September 12, 2001, pages 39 and 40, roll call, by showing Representatives Berkstresser and Green (15) voting "aye" rather than "absent with leave".

Pages 40 and 41, roll call, by showing Representative Green (15) voting "aye" rather than "absent with leave".

Pages 43 and 44, roll call, by showing Representatives Green (15) and Long voting "no" rather than "absent with leave".

Pages 44 and 45, roll call, by showing Representatives Green (15) and Long voting "aye" rather than "absent with leave".

Pages 45 and 46, roll call, by showing Representatives Green (15), Hanaway and Long voting "aye" rather than "absent with leave".

HOUSE CALENDAR

EIGHTH DAY, FRIDAY, SEPTEMBER 14, 2001

BILLS IN CONFERENCE

SS SCS HS HCS HB 3, as amended, E.C. - Abel

HCS SCS SB 4, 1, 5 & 6, as amended, E.C. - Abel

JOURNAL OF THE HOUSE

First Extraordinary Session, 91st GENERAL ASSEMBLY

EIGHTH DAY, FRIDAY, SEPTEMBER 14, 2001

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

O God, with flags lowered and heads bowed, we come before You. You are Holy beyond our telling. We know we must not trifle with You. Show us the poverty of our spirits and the leanness of our souls. Bring us to a place of deeper trust and faith in Your Eternal truth.

You are present to all whose hands are wounded and to all whose heart is broken. And now, again, we seek Your perfect blessing upon this, our nation, upon those who grieve, upon those who feel uncertain, upon those who must lead. The race is short, even at its longest, and we would run it well.

And now, on this DAY OF REMEMBRANCE, remind us, this House, its staff and all Americans, that You are Our help in ages past, our hope for years to come. To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the seventh day was approved as printed.

MOTION

Representative Barry moved that Rule 26 be suspended to allow the members of the Conference Committees to meet while the House is in session.

Which motion was adopted by the following vote:

AYES: 134

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burton
Byrd	Carnahan	Cierpiot	Clayton	Coleman
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Enz
Fares	Farnen	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Harding	Harlan	Hartzler	Haywood	Hegeman
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Kelly 144	Kelly 36	Kennedy	King	Koller

Lawson	Legan	Levin	Liese	Linton
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Villa	Vogel
Wagner	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 009

Burcham	Cooper	Henderson	Hendrickson	Hohulin
Hunter	Lograsso	Ridgeway	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 019

Baker	Bartle	Boykins	Campbell	Champion
Dolan	George	Green 73	Hanaway	Jetton
Kelley 47	Kelly 27	Long	McKenna	Portwood
Purgason	Rizzo	Troupe	Van Zandt	

VACANCIES: 001

On motion of Representative Crump, the House recessed until 1:00 p.m.

The hour of recess having expired, the House was called to order by Speaker Kreider.

SPECIAL MESSAGE

WHEREAS, by my Proclamation dated August 24, 2001, I convened the Ninety-First General Assembly of the State of Missouri in the First Extra Session of the First Regular Session; and

WHEREAS, some clarification of the scope of numeral 1 of the Proclamation dated August 24, 2001, may be helpful to the General Assembly.

NOW THEREFORE, I, BOB HOLDEN, GOVERNOR OF THE STATE OF MISSOURI, pursuant to the authority vested in me as Governor by the Constitution of the State of Missouri, do hereby clarify the matters specifically designated in my August 24, 2001, Proclamation for consideration by the General Assembly by stating the following:

Numeral 1 of the Proclamation dated August 24, 2001, which refers to “expanding Medicaid eligibility for seniors,” is meant to guarantee that Medicaid eligibility is expanded to the benefit of seniors, but is not meant to preclude expanding Medicaid eligibility more generally if the General Assembly determines that such expansion is appropriate.

IN WITNESS WHEREOF, I have hereunto
set my hand and caused to be affixed the
Great Seal of the State of Missouri, in the
City of Jefferson, on this 14th day of September, 2001.

/s/ Bob Holden
GOVERNOR

ATTEST:

/s/ Matt Blunt
SECRETARY OF STATE

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 3**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 3 with Senate Substitute Amendment No. 1 for Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 5, and Senate Substitute Amendment No. 1 for Senate Amendment No. 7, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 3, as amended;
2. That the House recede from its position on House Substitute for House Committee Substitute for House Bill No. 3;
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 3, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Representative Mark Abel
 /s/ Representative Joan Barry
 /s/ Representative Kate Hollingsworth
 /s/ Representative Patrick Naeger
 /s/ Representative Charles Portwood

FOR THE SENATE:

/s/ Senator Marvin Singleton
 /s/ Senator Sarah Steelman
 /s/ Senator Bill Kenney
 /s/ Senator Edward Quick
 /s/ Senator James Mathewson

BILL IN CONFERENCE

CCR SS SCS HS HCS HB 3, as amended, relating to the pharmaceutical assistance program, was taken up by Representative Abel.

Which motion was adopted by the following vote:

AYES: 117

Abel	Ballard	Barnett	Barnitz	Barry 100
Bearden	Berkowitz	Berkstresser	Black	Bland
Bonner	Boucher	Bowman	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Champion
Clayton	Coleman	Copenhaver	Crawford	Crowell
Crump	Curls	Daus	Davis	Enz
Fares	Farnen	Foley	Fraser	Froelker
Gambaro	Gaskill	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Harding	Hartzler
Haywood	Hegeman	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hosmer	Johnson 61	Johnson 90
Jolly	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mays 50	McKenna
Merideth	Monaco	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Portwood	Quinn	Ransdall	Reid	Relford
Reynolds	Richardson	Robirds	Ross	Scheve
Schwab	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	Thompson	Townley
Treadway	Villa	Vogel	Wagner	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 025

Bartelsmeyer	Bartle	Behnen	Boatright	Cierpiot
Cooper	Cunningham	Dempsey	Hanaway	Henderson
Hendrickson	Hohulin	Hunter	Linton	Lograsso
Mayer	Moore	Phillips	Rector	Reinhart
Ridgeway	Roark	Secrest	St. Onge	Wright

PRESENT: 000

ABSENT WITH LEAVE: 020

Baker	Boykins	Campbell	Carnahan	Dolan
Ford	Franklin	George	Green 73	Harlan
Hoppe	Jetton	Kelley 47	Miller	Purgason
Rizzo	Scott	Surface	Troupe	Van Zandt

VACANCIES: 001

Representative Abel moved that Rule 60(c) be suspended for the purpose of taking up **CCR SS SCS HS HCS HB 3, as amended**.

On motion of Representative Abel, **CCR SS SCS HS HCS HB 3, as amended**, was adopted by the following vote:

AYES: 143

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Enz	Fares	Farnen
Foley	Fraser	Froelker	Gambaro	Gaskill
Graham	Gratz	Green 15	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Thompson	Townley
Treadway	Villa	Vogel	Wagner	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 004

Bartelsmeyer	Griesheimer	Hendrickson	Roark
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PRESENT: 000

ABSENT WITH LEAVE: 015

Baker	Boykins	Campbell	Dolan	Ford
Franklin	George	Green 73	Hoppe	Kelley 47
Purgason	Rizzo	Surface	Troupe	Van Zandt

VACANCIES: 001

On motion of Representative Abel, **CCS SS SCS HS HCS HB 3** was read the third time and passed by the following vote:

AYES: 145

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Enz	Fares
Farnen	Foley	Fraser	Froelker	Gambaro
Gaskill	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Thompson	Townley	Treadway	Villa	Vogel
Wagner	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 002

Hendrickson	Roark
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PRESENT: 000

ABSENT WITH LEAVE: 015

Baker	Boykins	Campbell	Dolan	Ford
Franklin	George	Green 73	Hoppe	Kelley 47
Purgason	Rizzo	Surface	Troupe	Van Zandt

VACANCIES: 001

Speaker Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 144

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Enz	Fares
Farnen	Foley	Fraser	Froelker	Gambaro
Gaskill	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Ridgeway
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Thompson
Townley	Treadway	Villa	Vogel	Wagner
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 002

Hendrickson Roark

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker	Boykins	Campbell	Dolan	Ford
Franklin	George	Green 73	Hoppe	Kelley 47
Purgason	Reynolds	Rizzo	Surface	Troupe
Van Zandt				

VACANCIES: 001

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **CCR HCS SCS SBs 4, 1, 5 & 6**, and has taken up and passed **CCS HCS SCS SBs 4, 1, 5 & 6**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **CCR SS SCS HS HCS HB 3, as amended**, and has taken up and passed **CCS SS SCS HS HCS HB 3**.

Emergency clause adopted.

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILLS NOS. 4, 1, 5 & 6**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 4, 1, 5 & 6 with House Amendments Nos. 1, 2, 3 and 5 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 4, 1, 5 & 6, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bills Nos. 4, 1, 5 & 6;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 4, 1, 5 & 6, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Marvin Singleton
/s/ Sarah Steelman
/s/ Bill Kenney
/s/ Ed Quick
/s/ James Mathewson

FOR THE HOUSE:

/s/ Mark Abel
/s/ Joan Barry
/s/ Katherine Hollingsworth
/s/ Patrick Naeger
/s/ Charles Portwood

BILL IN CONFERENCE

CCR HCS SCS SBs 4, 1, 5 & 6, as amended, relating to pharmaceutical assistance program, was taken up by Representative Naeger.

On motion of Representative Naeger, **CCR HCS SCS SBs 4, 1, 5 & 6, as amended**, was adopted by the following vote:

AYES: 135

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boatright	Boucher	Bowman	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Enz	Fares	Farnen	Fraser	Froelker
Gambaro	Gaskill	Graham	Gratz	Green 15
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Hegeman	Henderson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Myers	Naeger	Nordwald	O'Connor	Ostmann
Overschmidt	Phillips	Portwood	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Townley	Treadway	Villa	Vogel
Wagner	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 004

Bartelsmeyer	Griesheimer	Hendrickson	Roark
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PRESENT: 000

ABSENT WITH LEAVE: 023

Baker	Bland	Bonner	Boykins	Campbell
Dolan	Foley	Ford	Franklin	George
Green 73	Haywood	Hoppe	Kelley 47	Long
Murphy	O'Toole	Purgason	Rizzo	Surface
Thompson	Troupe	Van Zandt		

VACANCIES: 001

On motion of Representative Naeger, **CCS HCS SCS SBs 4, 1, 5 & 6** was truly agreed to and finally passed by the following vote:

AYES: 141

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Enz	Fares	Farnen
Fraser	Froelker	Gambaro	Gaskill	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	Ostmann
Overschmidt	Phillips	Portwood	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Thompson	Townley	Treadway	Villa
Vogel	Wagner	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 002

Hendrickson	Roark
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PRESENT: 000

ABSENT WITH LEAVE: 019

Baker	Bonner	Boykins	Campbell	Dolan
Foley	Ford	Franklin	George	Green 73
Hoppe	Kelley 47	Long	O'Toole	Purgason
Rizzo	Surface	Troupe	Van Zandt	

VACANCIES: 001

Speaker Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 141

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Carnahan	Champion	Cierpiot
Clayton	Coleman	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Enz	Fares	Farnen
Fraser	Froelker	Gambaro	Gaskill	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	Ostmann
Overschmidt	Phillips	Portwood	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Thompson	Townley	Treadway	Villa
Vogel	Wagner	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 002

Hendrickson Roark

PRESENT: 000

ABSENT WITH LEAVE: 019

Baker	Bonner	Boykins	Campbell	Dolan
Foley	Ford	Franklin	George	Green 73
Hoppe	Kelley 47	Long	O'Toole	Purgason
Rizzo	Surface	Troupe	Van Zandt	

VACANCIES: 001

Speaker Pro Tem Abel assumed the Chair.

THIRD READING OF SENATE BILL

HCS SCS SBs 3, 8 & 9, relating to federal income tax deduction, was taken up by Representative Kennedy.

Representative Kennedy moved that Rule 65(a) be suspended for the purpose of offering **HS HCS SCS SBs 3, 8 & 9**.

Which motion was adopted by the following vote:

AYES: 122

Abel	Ballard	Barnett	Barnitz	Barry 100
Bearden	Berkowitz	Berkstresser	Black	Bland
Boatright	Boucher	Bowman	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Carnahan
Champion	Clayton	Coleman	Copenhaver	Crawford
Crump	Curls	Daus	Davis	Dempsey
Enz	Fares	Farnen	Fraser	Froelker
Gambaro	Gaskill	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Harding	Harlan
Hartzler	Haywood	Hegeman	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hosmer	Johnson 61
Johnson 90	Jolly	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	Ostmann	Overschmidt	Phillips	Portwood
Quinn	Ransdall	Reid	Relford	Richardson
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	Thompson	Townley
Treadway	Villa	Vogel	Wagner	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 021

Bartelsmeyer	Bartle	Behnen	Cierpiot	Cooper
Crowell	Cunningham	Hanaway	Henderson	Hendrickson
Hohulin	Hunter	Jetton	Lograsso	Rector
Reinhart	Reynolds	Ridgeway	Roark	St. Onge
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 019

Baker	Bonner	Boykins	Campbell	Dolan
Foley	Ford	Franklin	George	Green 73
Hoppe	Kelley 47	Long	O'Toole	Purgason
Rizzo	Surface	Troupe	Van Zandt	

VACANCIES: 001

Representative Kennedy offered **HS HCS SCS SBs 3, 8 & 9**.

On motion of Representative Kennedy, **HS HCS SCS SBs 3, 8 & 9** was adopted.

On motion of Representative Kennedy, **HS HCS SCS SBs 3, 8 & 9** was read the third time and passed by the following vote:

AYES: 132

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Boucher
Bowman	Britt	Burcham	Burton	Byrd
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Enz
Fares	Fraser	Froelker	Gambaro	Gaskill
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	Ostmann
Overschmidt	Phillips	Portwood	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Ridgeway	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	St. Onge
Thompson	Townley	Treadway	Villa	Vogel
Wagner	Walton	Ward	Whorton	Willoughby
Wright	Mr. Speaker			

NOES: 010

Bray 84	Brooks	Daus	Farnen	Harlan
Lowe	Reynolds	Williams	Wilson 25	Wilson 42

PRESENT: 000

ABSENT WITH LEAVE: 020

Baker	Bonner	Boykins	Campbell	Dolan
Foley	Ford	Franklin	George	Green 73
Hoppe	Kelley 47	Long	O'Toole	Purgason
Rizzo	Shoemyer	Surface	Troupe	Van Zandt

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 131

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Boucher
Bowman	Britt	Burcham	Burton	Byrd
Carnahan	Champion	Cierpiot	Clayton	Coleman

Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Enz
Fares	Fraser	Froelker	Gambara	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	Ostmann	Overschmidt
Phillips	Portwood	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Ridgeway	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	St. Onge	Thompson	Townley
Treadway	Villa	Vogel	Wagner	Walton
Ward	Whorton	Willoughby	Wilson 42	Wright
Mr. Speaker				

NOES: 009

Bray 84	Brooks	Daus	Farnen	Harlan
Lowe	Reynolds	Williams	Wilson 25	

PRESENT: 000

ABSENT WITH LEAVE: 022

Baker	Bonner	Boykins	Campbell	Dolan
Foley	Ford	Franklin	Gaskill	George
Green 73	Hoppe	Kelley 47	Long	O'Toole
Purgason	Quinn	Rizzo	Shoemyer	Surface
Troupe	Van Zandt			

VACANCIES: 001

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HS HCS SCS SBs 3, 8 & 9** and has taken up and passed **HS HCS SCS SBs 3, 8 & 9**.

Emergency clause adopted.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HS HCS HBs 5, 1, & 2, relating to federal income tax deduction, was taken up by Representative Kennedy.

On motion of Representative Kennedy, **SCS HS HCS HBs 5, 1, & 2** was adopted by the following vote:

AYES: 133

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Boucher
Bowman	Bray 84	Britt	Burcham	Burton
Byrd	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Enz	Fares	Fraser	Froelker	Gambaro
Gaskill	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Liese	Linton	Lograsso	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
Ostmann	Overschmidt	Phillips	Portwood	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Richardson	Ridgeway	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
St. Onge	Thompson	Townley	Treadway	Villa
Vogel	Wagner	Walton	Ward	Whorton
Willoughby	Wright	Mr. Speaker		

NOES: 007

Daus	Farnen	Harlan	Reynolds	Williams
Wilson 25	Wilson 42			

PRESENT: 000

ABSENT WITH LEAVE: 022

Baker	Bonner	Boykins	Brooks	Campbell
Dolan	Foley	Ford	Franklin	George
Green 73	Hoppe	Kelley 47	Long	Lowe
O'Toole	Purgason	Rizzo	Shoemyer	Surface
Troupe	Van Zandt			

VACANCIES: 001

On motion of Representative Kennedy, **SCS HS HCS HBs 5, 1, & 2** was truly agreed to and finally passed by the following vote:

AYES: 132

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Boucher
Bowman	Britt	Burcham	Burton	Byrd
Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Enz
Fares	Fraser	Froelker	Gambaro	Gaskill
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelly 144	Kelly 27	Kelly 36	Kennedy	King
Koller	Lawson	Legan	Levin	Liese
Linton	Lograsso	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	Ostmann
Overschmidt	Phillips	Portwood	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Ridgeway	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	St. Onge
Thompson	Townley	Treadway	Villa	Vogel
Wagner	Walton	Ward	Whorton	Willoughby
Wright	Mr. Speaker			

NOES: 008

Bray 84	Daus	Farnen	Harlan	Reynolds
Williams	Wilson 25	Wilson 42		

PRESENT: 000

ABSENT WITH LEAVE: 022

Baker	Bonner	Boykins	Brooks	Campbell
Dolan	Foley	Ford	Franklin	George
Green 73	Hoppe	Kelley 47	Long	Lowe
O'Toole	Purgason	Rizzo	Shoemyer	Surface
Troupe	Van Zandt			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 132

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Boucher
Bowman	Britt	Burcham	Burton	Byrd

Carnahan	Champion	Cierpiot	Clayton	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Enz
Fares	Fraser	Froelker	Gambaro	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelly 144
Kelly 27	Kelly 36	Kennedy	King	Koller
Lawson	Legan	Levin	Liese	Linton
Lograsso	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	Ostmann	Overschmidt
Phillips	Portwood	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Ridgeway
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Thompson	Townley	Treadway	Villa	Vogel
Wagner	Walton	Ward	Whorton	Willoughby
Wright	Mr. Speaker			

NOES: 010

Bray 84	Brooks	Daus	Farnen	Harlan
Lowe	Reynolds	Williams	Wilson 25	Wilson 42

PRESENT: 000

ABSENT WITH LEAVE: 020

Baker	Bonner	Boykins	Campbell	Dolan
Foley	Ford	Franklin	Gaskill	George
Green 73	Hoppe	Kelley 47	Long	O'Toole
Purgason	Rizzo	Surface	Troupe	Van Zandt

VACANCIES: 001

SCS HS HCS HB 4, relating to livestock marketing, was taken up by Representative Shoemyer.

On motion of Representative Shoemyer, **SCS HS HCS HB 4** was adopted by the following vote:

AYES: 124

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bowman
Britt	Burcham	Burton	Byrd	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Enz
Fares	Farnen	Froelker	Gaskill	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton

Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hilgemann	Hohulin	Holand
Holt	Hosmer	Hunter	Jetton	Johnson 61
Jolly	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Linton	Lograsso	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Moore	Myers
Naeger	Nordwald	O'Connor	Ostmann	Overschmidt
Phillips	Portwood	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Ridgeway
Roark	Robirds	Ross	Schwab	Scott
Secrest	Seigfreid	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Thompson	Townley
Treadway	Villa	Vogel	Walton	Ward
Whorton	Willoughby	Wilson 42	Wright	

NOES: 016

Boucher	Bray 84	Fraser	Gambaro	Harlan
Hollingsworth	Johnson 90	Liese	Monaco	Murphy
Reynolds	Selby	Wagner	Williams	Wilson 25
Mr. Speaker				

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 021

Baker	Bonner	Boykins	Campbell	Dolan
Foley	Ford	Franklin	George	Green 73
Hickey	Hoppe	Kelley 47	Long	O'Toole
Purgason	Rizzo	Scheve	Surface	Troupe
Van Zandt				

VACANCIES: 001

On motion of Representative Shoemyer, **SCS HS HCS HB 4** was truly agreed to and finally passed by the following vote:

AYES: 119

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bowman	Britt
Burcham	Burton	Byrd	Carnahan	Champion
Cierpiot	Clayton	Coleman	Cooper	Copenhaver
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Enz	Fares	Farnen
Froelker	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hilgemann
Hohulin	Holand	Holt	Hosmer	Jetton
Johnson 61	Jolly	Kelly 144	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Linton	Lograsso	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer

Mays 50	Merideth	Miller	Moore	Myers
Naeger	Nordwald	O'Connor	Ostmann	Overschmidt
Phillips	Portwood	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Ridgeway
Roark	Robirds	Ross	Schwab	Scott
Secrest	Seigfreid	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Thompson	Townley
Treadway	Villa	Vogel	Walton	Ward
Whorton	Willoughby	Wilson 42	Wright	

NOES: 016

Boucher	Bray 84	Fraser	Gambaro	Harlan
Hollingsworth	Johnson 90	Liese	Monaco	Murphy
Reynolds	Selby	Wagner	Williams	Wilson 25
Mr. Speaker				

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 026

Baker	Ballard	Bonner	Boykins	Campbell
Crawford	Dolan	Foley	Ford	Franklin
Gaskill	George	Green 73	Hickey	Hoppe
Hunter	Kelley 47	Long	McKenna	O'Toole
Purgason	Rizzo	Scheve	Surface	Troupe
Van Zandt				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 123

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bowman
Britt	Burcham	Burton	Byrd	Carnahan
Champion	Cierpiot	Clayton	Coleman	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Enz
Fares	Farnen	Froelker	Gaskill	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hilgemann	Hohulin	Holand
Holt	Hosmer	Hunter	Jetton	Johnson 61
Jolly	Kelly 144	Kelly 27	Kelly 36	Kennedy
King	Koller	Lawson	Legan	Levin
Linton	Lograsso	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Moore	Myers
Naeger	Nordwald	O'Connor	Ostmann	Overschmidt
Phillips	Portwood	Quinn	Ransdall	Rector

Reid	Reinhart	Relford	Richardson	Ridgeway
Roark	Robirds	Ross	Schwab	Scott
Secrest	Seigfreid	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Thompson	Townley
Treadway	Villa	Vogel	Walton	Whorton
Willoughby	Wilson 42	Wright		

NOES: 017

Boucher	Bray 84	Fraser	Gambaro	Harlan
Hollingsworth	Johnson 90	Liese	Monaco	Murphy
Reynolds	Selby	Wagner	Ward	Williams
Wilson 25	Mr. Speaker			

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 021

Baker	Bonner	Boykins	Campbell	Dolan
Foley	Ford	Franklin	George	Green 73
Hickey	Hoppe	Kelley 47	Long	O'Toole
Purgason	Rizzo	Scheve	Surface	Troupe
Van Zandt				

VACANCIES: 001

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **CCS SS SCS HS HCS HB 3, SCS HS HCS HB 4** and **SCS HS HCS HBs 5, 1 & 2**, begs leave to report it has examined the foregoing and finds the same to be truly and correctly printed as agreed to and finally passed.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Copenhaver is no longer a member of the Appropriations-Corrections and Public Safety Committee and the Utilities Regulation Committee.

Representative Holt is no longer a member of the Social Services, Medicaid and the Elderly Committee.

Representative Hickey will no longer be a member of the Ways and Means Committee, effective after the adjournment of Special Session.

Representative Copenhaver has been appointed a member of the Appropriations-Education Committee and the Retirement Committee.

Representative Daus has been appointed a member of the Appropriations-Corrections and Public Safety Committee, Social Services, Medicaid and the Elderly Committee, Urban Affairs Committee, and the Workers Compensation and Employment Security Committee.

Representative Daus will be appointed a member of the Ways and Means Committee, effective after the adjournment of Special Session.

Representative Whorton has been appointed a member of the Agriculture Committee, Appropriations-Natural and Economic Resources Committee, Environment and Energy Committee, Utilities Regulation Committee, and the Transportation Committee.

SIGNING OF HOUSE BILLS

All other business of the House was suspended while **CCS SS SCS HS HCS HB 3, SCS HS HCS HB 4** and **SCS HS HCS HBs 5, 1 & 2** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **CCS SS SCS HS HCS HB 3, SCS HS HCS HB 4** and **SCS HS HCS HBs 5, 1 & 2** were delivered to the Governor by the Chief Clerk of the House.

SIGNING OF SENATE BILLS

All other business of the House was suspended while **HS HCS SCS SBs 3, 8 & 9** and **CCS HCS SCS SBs 4, 1, 5 & 6** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

The following member's presence was noted: Kelley (47).

ADJOURNMENT

The Speaker declared the House of the Ninety-first General Assembly, convened in the First Extraordinary Session on September 5, 2001, adjourned sine die as of September 14, 2001, in accordance with the Constitution.

JOURNAL OF THE HOUSE

VETO SESSION

First Regular Session, 91st GENERAL ASSEMBLY

FIRST DAY, WEDNESDAY, SEPTEMBER 12, 2001

Speaker Kreider in the Chair.

Prayer by Representative Betty Thompson.

I thank God for another day, one that you and I have never seen, but one that can make all of us a little better than the day before.

Our Father God, we ask that You bless this entire country at this dark hour, bless our families and our Governor as well as this state.

You promised that You would put no more on us than we can bare, and it will rain on the just as well as the unjust. So as we prepare for this veto session, we ask that we walk together as children and don't get weary, there is a great day coming in the Promised Land.

The Pledge of Allegiance to the flag was recited.

RESOLUTION

Representative Crump offered **House Resolution No. 1**.

HOUSE RESOLUTION NO. 1

BE IT FURTHER RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-first General Assembly, First Regular Session, inform the Governor and the Senate that the House is duly convened and is now in session in the 2001 Constitutional Veto Session and ready for consideration of business.

On motion of Representative Crump, Rule 63 was suspended and **House Resolution No. 1** was adopted by the following vote:

AYES: 101

Abel	Baker	Barnett	Barnitz	Barry 100
Berkowitz	Berkstresser	Bland	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burton
Carnahan	Champion	Clayton	Coleman	Copenhaver
Crump	Curls	Daus	Davis	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Harding	Hartzler	Haywood	Hegeman
Hickey	Hilgemann	Hollingsworth	Holt	Hosmer

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Johnson 61	Johnson 90	Jolly	Kelly 27	Kelly 36
Kennedy	King	Koller	Lawson	Legan
Levin	Liese	Long	Lowe	Luetkenhaus
Marsh	May 149	Mays 50	McKenna	Merideth
Monaco	Murphy	O'Connor	O'Toole	Overschmidt
Portwood	Ransdall	Relford	Reynolds	Richardson
Rizzo	Robirds	Ross	Scheve	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	Surface	Thompson	Townley	Treadway
Villa	Vogel	Wagner	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 047

Bartelsmeyer	Bartle	Bearden	Behnen	Black
Boatright	Burcham	Byrd	Cierpiot	Cooper
Crowell	Cunningham	Dempsey	Enz	Fares
Gaskill	Hanaway	Henderson	Hendrickson	Hohulin
Hunter	Jetton	Kelley 47	Kelly 144	Linton
Lograsso	Luetkemeyer	Marble	Mayer	Miller
Moore	Myers	Naeger	Nordwald	Ostmann
Phillips	Quinn	Rector	Reid	Reinhart
Ridgeway	Roark	Schwab	Scott	Secrest
St. Onge	Wright			

PRESENT: 001

Ford

ABSENT WITH LEAVE: 013

Ballard	Boykins	Campbell	Crawford	Dolan
George	Green 73	Harlan	Holand	Hoppe
Purgason	Troupe	Van Zandt		

VACANCIES: 001

MESSAGES FROM THE GOVERNOR
OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, MO 65101

June 22, 2001

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2** entitled:

"AN ACT"

To appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and of the Department of Elementary and Secondary Education and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds and for the investment in registered bonds of the State Public School Fund by the State Board of Education for the period beginning July 1, 2001 and ending June 30, 2002.

Section 2.116

I hereby veto \$50,000 general revenue for geography curriculum and teaching methods. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

Said section is vetoed in its entirety by \$50,000 from \$50,000 to \$0 in total from General Revenue Fund.
From \$50,000 to \$0 in total for the section.

Section 2.160

I hereby veto \$400,000 general revenue for charter school sponsors. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

For the public charter schools program by \$400,000 from \$580,000 to \$180,000 from General Revenue Fund.
From \$3,012,000 to \$2,612,000 in total for the section.

Section 2.201

I hereby veto \$500,000 general revenue for the Missouri Teacher Shortage Loan Program. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

Said section is vetoed in its entirety by \$500,000 from \$500,000 to \$0 in total from General Revenue Fund.
From \$500,000 to \$0 in total for the section.

Section 2.310

I hereby veto \$150,000 general revenue for blind skills specialists. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources. It may be possible to consider redirecting currently appropriated professional development funds in the Department of Elementary and Secondary Education to provide these services. Also, the Missouri School for the Blind will continue providing assistance to school districts and parents of children who are blind.

For a task force on blind student academic and vocational performance by \$150,000 from \$245,000 to \$95,000 from General Revenue Fund.
From \$245,000 to \$95,000 in total for the section.

On June 22, 2001, I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2**, except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Bob Holden
Governor

June 22, 2001

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 3** entitled:

"AN ACT"

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education and the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2001 and ending June 30, 2002.

Section 3.145

I hereby veto \$1,049,968 general revenue for inflationary adjustments for community colleges. Inflationary adjustments for public higher education institutions were provided from moneys available on a one-time basis. The uncertainty of revenues for Fiscal Year 2003 argues against use of this fund source for an ongoing item. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

For distribution to community colleges by \$1,049,968 from \$99,806,594 to \$98,756,626 General Revenue Fund. From \$153,211,727 to \$152,161,759 in total for the section.

Section 3.155

I hereby veto \$22,532 general revenue for inflationary adjustments for Linn State Technical College. Inflationary adjustments for public higher education institutions were provided from moneys available on a one-time basis. The uncertainty of revenues for Fiscal Year 2003 argues against use of this fund source for an ongoing item. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

All expenditures by \$22,532 from \$5,233,060 to \$5,210,528 General Revenue Fund. From \$5,263,060 to \$5,240,528 in total for the section.

Section 3.160

I hereby veto \$182,547 general revenue for inflationary adjustments for Central Missouri State University. Inflationary adjustments for public higher education institutions were provided from moneys available on a one-time basis. The uncertainty of revenues for Fiscal Year 2003 argues against use of this fund source for an ongoing item. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

Also, I hereby veto \$75,000 general revenue for the motorcycle safety program at Central Missouri State University. This program was originally cut from the Department of Public Safety budget. A portion of the funding has been restored in the Central Missouri State University budget. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

All expenditures by \$257,547 from \$56,188,016 to \$55,930,469 General Revenue Fund.
From \$62,107,768 to \$61,850,221 in total for the section.

Section 3.165

I hereby veto \$138,011 general revenue for inflationary adjustments for Southeast Missouri State University. Inflationary adjustments for public higher education institutions were provided from moneys available on a one-time basis. The uncertainty of revenues for Fiscal Year 2003 argues against use of this fund source for an ongoing item. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

Also, I hereby veto \$119,000 general revenue for wildlife specialists at Southeast Missouri State University. In order to obtain statewide dissemination and implementation, specialists of this nature would be better situated in the Missouri Department of Agriculture where statewide programs could be developed. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

All expenditures by \$257,011 from \$45,393,536 to \$45,136,525 General Revenue Fund.
From \$50,635,910 to \$50,378,899 in total for the section.

Section 3.170

I hereby veto \$251,695 general revenue for inflationary adjustments for Southwest Missouri State University. Inflationary adjustments for public higher education institutions were provided from moneys available on a one-time basis. The uncertainty of revenues for Fiscal Year 2003 argues against use of this fund source for an ongoing item. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

All expenditures by \$251,695 from \$79,907,855 to \$79,656,160 General Revenue Fund.
From \$89,542,946 to \$89,291,251 in total for the section.

Section 3.175

I hereby veto \$47,488 general revenue for inflationary adjustments for Lincoln University. Inflationary adjustments for public higher education institutions were provided from moneys available on a one-time basis. The uncertainty of revenues for Fiscal Year 2003 argues against use of this fund source for an ongoing item. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

Also, I hereby veto \$100,000 general revenue for the Missouri Teacher Academy at Lincoln University. This new program was neither requested by the institution nor recommended by the Coordinating Board for Higher Education, and was not part of my budget recommendations. Such review is essential to ensure that state resources are allocated in the most cost-effective manner. In addition, this ongoing program was funded with moneys available on a one-time basis. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

All expenditures by \$47,488 from \$17,332,387 to \$17,284,899 General Revenue Fund.
For the Missouri Teacher Academy by \$100,000 from \$100,000 to \$0 General Revenue Fund.
From \$19,842,605 to \$19,695,117 in total for the section.

Section 3.180

I hereby veto \$102,372 general revenue for inflationary adjustments for Truman State University. Inflationary adjustments for public higher education institutions were provided from moneys available on a one-time basis. The uncertainty of revenues for Fiscal Year 2003 argues against use of this fund source for an ongoing item. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

All expenditures by \$102,372 from \$42,628,054 to \$42,525,682 General Revenue Fund.
From \$46,965,032 to \$46,862,660 in total for the section.

Section 3.185

I hereby veto \$94,149 general revenue for inflationary adjustments to Northwest Missouri State University. Inflationary adjustments for public higher education institutions were provided from moneys available on a one-time basis. The uncertainty of revenues for Fiscal Year 2003 argues against use of this fund source for an ongoing item. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

All expenditures by \$94,149 from \$29,265,673 to \$29,171,524 General Revenue Fund.
From \$32,381,886 to \$32,287,737 in total for the section.

Section 3.190

I hereby veto \$102,798 general revenue for inflationary adjustments for Missouri Southern State College. Inflationary adjustments for public higher education institutions were provided from moneys available on a one-time basis. The uncertainty of revenues for Fiscal Year 2003 argues against use of this fund source for an ongoing item. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

Also, I hereby veto \$50,000 general revenue for a multicultural website at Missouri Southern State College. This item was funded as a one-time appropriation in Fiscal Year 2001 and was not recommended by the Coordinating Board for Higher Education or the Governor for Fiscal Year 2002. Such review is essential to ensure that state resources are allocated in the most cost-effective manner. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

All expenditures by \$152,798 from \$19,328,665 to \$19,175,867 General Revenue Fund.
From \$21,574,299 to \$21,421,501 in total for the section.

Section 3.195

I hereby veto \$89,174 general revenue for inflationary adjustments for Missouri Western State College. Inflationary adjustments for public higher education institutions were provided from moneys available on a one-time basis. The uncertainty of revenues for Fiscal Year 2003 argues against use of this fund source for an ongoing item. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

All expenditures by \$89,174 from \$19,827,355 to \$19,738,181 General Revenue Fund.
From \$22,070,963 to \$21,981,789 in total for the section.

Section 3.200

I hereby veto \$22,836 general revenue for inflationary adjustments for Harris-Stowe State College. Inflationary adjustments for public higher education institutions were provided from moneys available on a one-time basis. The uncertainty of revenues for Fiscal Year 2003 argues against use of this fund source for an ongoing item. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

All expenditures by \$22,836 from \$10,459,080 to \$10,436,244 General Revenue Fund.
From \$11,357,085 to \$11,334,249 in total for the section.

Section 3.205

I hereby veto \$783,930 general revenue for inflationary adjustments for the University of Missouri. Inflationary adjustments for public higher education institutions were provided from moneys available on a one-time basis. The uncertainty of revenues for Fiscal Year 2003 argues against use of this fund source for an ongoing item. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

Also, I hereby veto \$175,00 general revenue for an education and labor market analysis of St. Louis at the University of Missouri – St. Louis. The study is duplicative of other state programs currently in operation. Also, when this study was originally funded in Fiscal Year 2001 it was neither requested by the institution nor recommended by the Coordinating Board for Higher Education, and was not part of the Governor's recommendation. Such review is essential to ensure that state resources are allocated in the most cost-effective manner. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

Also, I hereby veto \$50,000 general revenue for a disability sports and recreation program at the University of Missouri – Columbia. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

All expenditures by \$958,930 from \$419,603,730 to \$418,644,800 General Revenue Fund.
For disabled sports recreation by \$50,000 from \$250,000 to \$200,000 General Revenue Fund.
From \$458,261,773 to \$457,252,843 in total for the section.

On June 22, 2001, I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 3**, except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Bob Holden
Governor

June 22, 2001

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 4** entitled:

"AN ACT"

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue and the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2001 and ending June 30, 2002.

Section 4.230

I hereby veto \$47,816, including \$20,190 general revenue for one additional staff in the Multimodal Administration section. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

Also, I hereby veto \$4,640 general revenue for Multimodal Administration expense and equipment. I proposed this reduction after careful review of agency core operations. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

Personal Services by \$19,390 from \$386,605 to \$367,215 General Revenue Fund.
Expense and Equipment by \$5,440 from \$31,446 to \$26,006 General Revenue Fund.
From \$418,051 to \$393,221 in total from General Revenue Fund.
Personal Services by \$27,626 from \$497,285 to \$469,659 Federal Funds.
From \$1,147,285 to \$1,119,659 in total from Federal Funds.
From \$2,577,096 to \$2,524,640 in total for the section.

Section 4.245

I hereby veto \$450,000 general revenue for the appropriated transfer of funds from the general revenue fund to the State Transportation Fund for transit grants. The Department of Transportation will distribute an additional \$1.6 million in federal transit grants in Fiscal Year 2002. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

By \$450,000 from \$8,817,977 to \$8,367,977 in total from General Revenue Fund.
From \$8,817,977 to \$8,367,977 in total for the section.

Section 4.250

I hereby veto \$450,000 from the state transportation fund for distributing funds to urban, small urban, and rural transportation systems. The Department of Transportation will distribute an additional \$1.6 million in federal transit grants in Fiscal Year 2002. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

By \$450,000 from \$8,817,977 to \$8,367,977 in total from State Transportation Fund.
From \$8,817,977 to \$8,367,977 in total for the section.

Section 4.315

I hereby veto \$25,000 general revenue for administrative assistance for the Mid-America Port Commission and \$20,000 for administrative assistance for the Mississippi County Port Authority. Each port authority has an annual opportunity to compete for funding assistance from the Department of Transportation. Setting aside funds for a specific port outside of the established review process is not the most effective way to allocate limited resources. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. These vetoes are necessary to help bring expenditures in line with available resources.

By \$45,000 from \$514,987 to \$469,987 in total from General Revenue Fund.
From \$514,987 to \$469,987 in total for the section.

On June 22, 2001, I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 4**, except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Bob Holden
Governor

June 22, 2001

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 5** entitled:

“AN ACT”

To appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, and the Chief Executive’s Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2001 and ending June 30, 2002.

Section 5.390

I hereby veto \$110,820 general revenue for payments to certain counties with mental institutions for reimbursement of salaries of public administrators’ secretaries. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

Said section is vetoed in its entirety by \$110,820 from \$110,820 to \$0 from General Revenue Fund.
From \$110,820 to \$0 in total for the section.

Section 5.435

I hereby veto \$31,153 from the Missouri Public Broadcasting Corporation Special Fund for payments to public television and radio stations. The veto maintains the distribution ratio of taxes paid by non-resident athletes and entertainers as established by Section 143.183, RSMo. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources. This represents the spending authority for section 5.440.

For grants to public television and public radio stations as provided in Section 143.183, RSMo, by \$31,153 from \$463,991 to \$432,838.
From \$463,991 to \$432,838 in total from the Missouri Public Broadcasting Corporation Special Fund.
From \$557,306 to \$526,153 in total for the section.

Section 5.440

I hereby veto \$31,153 general revenue transfer to the Missouri Public Broadcasting Corporation Special Fund. The veto maintains the distribution ratio of taxes paid by non-resident athletes and entertainers as established by Section 143.183, RSMo. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

By \$31,153 from \$463,991 to \$432,838 in total from General Revenue Fund.
From \$463,991 to \$432,838 in total for the section.

On June 22, 2001, I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 5**, except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Bob Holden
Governor

June 22, 2001

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 6** entitled:

“AN ACT”

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2001 and ending June 30, 2002.

Section 6.005

I hereby veto \$115,000 for the Department of Agriculture, Office of Director, including \$90,000 for an attorney and \$25,000 for a crop identification study. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

Personal Service by \$77,000 from \$1,643,729 to \$1,566,729.
Expense and Equipment by \$38,000 from \$762,914 to \$724,914.
From \$2,415,853 to \$2,300,853 in total from General Revenue Fund.
From \$2,658,655 to \$2,543,655 in total for the section.

Section 6.020

I hereby veto \$150,000 for the Department of Agriculture, Office of Director for vehicle replacement.

Expense and Equipment by \$150,000 from \$150,000 to \$0 in total from General Revenue Fund.
From \$511,940 to \$361,940 in total for the section.

Section 6.030

I hereby veto \$100,000 general revenue for the Department of Agriculture for the Food and Agriculture Policy Research Institute (FAPRI). A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

Said section is vetoed in its entirety.
By \$100,000 from \$100,000 to \$0 in total from General Revenue Fund.
From \$100,000 to \$0 in total for the section.

Section 6.040

I hereby veto \$261,541 for the Department of Agriculture for the Division of Market Development, including \$100,000 for the farmers market program, \$61,541 for an international marketing specialist, and \$100,000 for a South American trade office. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

Personal Services by \$34,644 from \$1,064,355 to \$1,029,711.
Expense and Equipment by \$126,897 from \$737,481 to \$610,584.
For the Farmers Market Program by \$100,000 from \$100,000 to \$0.
From \$2,141,836 to \$1,880,295 in total from General Revenue Fund.
From \$2,325,441 to \$2,063,900 in total for the section.

Section 6.268

I hereby veto \$75,000 for the Department of Natural Resources for the Cardiff Hill Park Historic Project. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

Said section is vetoed in its entirety.
For the expenditures of a matching grant to the Cardiff Hill Park Historic Project by \$75,000 from \$75,000 to \$0.
From \$75,000 to \$0 in total from General Revenue Fund.
From \$75,000 to \$0 in total for the section.

Section 6.269

I hereby veto \$31,153 general revenue transfer to the Historic Preservation Revolving Fund. The veto maintains the distribution ratio of taxes paid by non-resident athletes and entertainers as established by Section 143.183, RSMo. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

By \$31,153 from \$463,991 to \$432,838 in total from General Revenue Fund.
From \$463,991 to \$432,838 in total for the section.

On June 22, 2001, I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 6**, except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Bob Holden
Governor

June 22, 2001

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 7** entitled:

“AN ACT”

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, and Department of Labor and Industrial Relations, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2001 and ending June 30, 2002.

Section 7.020

I hereby veto \$749,000 including \$200,000 for the fruit and vegetable experiment station at Southwest Missouri State University in Mountain Grove and \$549,000 for Small Business Development Centers. This represents the spending authority for section 7.030. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

For the fruit and vegetable experiment station at Southwest Missouri State University in Mountain Grove by \$200,000 from \$200,000 to \$0.

For Small Business Development Centers by \$549,000 from \$549,000 to \$0.

From \$2,797,652 to \$2,048,652 from Missouri Technology Investment Fund.

From \$15,994,089 to \$15,245,089 in total for the section.

Section 7.030

I hereby veto \$749,000 general revenue transfer to the Missouri Technology Investment Fund. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

By \$749,000 from \$4,914,652 to \$4,165,652 in total from General Revenue Fund.

From \$5,114,652 to \$4,365,652 in total for the section.

Section 7.090

I hereby veto \$186,914 general revenue transfer to the Missouri Arts Council Trust Fund. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources. The veto maintains the distribution ratio of taxes paid by non-resident athletes and entertainers as established by Section 143.183, RSMo.

By \$186,914 from \$2,783,944 to \$2,597,030 in total from General Revenue Fund.
From \$2,783,944 to \$2,597,010 in total for the section.

Section 7.095

I hereby veto \$31,153 general revenue transfer to the Missouri Humanities Council Trust Fund. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources. The veto maintains the distribution ratio of taxes paid by non-resident athletes and entertainers as established by Section 143.183, RSMo.

By \$31,153 from \$463,991 to \$432,838 in total from General Revenue Fund.
From \$463,991 to \$432,838 in total for the section.

Section 7.125

I hereby veto \$50,000 from the Department of Economic Development Tourism Supplemental Revenue Fund for the Black World History Wax Museum. Funding for special projects should be sought through the Tourism Commission and the Division of Tourism. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

Expense and Equipment by \$50,000 from \$16,982,630 to \$16,932,630.
From \$18,399,085 to \$18,349,085 in total from Tourism Supplemental Revenue Fund.
From \$18,414,085 to \$18,364,085 in total for the section.

Section 7.200

I hereby veto \$50,000 from the Department of Economic Development for the public information section in the Office of Public Counsel. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

Personal Service by \$40,000 from \$758,398 to \$718,398.
Expense and Equipment by \$10,000 from \$221,737 to \$211,737.
From \$980,135 to \$930,135 in total from General Revenue Fund.
From \$980,135 to \$930,135 in total for the section.

Section 7.885

I hereby veto \$40,000 from the Department of Labor and Industrial Relations for the Missouri Commission on Human Rights for computer equipment. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources. Remaining funds are sufficient for the equipment.

Expense and Equipment by \$40,000 from \$227,412 to \$187,412.
From \$1,522,496 to \$1,482,496 in total from General Revenue Fund.
From \$2,414,116 to \$2,374,116 in total for the section.

On June 22, 2001, I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 7**, except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Bob Holden
Governor

June 22, 2001

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 8** entitled:

“AN ACT”

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2001 and ending June 30, 2002.

Section 8.285

I hereby veto \$67,965 general revenue for Missouri National Guard recruitment efforts. I am approving a total of \$120,552 in additional funds for this purpose, including funds for a diversity coordinator and for operation of additional armories in the metropolitan areas. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

Expense and Equipment by \$67,965 from \$417,440 to \$349,475 General Revenue Fund.
From \$2,794,937 to \$2,726,972 in total for the section.

Section 8.320

I hereby veto \$50,000 general revenue for the State Emergency Management Agency for floodplain mapping. This amount represents only a small portion of the much larger amount that would be necessary to accomplish floodplain mapping on a statewide basis. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

Expense and Equipment by \$50,000 from \$317,970 to \$267,970 General Revenue Fund.
From \$1,939,456 to \$1,889,456 in total from General Revenue Fund.
From \$3,261,107 to \$3,211,107 in total for the section.

Section 8.322

I hereby veto \$50,000 federal funds for Missouri Task Force One. The appropriation is being reduced because no additional funds are expected to be available for distribution to the task force.

Said section is vetoed in its entirety by \$50,000 from \$50,000 to \$0 Federal Funds.
From \$50,000 to \$0 in total for the section.

On June 22, 2001, I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 8**, except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Bob Holden
Governor

June 22, 2001

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 9** entitled:

“AN ACT”

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections, the Board of Public Buildings, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2001 and ending June 30, 2002.

Section 9.100

I hereby veto \$10,608 for a pilot program to test Corrections staff for drugs and alcohol. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

Expense and Equipment by \$10,608 from \$271,145 to \$260,537.
From \$4,424,975 to \$4,414,367 in total from General Revenue Fund.
From \$4,456,798 to \$4,446,190 in total from the section.

Section 9.500

I hereby veto \$995,556 for 28 additional Probation and Parole officers. This leaves funding for 10 new officers. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

Personal Service by \$995,556 from \$58,744,835 to \$57,749,279.
From \$64,972,498 to \$63,976,942 in total from General Revenue Fund.
From \$64,972,498 to \$63,976,942 in total from the section.

Section 9.515

I hereby veto \$1,122,312 for the Community Corrections Coordination Unit. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

For the purpose of funding the Community Corrections Coordination Unit Expense and Equipment by \$1,122,312 from \$4,817,417 to \$3,695,105. From \$10,612,892 to \$9,490,580 in total from General Revenue Fund. From \$13,823,334 to \$12,701,022 in total from the section.

On June 22, 2001, I approved said **Conference Committee Substitute for Senate Substitute for House Committee Substitute for House Bill No. 9**, except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Bob Holden
Governor

June 22, 2001

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 10** entitled:

“AN ACT”

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Board of Public Buildings, the Department of Health and the several divisions and programs thereof and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2001 and ending June 30, 2002.

Section 10.210

I hereby veto \$584,000 general revenue for additional adult acute care beds for the Comprehensive Psychiatric Services program and \$200,000 general revenue for payments to counties with a disproportionate share of forensic clients. The department is conducting a study on the need for new beds and additional funding should wait for the outcome of that study. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

For the purpose of funding adult community programs provided that up to ten percent of this appropriation may be used for youth and \$584,000 shall be used to purchase adult acute beds by \$584,000 from \$72,966,910 to \$72,382,910. From \$79,082,893 to \$78,498,893 in total from General Revenue Fund.

For the adult community program in counties serving a disproportionate share of forensic clients by \$200,000 from \$200,000 to \$0 from General Revenue Fund. From \$98,655,020 to \$97,871,020 in total for the section.

Section 10.420

I hereby veto \$218,000 general revenue for the family support stipend program. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

For the purpose of funding family support stipends pursuant to Section 633.180, RSMo, by \$218,000 from \$879,789 to \$661,789 from General Revenue Fund.

From \$1,171,094 to \$953,094 in total for the section.

Section 10.635

I hereby veto \$236,000 general revenue for the Area Health Education Centers (AHECs). A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

For the Primary Care Resource Initiative Program by \$236,000 from \$636,000 to \$400,000 from General Revenue Fund. From \$5,540,000 to \$5,304,000 in total for the section.

On June 22, 2001, I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 10**, except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Bob Holden
Governor

June 22, 2001

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 11** entitled:

“AN ACT”

To appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2001 and ending June 30, 2002.

Section 11.005

I hereby veto \$5,000 general revenue for expenses related to Prince Hall. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

For expenses of the specific duties of the Prince Hall Advisory Board by \$5,000 from \$5,000 to \$0.

From \$870,264 to \$865,264 in total from General Revenue Fund.

From \$961,406 to \$956,406 in total for the section.

Section 11.010

I hereby veto \$750,000 other funds for Legal Aid Grants. The Governor will recommend a supplemental in Fiscal Year 2002 for this same amount for Legal Aid Grants from the Tort Victims' Compensation Fund. There are sufficient funds in the Tort Victims' Compensation Fund to cover these grants. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

By \$750,000 from \$750,000 to \$0 from Intergovernmental Transfer Fund.
From \$1,550,000 to \$800,000 in total for the section.

Section 11.045

I hereby veto \$28,000 general revenue for a job information telephone line for blind persons. These services are available through the Department of Economic Development, Division of Workforce Development. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

Expense and Equipment by \$28,000 from \$4,622,423 to \$4,594,423 from General Revenue Fund.
From \$8,686,289 to \$8,658,289 in total from General Revenue Fund.
From \$38,139,037 to \$38,111,037 in total for the section.

Section 11.135

I hereby veto \$1,300,000 general revenue for grants to specific communities. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

For the purpose of funding TANF and at-risk of becoming TANF clients, including their families in the Bootheel area, and for other welfare related activities. These services shall include, but not be limited to after-school care, summer care, job training, and family empowerment services.

By \$1,000,000 from \$2,000,000 to \$1,000,000 from General Revenue Fund.

For the purpose of funding services provided at the Grace Hill Neighborhood Services to include, but not be limited to, after school care, job training, and family empowerment services.

By \$200,00 from \$400,000 to \$200,000 from General Revenue Fund.

For the purposes of funding services at the Lindbergh Family Resource Center, St. Joseph, Missouri, to include, but not be limited to, after school care, youth and family empowerment services.

By \$100,000 from \$400,000 to \$300,000 from General Revenue Fund.
From \$26,507,863 to \$25,207,863 in total for the section.

Section 11.210

I hereby veto \$300,000 other funds for rehabilitation teachers for the blind. The funding source is one-time and it should not be spent for ongoing purposes. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

Personal Service by \$275,000 from \$275,000 to \$0 from Intergovernmental Transfer Fund.
Expense and Equipment by \$25,000 from \$47,610 to \$22,610 from Intergovernmental Transfer Fund.
From \$322,610 to \$22,610 in total from Intergovernmental Transfer Fund.
From \$5,575,477 to \$5,275,477 in total for the section.

Section 11.220

I hereby veto \$3,688,800 general revenue for the STARS Foster Care Program to “grandfather” those currently not receiving a STARS payment into the program without requiring them to take the mandatory training. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

For the purpose of funding Foster Care payments, including grandparent foster care and guardian foster care, related services and for expenses related to the training of foster parents, and for intensive in-home services, and for services provided through comprehensive, expedited permanency systems of care for children and families.

By \$3,688,800 from \$31,894,792 to \$28,205,992 from General Revenue Fund.
From \$129,471,214 to \$125,782,414 in total for the section.

Section 11.225

I hereby veto \$250,000 general revenue for three regional child assessment centers. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

For the purpose of funding Regional Child Assessment Centers.
By \$250,000 from \$2,500,000 to \$2,250,000 from General Revenue Fund.
From \$2,500,000 to \$2,250,000 in total for the section.

Section 11.250

I hereby veto \$1,000,000 general revenue for domestic violence prevention programs that cannot be spent due to a statutory problem. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

For the purpose of funding twenty domestic violence intervention/rehabilitation pilot projects pursuant to Section 455.305, RSMo.
By \$1,000,000 from \$1,000,000 to \$0 from General Revenue Fund.
From \$6,147,534 to \$5,147,534 in total for the section.

Section 11.310

I hereby veto \$644,000 general revenue for the Juvenile Court Diversion Program. This item was originally part of the Department of Social Service’s Fiscal Year 2002 core reduction plan. Given the large general revenue increase in juvenile courts in recent years a local match is appropriate. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

For the purpose of funding incentive payments to counties for community-based treatment programs for youth.
By \$644,000 from \$6,440,000 to \$5,796,000 from General Revenue Fund.
From \$6,940,000 to \$6,296,000 for the section.

Section 11.400

I hereby veto \$300,000 for health care outreach, including \$150,000 general revenue. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

Also, I hereby veto \$120,000 to expand the pager pilot program, including \$60,000 general revenue. Similar utilization management approaches to increase medication compliance of Medicaid recipients will be done through the Pharmacy Enhancement Program (PEP) that was recommended this year. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

Expense and Equipment by \$60,000 from \$5,322,677 to \$5,262,677 from General Revenue Fund.
From \$9,524,922 to \$9,464,922 in total from General Revenue Fund.

Expense and Equipment by \$60,000 from \$11,632,805 to \$11,572,805 from Federal Funds.
From \$16,822,464 to \$16,762,464 in total from Federal Funds.

For the purpose of funding women and minority health care outreach programs.
By \$150,000 from \$650,000 to \$500,000 from General Revenue Fund.
By \$150,000 from \$650,000 to \$500,000 from Federal Funds.

From \$31,027,670 to \$30,607,670 in total for the section.

Section 11.420

I hereby veto \$625,000 to increase payments to the western region for pharmacy services, including \$250,000 general revenue. All managed care plans participating in the Medicaid program will receive trend factor increases for medical services and for increased pharmacy costs in Fiscal Year 2002. In February 2002, the western region will re-bid and a pharmacy inflation factor will be included in the capitation rates. Therefore, these additional funds would be duplicative in nature. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

For pharmacy rate adjustments for managed care plans in the western region. Such adjustments shall occur only until new rates are established by re-bid in 2002.

By \$250,000 from \$250,000 to \$0 from General Revenue Fund.
By \$375,000 from \$375,000 to \$0 from Federal Funds.
From \$744,707,368 to \$744,082,368 in total for the section.

Section 11.425

I hereby veto \$75,000 to provide reimbursement for provisionally licensed psychologists, including \$35,000 general revenue. The Division of Medical Services has estimated the annual costs for these services to be \$1.2 million; however, the General Assembly only provided a fraction of the estimated costs for these services. Due to the fiscal constraints of the state, no additional provider groups should be added to the Medicaid program at this time. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

By \$35,000 from \$87,019,593 to \$86,984,593 from General Revenue Fund.
By \$40,000 from \$147,217,880 to \$147,177,880 from Federal Funds.
From \$235,485,017 to \$235,10,017 in total for the section.

Section 11.430

I hereby veto \$2,241,607 to increase dental rates in the Medicaid program, including \$873,106 general revenue. This will still provide sufficient funding to bring the dental rates up to 57 percent of the usual, customary and reasonable (UCR) rates. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

In addition, I hereby veto \$200,000 other funds for rural dental services. The state should continue to focus its limited resources on increasing the overall reimbursement structure to dentists that provide services to Medicaid recipients rather than funding additional untested pilot programs. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

By \$873,106 from \$8,012,017 to \$7,138,911 from General Revenue Fund.
By \$1,368,501 from \$12,695,615 to \$11,327,114 from Federal Funds.

For the purpose of funding dental services to Missouri rural counties through the University of Missouri Dental School.
By \$200,000 from \$200,000 to \$0 from Intergovernmental Transfer Funds.
From \$20,978,794 to \$18,537,187 in total for the section.

Section 11.440

I hereby veto \$6,345,758 for increasing in-home services rates, including \$2,471,673 general revenue. There will still be funds to provide a \$.25 rate increase per hour to in-home service providers. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

By \$2,471,673 from \$92,561,381 to \$90,089,708 from General Revenue Fund.
By \$3,874,085 from \$159,678,247 to \$155,804,162 from Federal Funds.

I hereby veto \$166,383 for increasing nursing home rates to \$80 per bed day, including \$64,806 general revenue. All Medicaid certified nursing facilities reimbursed less than \$85 per bed day will receive an add-on payment in Fiscal Year 2002 through the appropriations provided in Section 11.445. Therefore, these funds are duplicative in nature. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

By \$64,806 from \$135,493,028 to \$135,428,222 from General Revenue Fund.
By \$101,577 from \$269,376,788 to \$269,275,211 from Federal Funds.
From \$706,215,013 to \$699,702,872 in total for the section.

Section 11.442

I hereby veto \$500,000 federal and other funds for telephone assurance pilot projects. Some area Agencies on Aging are providing the service; therefore, this funding is duplicative in nature. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

Said section is vetoed in its entirety by \$200,000 from \$200,000 to \$0 from Intergovernmental Transfer Fund.
By \$300,000 from \$300,000 to \$0 from Federal Funds.
From \$500,000 to \$0 in total for the section.

Section 11.455

I hereby veto \$1,828,341 to increase dental rates in the Medicaid program, including \$712,139 general revenue. There will be funds appropriated to bring the dental rates up to 57 percent of the usual, customary and reasonable (UCR) rates. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

By \$712,139 from \$97,611,348 to \$96,899,209 from General Revenue Fund.
By \$1,116,202 from \$296,747,226 to \$295,631,024 from Federal funds.
From \$488,088,963 to \$486,260,622 in total for the section.

Section 11.462

I hereby veto \$2,500,000 general revenue for FQHC's to expand dental services. The FQHC's were appropriated \$5 million in additional funds in the Healthy Families Budget to expand both dental and physician services to the uninsured. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

Said section is vetoed in its entirety by \$2,500,000 from \$2,500,000 to \$0 from General Revenue Fund.

Section 11.472

I hereby veto \$72,902 to provide reimbursement for provisionally licensed psychologists, including \$19,873 general revenue. The Division of Medical Services has estimated the annual costs for these services to be \$1.2 million; however, the General Assembly only provided a fraction of the estimated costs for these services. Due to the Fiscal constraints of the state, no additional provider groups should be added to the Medicaid program at this time. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

In addition, I hereby veto \$396,524 to increase dental rates in the Medicaid program, including \$81,448 general revenue. This will still provide sufficient funding to bring the dental rates up to 57 percent of the usual, customary and reasonable (UCR) rates. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

By \$101,321 from \$13,779,806 to \$13,678,485 from General Revenue Fund.
By \$368,105 from \$76,595,626 to \$76,227,521 from Federal Funds.
From \$106,175,755 to \$105,706,329 in total for the section.

Section 11.515

I hereby veto \$230,157 general revenue for increasing in-home services rates. There will still be funds to provide a \$.25 rate increase per hour to in-home service providers. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

By \$230,157 from \$29,558,715 to \$29,328,558 from General Revenue.
From \$29,912,152 to \$29,681,995 in total for the section.

Section 11.610

I hereby veto \$200,000 other funds to contract for quality monitoring and training inspection staff. These were one-time funds and inappropriate for ongoing staff. The Division of Aging has indicated this is a core function that they will perform with existing staff. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

Expenses and Equipment by \$200,000 from \$207,995 to \$7,995 from Intergovernmental Transfer Fund.
From \$16,639,950 to \$16,439,950 in total for the section.

Section 11.615

I hereby veto \$339,470 general revenue for increasing in-home services rates. There will still be funds to provide a \$.25 rate increase per hour to in-home service providers. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

By \$339,470 from \$17,911,729 to \$17,572,259 from General Revenue Fund.
From \$20,749,326 to \$20,409,856 in total for the section.

Section 11.630

I hereby veto \$4,825 general revenue for increasing in-home services rates. There will still be funds to provide a \$.25 rate increase per hour to in-home service providers. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

By \$4,825 from \$259,650 to \$254,825 from General Revenue Fund.

Section 11.635

I hereby veto \$125,000 other funds for kitchen equipment for the Area Agencies on Aging. This item was originally part of the Department of Social Services' Fiscal Year 2002 core reduction plan. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

Said section is vetoed in its entirety by \$125,000 from \$125,000 to \$0 from Intergovernmental Transfer Fund.

Section 11.640

I hereby veto \$125,000 general revenue for adult day care grants. This item was originally part of the Department of Social Services' Fiscal Year 2002 core reduction plan. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

Said section is vetoed in its entirety by \$125,000 from \$125,000 to \$0 from General Revenue Fund.

On June 22, 2001, I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 11**, except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Bob Holden
Governor

June 22, 2001

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 12** entitled:

“AN ACT”

To appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive’s Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and Contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2001 and ending June 30, 2002.

Section 12.100

I hereby veto \$31,153 library networking fund for library networking grants. The appropriation is being reduced to reflect the anticipated spending level. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

For library networking grants by \$31,153 from \$518,991 to \$487,838 from Library Networking Fund.
From \$518,991 to \$487,838 in total for the section.

Section 12.102

I hereby veto \$31,153 general revenue for the appropriated transfer to the library networking fund. The veto maintains the distribution ratio of taxes paid by non-resident athletes and entertainers as established by Section 143.183, RSMo. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

By \$31,153 from \$463,991 to \$432,838 in total from General Revenue Fund.
From \$463,991 to \$432,838 in total for the section.

Section 12.200

I hereby veto \$7,500 for a salary increase for staff of the Supreme Court. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

Personal Service by \$7,500 from \$3,407,482 to \$3,399,982.
From \$4,389,518 to \$4,382,018 in total from General Revenue Fund.
From \$4,469,518 to \$4,462,018 in total for the section.

Section 12.240

I hereby veto \$60,340 for a law clerk in the Southern District Court of Appeals. This leaves the Court with two additional law clerks. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

Personal Service by \$49,140 from \$1,913,710 to \$1,864,570.
Expense and Equipment by \$11,200 from \$497,255 to \$486,055.
From \$2,410,965 to \$2,350,625 in total from General Revenue Fund.
From \$2,410,965 to \$2,350,625 in total for the section.

On June 22, 2001, I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 12**, except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Bob Holden
Governor

July 12, 2001

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Bill No. 16** entitled:

“AN ACT”

To appropriate money for capital improvement and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the period beginning July 1, 2001 and ending June 30, 2003.

I hereby veto the following sections, by said amounts, to bring appropriations in line with actual June 30, 2001 appropriation balances except where otherwise indicated.

Section 16.002

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By \$54,326 from \$64,572 to \$10,246 in total from Bingo Proceeds for Education Fund.

Section 16.006

By \$177,477 from \$484,661 to \$307,184 in total from Bingo Proceeds for Education Fund.

Section 16.008

By \$9,382 from \$196,488 to \$187,106 in total from Bingo Proceeds for Education Fund.

Section 16.010

By \$21 from \$92,100 to \$92,079 in total from Bingo Proceeds for Education Fund.

Section 16.014

By \$152,218 from \$2,354,032 to \$2,201,814 in total from Bingo Proceeds for Education Fund.

Section 16.016

By \$5,879 from \$726,284 to \$720,405 in total from Bingo Proceeds for Education Fund.

Section 16.018

By \$4,143,036 from \$7,669,666 to \$3,526,630 in total from General Revenue Fund.

Section 16.020

By \$319,355 from \$2,294,321 to \$1,974,966 in total from Lottery Proceeds Fund.

Section 16.022

By \$23,504 from \$90,820 to \$67,316 in total from Gaming Proceeds for Education Fund.

Section 16.024

By \$692 from \$1,189 to \$497 in total from Lottery Proceeds Fund.

From \$8,302 to \$7,610 in total for the section.

Section 16.026

By \$453,217 from \$3,600,424 to \$3,147,207 in total from General Revenue Fund.

Section 16.030

By \$20,622 from \$84,158 to \$63,536 in total from Gaming Proceeds for Education Fund.

Section 16.032

By \$1,102,137 from \$1,663,170 to \$561,033 in total from General Revenue Fund.

Section 16.036

By \$63,498 from \$636,786 to \$573,288 in total from General Revenue Fund.

By \$1,722,618 from \$1,722,618 to \$0 in total from Lottery Proceeds Fund.

From \$2,359,404 to \$573,288 in total for the section.

Section 16.038

Said section is vetoed in its entirety.

Section 16.040

By \$121,382 from \$370,508 to \$249,126 in total from Lottery Proceeds Fund.

Section 16.042

By \$2,162,374 from \$7,546,141 to \$5,383,767 in total from Lottery Proceeds Fund.

Section 16.044

By \$476,260 from \$1,184,972 to \$708,712 in total from General Revenue Fund.

Section 16.048

By \$3,110,756 from \$8,358,210 to \$5,247,454 in total from General Revenue Fund.

Section 16.052

Said section is vetoed in its entirety.

Section 16.056

By \$2 from \$19,857 to \$19,855 in total from Fourth State Building Fund.

Section 16.058

By \$1 from \$145,402 to \$145,401 in total from Lottery Proceeds Fund.

Section 16.060

By \$3,397 from \$47,647 to \$44,250 in total from General Revenue Fund.

Section 16.062

By \$2,821 from \$10,040 to \$7,219 in total from Lottery Proceeds Fund.

Section 16.064

By \$4,766,298 from \$9,869,818 to \$5,103,520 in total from General Revenue Fund.

Section 16.066

By \$11,458 from \$5,085,658 to \$5,074,200 in total from Lottery Proceeds Fund.

Section 16.068

Said section is vetoed in its entirety.

Section 16.070

By \$1,545,255 from \$22,854,526 to \$21,309,271 in total from General Revenue Fund.

Section 16.072

By \$8,146,916 from \$11,127,000 to \$2,980,084 in total from General Revenue Fund.

Section 16.076

By \$23,654 from \$72,202 to \$48,548 in total from General Revenue Fund.

Section 16.078

By \$1,909,712 from \$7,420,830 to \$5,511,118 in total from General Revenue Fund.

Section 16.080

By \$1,192,757 from \$1,827,415 to \$634,658 in total from Lottery Proceeds Fund.

Section 16.082

By \$2,072,043 from \$2,538,996 to \$466,953 in total from General Revenue Fund.
From \$7,405,510 to \$5,333,467 in total for the section.

Section 16.084

By \$155,311 from \$386,530 to \$231,219 in total from General Revenue Fund.

Section 16.086

Said section is vetoed in its entirety.

Section 16.088

For the Kansas City Regional Business and Technology Center at Metropolitan Community College in Kansas City.
By \$3,210,255 from \$4,283,255 to \$1,073,000 in total from Lottery Proceeds Fund.

For the Center for Allied Health Technologies at State Fair Community College in Sedalia.
By \$478,317 from \$478,317 to \$0 in total from Lottery Proceeds Fund.
From \$4,761,572 to \$1,073,000 in total for the section.

Section 16.090

By \$1,474 from \$48,002 to \$46,528 in total from General Revenue Fund.

Section 16.092

By \$120,228 from \$705,837 to \$585,609 in total from Lottery Proceeds Fund.

Section 16.094

By \$1,961,767 from \$4,854,656 to \$2,892,889 in total from Lottery Proceeds Fund.

Section 16.096

By \$55,471 from \$108,772 to \$53,301 in total from General Revenue Fund.

By \$72,046 from \$395,054 to \$323,008 in total from Facilities Maintenance Reserve Fund.

From \$553,826 to \$426,309 in total for the section.

Section 16.098

By \$77,691 from \$150,971 to \$73,280 in total from General Revenue Fund.

By \$69,644 from \$455,549 to \$385,905 in total from Facilities Maintenance Reserve Fund.

From \$606,520 to \$459,185 in total for the section.

Section 16.100

By \$98,420 from \$165,436 to \$67,016 in total from General Revenue Fund.

By \$77,889 from \$459,491 to \$381,602 in total from Facilities Maintenance Reserve Fund.

By \$34,361 from \$365,424 to \$331,063 in total from Office of Administration Facilities Revolving Administrative Trust Fund.

From \$1,290,351 to \$1,079,681 in total for the section.

Section 16.102

By \$12,681 from \$500,000 to \$487,319 in total from General Revenue Fund.

By \$14,516 from \$494,666 to \$480,150 in total from Facilities Maintenance Reserve Fund.

From \$994,666 to \$967,469 in total for the section.

Section 16.104

By \$3,713 from \$149,143 to \$145,430 in total from General Revenue Fund.

By \$35,923 from \$148,661 to \$112,738 in total from Facilities Maintenance Reserve Fund.

From \$297,804 to \$258,168 in total for the section.

Section 16.106

By \$294,974 from \$4,782,145 to \$4,487,171 in total from Facilities Maintenance Reserve Fund.

By \$14,783 from \$410,669 to \$395,886 in total from Office of Administration Revolving Administrative Trust Fund.

By \$27,558 from \$479,278 to \$451,720 in total from Veterans' Commission Capital Improvement Trust Fund.

By \$6,470 from \$448,178 to \$441,708 in total from Bingo Proceeds for Education Fund.

From \$6,420,270 to \$6,076,485 in total for the section.

Section 16.108

By \$112,606 from \$2,533,223 to \$2,420,617 in total from General Revenue Fund.

Section 16.110

By \$50,250 from \$272,487 to \$222,237 in total from Americans with Disabilities Act Compliance Fund.

Section 16.112

By \$2,531 from \$80,935 to \$78,404 in total from General Revenue Fund.

By \$636,831 from \$670,581 to \$33,750 in total from Office of Administration Revolving Administrative Trust Fund.
From \$751,516 to \$112,154 in total for the section.

Section 16.114

By \$162,597 from \$635,967 to \$473,370 in total from General Revenue Fund.

Section 16.116

By \$9,557 from \$9,557 to \$0 in total from General Revenue Fund.

By \$79,059 from \$1,895,950 to \$1,816,891 in total from Office of Administration Revolving Administrative Trust Fund.

From \$2,721,307 to \$2,632,691 in total for the section.

Section 16.118

By \$405,887 from \$1,322,759 to \$916,872 in total from Office of Administration Revolving Administrative Trust Fund.

By \$9,490 from \$122,003 to \$112,513 in total from Facilities Maintenance Reserve Fund.

From \$1,444,762 to \$1,029,385 in total for the section.

Section 16.120

By \$63,546 from \$358,769 to \$295,223 in total from General Revenue Fund.

Section 16.122

By \$715,890 from \$1,806,985 to \$1,091,095 in total from General Revenue Fund.

By \$353,565 from \$867,012 to \$513,447 in total from Office of Administration Revolving Administrative Trust Fund.

From \$2,673,997 to \$1,604,542 in total for the section.

Section 16.124

By \$718,146 from \$5,940,618 to \$5,222,472 in total from the General Revenue Fund.

Section 16.126

By \$482,429 from \$1,567,156 to \$1,084,727 in total from General Revenue Fund.

Section 16.128

By \$152,386 from \$274,300 to \$121,914 in total from General Revenue Fund.

By \$683,868 from \$946,667 to \$262,799 in total from Facilities Maintenance Reserve Fund.

From \$1,220,967 to \$384,713 in total for the section.

Section 16.130

By \$60,822 from \$1,645,080 to \$1,584,258 in total from General Revenue Fund.

By \$1 from \$50,625 to \$50,624 in total from Donated Funds.

From \$1,695,705 to \$1,634,882 in total for the section.

Section 16.132

By \$1 from \$53,452E to \$53,451E in total from State Park Earnings Fund.

By \$86,435 from \$2,309,057E to \$2,222,622E in total from Department of Natural Resources-Federal and Other Funds.

From \$2,362,509 to \$2,276,073 in total for the section.

Section 16.134

By \$7,941 from \$73,892 to \$65,951 in total from State Park Earnings Fund.

From \$151,477 to \$143,536 in total for the section.

Section 16.136

By \$98,687 from \$347,764 to \$249,077 in total from Parks Sales Tax Fund.

Section 16.138

By \$41,618 from \$1,443,747 to \$1,402,129 in total from Parks Sales Tax Fund.

By \$1,754 from \$430,385 to \$428,631 in total from State Park Earnings Fund.

From \$1,874,132 to \$1,830,760 in total for the section.

Section 16.140

By \$15,197 from \$720,536 to \$705,339 in total from Parks Sales Tax Fund.

Section 16.142

By \$89,363 from \$429,778 to \$340,415 in total from Parks Sales Tax Fund.

Section 16.144

By \$532,939 from \$759,502 to \$226,563 in total from State Parks Earnings Fund.

Section 16.146

By \$24,899 from \$89,819 to \$64,920 in total from General Revenue Fund.

Section.16.148

By \$48,387 from \$389,603 to \$341,216 in total from Parks Sales Tax Fund.

Section 16.150

By \$128,227 from \$580,371 to \$452,144 in total from State Park Earnings Fund.

Section 16.152

By \$150,523 from \$525,909 to \$375,386 in total from Parks Sales Tax Fund.

Section 16.154

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By \$52,290 from \$313,534 to \$261,244 in total from State Park Earnings Fund.

Section 16.156

By \$72,195 from \$654,119 to \$581,924 in total from Parks Sales Tax Fund.

Section 16.158

By \$512,628 from \$7,906,114 to \$7,393,486 in total from Parks Sales Tax Fund.

By \$469,776 from \$1,054,287 to \$584,511 in total from State Park Earnings Fund.

From \$8,960,401 to \$7,977,997 in total for the section.

Section 16.160

By \$1,572 from \$52,000 to \$50,428 in total from Parks Sales Tax Fund.

Section 16.162

By \$21,649 from \$653,046 to \$631,397 in total from State Parks Earnings Fund.

Section 16.164

By \$452,666 from \$641,682 to \$189,016 in total from Parks Sales Tax Fund.

Section 16.166

By \$287,275 from \$1,051,158 to \$763,883 in total from Parks Sales Tax Fund.

Section 16.170

By \$78,261 from \$260,294E to \$182,033E in total from Highway Department Grade Crossing Safety Account.

Section 16.172

By \$14,295 from \$1,512,986E to \$1,498,691E in total from Highway Department Grade Crossing Safety Account.

Section 16.178

By \$1,975 from \$64,685 to \$62,710 in total from General Revenue Fund.

Section 16.180

By \$2,232 from \$372,586 to \$370,354 in total from Unemployment Compensation Administration Fund.

From \$3,135,432 to \$3,133,200 in total for the section.

Section 16.182

By \$314,279 from \$871,261 to \$556,982 in total from Office of Administration Revolving Administrative Trust Fund.

Section 16.184

By \$7,524 from \$103,364 to \$95,840 in total from Veterans' Commission Capital Improvement Trust Fund.

Section 16.186

By \$690 from \$6,611 to \$5,921 in total from Veterans' Commission Capital Improvement Trust Fund.

By \$134,680 from \$390,712E to \$256,032E in total from Federal Funds.

From \$397,323 to \$261,953 in total for the section.

Section 16.188

By \$108,674 from \$9,940,309 to \$9,831,635 in total from Veterans' Commission Capital Improvement Trust Fund.

By \$55,642 from \$15,836,804E to \$15,781,162E in total from Federal Funds.

From \$25,777,113 to \$25,612,797 in total for the section.

Section 16.190

By \$88,301 from \$121,650 to \$33,349 in total from Veterans' Commission Capital Improvement Trust Fund.

By \$15,356 from \$177,935E to \$162,579E in total from Federal Funds.

From \$299,585 to \$195,928 in total for the section.

Section 16.192

By \$677,676 from \$970,434 to \$292,758 in total from Veterans' Commission Capital Improvement Trust Fund.

Section 16.194

By \$13,083 from \$7,087,244E to \$7,074,161E in total from Federal Funds.

By \$155,092 from \$3,460,047 to \$3,304,955 in total from Veterans' Commission Capital Improvement Trust Fund.

From \$10,547,291 to \$10,379,116 in total for the section.

Section 16.196

By \$19,949 from \$5,445,000 to \$5,425,051 in total from Veterans' Commission Capital Improvement Trust Fund.

Section 16.198

By \$112,645 from \$3,362,995 to \$3,250,350 in total from Veterans' Commission Capital Improvement Trust Fund.

Section 16.200

By \$281,946 from \$938,993 to \$657,047 in total from Veterans' Commission Capital Improvement Trust Fund.

From \$11,415,581 to \$11,133,635 in total for the section.

Section 16.202

By \$133,280 from \$1,812,827 to \$1,679,547 in total from Veterans' Commission Capital Improvement Trust Fund.

Section 16.206

By \$142,962 from \$190,909E to \$47,947E in total from Federal Funds.

From \$273,296 to \$130,334 in total for the section.

Section 16.208

By \$1,256,330 from \$6,144,226 to \$4,887,896 in total from Facilities Maintenance Reserve Fund.

Section 16.212

By \$41,498 from \$55,000 to \$13,502 in total from Facilities Maintenance Reserve Fund.

Section 16.214

By \$26,345 from \$1,721,989E to \$1,695,644E in total from Federal Funds.

Section 16.216

By \$57,828 from \$185,923 to \$128,095 in total from General Revenue Fund.

Section 16.218

By \$22,827 from \$194,909 to \$172,082 in total from General Revenue Fund.

Section 16.220

By \$31,718 from \$521,478 to \$489,760 in total from General Revenue Fund.

Section 16.222

By \$9,375 from \$405,627 to \$396,252 in total from General Revenue Fund.
From \$4,225,492 to \$4,216,117 in total for the section.

Section 16.224

By \$9,004 from \$109,434 to \$100,430 in total from General Revenue Fund.

Section 16.226

By \$51,312 from \$92,472 to \$41,160 in total from Fourth State Building Fund.
From \$827,026 to \$775,714 in total for the section.

Section 16.228

By \$2,267,120 from \$2,795,727 to \$528,607 in total from General Revenue Fund.
By \$1 from \$10,231 to \$10,230 in total from Federal Funds.
From \$2,805,958 to \$538,837 in total for the section.

Section 16.230

By \$35,007 from \$3,214,186 to \$3,179,179 in total from General Revenue Fund.

Section 16.232

By \$955,793 from \$1,965,150 to \$1,009,357 in total from General Revenue Fund.

Section 16.234

By \$511,287 from \$1,026,696 to \$515,409 in total from General Revenue Fund.

Section 16.236

I hereby veto \$5,513,787 for design, land acquisition, renovation and construction of correctional facilities. Of this amount, \$500,000 is for a feasibility study of a natural gas pipeline for the Licking prison. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources. The remaining \$5,013,787 vetoed is to bring the appropriated amount in line with the actual June 30, 2001 appropriation balance.

By \$5,513,787 from \$14,800,000 to \$9,286,213 in total from General Revenue Fund.
From \$16,325,000 to \$10,811,213 in total for the section.

Section 16.238

By \$115,127 from \$2,239,799 to \$2,124,672 in total from General Revenue Fund.

Section 16.240

By \$1,636,555 from \$3,223,010 to \$1,586,455 in total from General Revenue Fund.

Section 16.242

By \$60,405 from \$770,183 to \$709,778 in total from Facilities Maintenance Reserve Fund.

Section 16.244

By \$81,396 from \$5,517,000 to \$5,435,604 in total from Facilities Maintenance Reserve Fund.

Section 16.246

By \$409,894 from \$2,428,454 to \$2,018,560 in total from Facilities Maintenance Reserve Fund.

Section 16.248

By \$95,264 from \$635,343 to \$540,079 in total from Facilities Maintenance Reserve Fund.

Section 16.252

By \$75,606 from \$1,617,491 to \$1,541,885 in total from Fourth State Building Fund.

Section 16.254

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By \$79,682 from \$3,621,134 to \$3,541,452 in total from Fourth State Building Fund.
From \$4,186,996 to \$4,107,314 in total for the section.

Section 16.256

By \$908,130 from \$1,265,492 to \$357,362 in total from Fourth State Building Fund.

Section 16.258

By \$1,072 from \$1,213,384 to \$1,212,312 in total from Fourth State Building Fund.

Section 16.260

By \$8,288 from \$225,901 to \$217,613 in total from Fourth State Building Fund.

Section 16.264

By \$6,350 from \$390,058 to \$383,708 in total from Fourth State Building Fund.

Section 16.266

By \$532,759 from \$2,647,694 to \$2,114,935 in total from Fourth State Building Fund.

Section 16.268

By \$2,136,917 from \$2,512,953 to \$376,036 in total from Fourth State Building Fund.

Section 16.270

By \$3,352 from \$1,660,248 to \$1,656,896 in total from General Revenue Fund.

Section 16.272

By \$17,089 from \$566,894 to \$549,805 in total from General Revenue Fund.

Section 16.274

By \$133,076 from \$141,218 to \$8,142 in total from General Revenue Reimbursements Fund.

Section 16.276

For design and planning of mental health facilities in Kansas City.

By \$131,702 from \$341,971 to \$210,269 in total from General Revenue Reimbursements Fund.

For design, land acquisition, renovation, construction, and improvements for a new mental health center in Kansas City.

By \$449,001 from \$16,937,957 to \$16,488,956 in total from General Revenue Reimbursements Fund.

From \$17,279,928 to \$16,699,225 in total for the section.

Section 16.278

By \$261,762 from \$484,452 to \$222,690 in total from Facilities Maintenance Reserve Fund.

Section 16.280

By \$120,347 from \$664,695 to \$544,348 in total from Facilities Maintenance Reserve Fund.

Section 16.282

By \$126,451 from \$158,192 to \$31,741 in total from Facilities Maintenance Reserve Fund.

Section 16.284

By \$81,375 from \$181,763 to \$100,388 in total from Facilities Maintenance Reserve Fund.

Section 16.286

By \$1,388,815 from \$4,092,615 to \$2,703,800 in total from Facilities Maintenance Reserve Fund.

Section 16.288

By \$19,786 from \$901,144 to \$881,358 in total from Facilities Maintenance Reserve Fund.

Section 16.290

By \$3,054 from \$168,492 to \$165,438 in total from Facilities Maintenance Reserve Fund.

Section 16.292

By \$358,962 from \$1,105,082 to \$746,120 in total from Facilities Maintenance Reserve Fund.

Section 16.294

By \$247,116 from \$888,715 to \$641,599 in total from Facilities Maintenance Reserve Fund.

Section 16.296

By \$73,629 from \$291,881 to \$218,252 in total from General Revenue Fund.

Section 16.298

By \$172,549 from \$406,010 to \$233,461 in total from Facilities Maintenance Reserve Fund.

Section 16.300

By \$99,744 from \$8,793,775 to \$8,694,031 in total from General Revenue Fund.

Section 16.302

By \$14,906 from \$907,516 to \$892,610 in total from General Revenue Fund.

Section 16.304

By \$497,109 from \$652,046 to \$154,937 in total from General Revenue Fund.

Section 16.306

By \$215,071 from \$1,293,663 to \$1,078,592 in total from General Revenue Fund.

Section 16.308

By \$55,177 from \$276,661 to \$221,484 in total from Mental Health Trust Fund.

Section 16.310

By \$58,540 from \$4,243,676 to \$4,185,136 in total from Fourth State Building Fund.

Section 16.312

By \$223,001 from \$519,559 to \$296,558 in total from General Revenue Fund.

By \$15,000 from \$822,193 to \$807,193 in total from Fourth State Building Fund.

By \$1 from \$26 to \$25 in total from Department of Social Services Educational Improvement Fund.

From \$1,341,778 to \$1,103,776 in total for the section.

Section 16.316

By \$1,642 from \$1,050,170 to \$1,048,528 in total from General Revenue Fund.

Section 16.318

By \$2,478 from \$94,899 to \$92,421 in total from General Revenue Fund.

Section 16.320

By \$14,351 from \$276,597 to \$262,246 in total from Facilities Maintenance Reserve Fund.

Section 16.322

By \$141,158 from \$508,727 to \$367,569 in total from Department of Social Services Educational Improvement Fund.

Section 16.324

By \$27,009 from \$540,498 to \$513,489 in total from General Revenue Fund.

Section 16.326

By \$251,201 from \$521,669 to \$270,468 in total from General Revenue Fund.

By \$4,160 from \$6,050 to \$1,890 in total from Department of Social Services Educational Improvement Fund.

From \$527,719 to \$272,358 in total for the section.

Section 16.328

Said section is vetoed in its entirety.

Section 16.374

By \$125,001 from \$6,099,109 to \$5,974,108 in total from General Revenue Fund.

On July 12, 2001, I approved said **Conference Committee Substitute for Senate Committee Substitute for House Bill No. 16**, except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Bob Holden
Governor

June 22, 2001

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 19** entitled:

“AN ACT”

To appropriate money for planning, expenses, and for capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions, and to transfer money among certain funds.

Section 19.086

I hereby veto \$818,171 general revenue for a lease purchase at the Northwest Missouri Psychiatric Hospital. A study is currently underway to determine the need for additional psychiatric care beds. Additional state funding should not be considered until the study is complete. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

Said section is vetoed in its entirety by \$818,171 from \$818,171 to \$0 in total from General Revenue Fund.
From \$818,171 to \$0 in total for the section.

Section 19.087

I hereby veto \$300,000 general revenue for renovation of the Nevada Regional Medical Center. A study is currently underway to determine the need for additional psychiatric care beds. Additional state funding should not be considered until the study is complete. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

Said section is vetoed in its entirety by \$300,000 from \$300,000 to \$0 in total from General Revenue Fund.
From \$300,000 to \$0 in total for the section.

Section 19.090

I hereby veto \$200,000 for the appropriated transfer of funds from the general revenue reimbursements fund to general

revenue. Funding was eliminated for a specific project and the appropriated transfer from the general revenue reimbursements fund should be decreased accordingly. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources.

By \$200,000 from \$4,108,597 to \$3,908,597 in total from General Revenue Reimbursements Fund.
From \$4,108,597 to \$3,908,597 in total for the section.

On June 22, 2001, I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 19**, except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Bob Holden
Governor

July 11, 2001

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Senate Substitute for Senate Committee Substitute for House Bill No. 185** entitled:

“AN ACT”

To repeal sections 64.170, 64.180, and 64.342, RSMo 2000, relating to building codes in certain counties, and to enact in lieu thereof six new sections relating to the same subject.

I disapprove of Senate Substitute for Senate Committee Substitute for House Bill No. 185. My reasons for disapproval are as follows:

This bill contains language that is identical to language found in House Committee Substitute for Senate Bill No. 86, hereinafter referred to as Senate Bill No. 86. Both bills are meant to allow residents of certain areas of the state to protect themselves by adopting local building codes that regulate construction, electrical wiring, plumbing, and other crucial aspects of buildings. My administration has supported this safety measure, as evinced by the signing of Senate Bill No. 86 on July 6, 2001.

Senate Substitute for Senate Committee Substitute for House Bill No. 185 contains one provision that Senate Bill No. 86 lacks, however. This section exempts any device, other than a device located in a public building, that is not used by the general public from state law that concerns elevator safety and inspection. Eliminating safety requirements as they relate to elevators, which are used so often by so many Missouri citizens, is detrimental to the public health and welfare of the citizens of this state.

For all of the above stated reasons for disapproval, I am returning Senate Substitute for Senate Committee Substitute for House Bill No. 185 without my approval.

Respectfully submitted,

/s/ Bob Holden
Governor

July 1, 2001

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **House Bill No. 725** entitled:

“AN ACT”

To repeal section 165.011, RSMo 2000, relating to transfers of funds in certain school districts, and to enact in lieu thereof one new section relating to the same subject.

I disapprove of House Bill No. 725. My reasons for disapproval are as follows.

The language of this bill conflicts with language found in House Committee Substitute for Senate Bill No. 543, hereinafter referred to as Senate Bill No. 543, which was also approved by the General Assembly during the 2001 session and signed into law on June 27, 2001. Both bills authorize a transfer of operating funds to the capital projects fund under certain circumstances. In addition, Senate Bill No. 543 contains a sunset provision meant to effectuate the intent of the bill, which was to authorize a *one-time* transfer of funds for the Campbell R-II School District. House Bill No. 725, because it does not contain a sunset provision, legislates more broadly than is necessary, especially considering that the nearly-identical Senate Bill No. 543 has obtained my approval.

For all of the above stated reasons for disapproval, I am returning **House Bill No. 725** without my approval.

Respectfully submitted,

/s/ Bob Holden
Governor

July 11, 2001

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **House Bill No. 909** entitled:

“AN ACT”

To authorize the exchange of property interest owned by the department of natural resources and the

City of Lexington.

I disapprove of House Bill No. 909. My reasons for disapproval are as follows:

This bill contains an incorrect legal description of the property to be conveyed. The correct legal description is included in Senate Bill No. 568, which was also approved by the General Assembly during the 2001 session and which was signed into law on July 10, 2001.

For all of the above stated reasons for disapproval, I am returning **House Bill No. 909** without my approval.

Respectfully submitted,

/s/ Bob Holden
Governor

**HOUSE BILLS VETOED FROM THE
FIRST REGULAR SESSION**

Speaker Kreider read the following House Bill vetoed from the First Regular Session: **CCS SCS HCS HB 2**.

Representative Shields moved that Section 2.201 of **CCS SCS HCS HB 2** be enacted into law, the objections of the Governor thereto notwithstanding.

Which motion was defeated by the following vote:

AYES: 084

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Behnen	Berkstresser	Black	Boatright
Bonner	Burcham	Burton	Byrd	Champion
Cierpiot	Cooper	Crawford	Crowell	Cunningham
Davis	Dempsey	Enz	Fares	Froelker
Gaskill	Gratz	Green 15	Griesheimer	Hampton
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Holt	Hosmer	Hunter
Jetton	Jolly	Kelley 47	Kelly 144	Kelly 27
King	Lawson	Legan	Levin	Linton
Lograsso	Long	Luetkemeyer	Marble	Marsh
May 149	Mayer	Merideth	Miller	Moore
Murphy	Myers	Naeger	Nordwald	Ostmann
Phillips	Portwood	Quinn	Rector	Reid
Reinhart	Richardson	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Secrest	Shields
St. Onge	Vogel	Whorton	Wright	

NOES: 062

Abel	Baker	Barry 100	Berkowitz	Bland
Bowman	Bray 84	Britt	Carnahan	Clayton
Coleman	Copenhaver	Crump	Curls	Daus

Farnen	Foley	Franklin	Fraser	Gambaro
Graham	Hagan-Harrell	Harding	Haywood	Hickey
Hilgemann	Hollingsworth	Hoppe	Johnson 61	Johnson 90
Kelly 36	Kennedy	Koller	Liese	Lowe
Luetkenhaus	Mays 50	McKenna	O'Connor	O'Toole
Ransdall	Relford	Reynolds	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Surface	Thompson	Townley	Treadway
Villa	Wagner	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

PRESENT: 003

Boucher	Brooks	Monaco
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ABSENT WITH LEAVE: 013

Boykins	Campbell	Dolan	Ford	George
Green 73	Harlan	Overschmidt	Purgason	Troupe
Van Zandt	Walton	Ward		

VACANCIES: 001

Speaker Kreider read the following House Bills vetoed from the First Regular Session: **CCS SCS HCS HB 3, CCS SCS HCS HB 4, CCS SCS HCS HB 5, CCS SCS HCS HB 6, CCS SCS HCS HB 7, CCS SCS HCS HB 8, CCS SCS HCS HB 9.**

Representative Crawford moved that Section 9.500 of **CCS SCS HCS HB 9** be enacted into law, the objections of the Governor thereto notwithstanding.

Which motion was defeated by the following vote:

AYES: 073

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Bonner
Burcham	Burton	Byrd	Champion	Cierpiot
Cooper	Crawford	Crowell	Cunningham	Dempsey
Enz	Fares	Froelker	Gaskill	Griesheimer
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Hunter	Jetton	Kelley 47
Kelly 144	King	Legan	Levin	Linton
Long	Luetkemeyer	Marble	Marsh	May 149
Mayer	Miller	Moore	Murphy	Myers
Naeger	Nordwald	Ostmann	Phillips	Portwood
Quinn	Rector	Reid	Reinhart	Richardson
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Secrest	Shields	St. Onge	Surface
Townley	Vogel	Wright		

NOES: 077

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Boucher	Bowman	Bray 84	Britt
Brooks	Carnahan	Clayton	Coleman	Copenhaver
Crump	Curls	Daus	Davis	Farnen
Foley	Franklin	Fraser	Gambaro	Graham
Gratz	Green 15	Hagan-Harrell	Hampton	Harding
Harlan	Haywood	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Kelly 27	Kelly 36	Kennedy	Koller
Lawson	Liese	Lowe	Luetkenhaus	Mays 50
McKenna	Merideth	Monaco	O'Connor	O'Toole
Ransdall	Relford	Reynolds	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Thompson	Treadway	Villa	Wagner
Walton	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 012

Boykins	Campbell	Dolan	Ford	George
Green 73	Lograsso	Overschmidt	Purgason	Troupe
Van Zandt	Ward			

VACANCIES: 001

Speaker Kreider read the following House Bill vetoed from the First Regular Session: **CCS SCS HCS HB 10**.

Representative Lograsso moved that Section 10.420 of **CCS SCS HCS HB 10** be enacted into law, the objections of the Governor thereto notwithstanding.

Which motion was defeated by the following vote:

AYES: 079

Baker	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkstresser	Black
Boatright	Bonner	Brooks	Burcham	Burton
Byrd	Champion	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Enz	Fares
Froelker	Gaskill	Griesheimer	Hampton	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Hunter	Jolly	Kelley 47	Kelly 144
Kelly 36	King	Legan	Levin	Linton
Lograsso	Long	Luetkemeyer	Marble	May 149
Mayer	Merideth	Miller	Moore	Myers
Naeger	Nordwald	Ostmann	Phillips	Portwood
Quinn	Rector	Reid	Reinhart	Richardson
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Secrest	Shields	Shoemyer	St. Onge
Surface	Townley	Vogel	Wright	

NOES: 058

Abel	Barry 100	Berkowitz	Bland	Boucher
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Bowman	Bray 84	Britt	Carnahan	Clayton
Coleman	Copenhaver	Crump	Curls	Daus
Davis	Farnen	Foley	Franklin	Fraser
Gambaro	Graham	Gratz	Hagan-Harrell	Harding
Haywood	Hickey	Hilgemann	Hollingsworth	Johnson 61
Johnson 90	Kelly 27	Kennedy	Koller	Liese
Lowe	Mays 50	O'Connor	O'Toole	Ransdall
Relford	Reynolds	Scheve	Seigfreid	Selby
Shelton	Skaggs	Smith	Thompson	Treadway
Villa	Walton	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

PRESENT: 005

Hoppe	Luetkenhaus	McKenna	Monaco	Rizzo
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ABSENT WITH LEAVE: 020

Boykins	Campbell	Dolan	Ford	George
Green 15	Green 73	Harlan	Holt	Hosmer
Jetton	Lawson	Marsh	Murphy	Overschmidt
Purgason	Troupe	Van Zandt	Wagner	Ward

VACANCIES: 001

Representative Lograsso requested a verification of the roll call on the vote to override the Governor's veto on Section 10.420 of **CCS SCS HCS HB 10**.

Speaker Kreider read the following House Bill vetoed from the First Regular Session: **CCS SCS HCS HB 11**.

Representative Holand moved that Section 11.220 of **CCS SCS HCS HB 11** be enacted into law, the objections of the Governor thereto notwithstanding.

Which motion was defeated by the following vote:

AYES: 088

Baker	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkstresser	Black
Boatright	Bonner	Burcham	Burton	Byrd
Champion	Cierpiot	Cooper	Crawford	Crowell
Cunningham	Dempsey	Enz	Fares	Froelker
Gaskill	Green 15	Griesheimer	Hampton	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hilgemann
Hohulin	Holand	Hosmer	Hunter	Jetton
Jolly	Kelley 47	Kelly 144	King	Lawson
Legan	Levin	Linton	Long	Luetkemeyer
Marble	Marsh	May 149	Mayer	Miller
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Phillips	Portwood
Quinn	Rector	Reid	Reinhart	Richardson
Ridgeway	Roark	Robirds	Ross	Schwab

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Scott	Secrest	Seigfreid	Selby	Shields
Shoemyer	St. Onge	Surface	Thompson	Townley
Vogel	Whorton	Wright		

NOES: 017

Boucher	Bowman	Britt	Coleman	Farnen
Foley	Franklin	Hagan-Harrell	Johnson 61	Liese
Mays 50	Relford	Reynolds	Shelton	Villa
Walton	Williams			

PRESENT: 038

Abel	Barry 100	Berkowitz	Bland	Bray 84
Carnahan	Clayton	Copenhaver	Crump	Curls
Daus	Davis	Fraser	Gambaro	Graham
Harding	Haywood	Hickey	Hollingsworth	Holt
Hoppe	Johnson 90	Kelly 27	Kelly 36	Kennedy
Lowe	McKenna	Monaco	Ransdall	Rizzo
Scheve	Skaggs	Smith	Treadway	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

ABSENT WITH LEAVE: 019

Boykins	Brooks	Campbell	Dolan	Ford
George	Gratz	Green 73	Harlan	Koller
Lograsso	Luetkenhaus	Merideth	Overschmidt	Purgason
Troupe	Van Zandt	Wagner	Ward	

VACANCIES: 001

Representative Holand requested a verification of the roll call on the vote to override the Governor's veto on Section 11.220 of **CCS SCS HCS HB 11**.

Representative Smith assumed the Chair.

Representative Myers moved that Section 11.430 of **CCS SCS HCS HB 11** be enacted into law, the objections of the Governor thereto notwithstanding.

Which motion was defeated by the following vote:

AYES: 085

Baker	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkstresser	Black
Boatright	Bonner	Burcham	Burton	Byrd
Champion	Cierpiot	Cooper	Crawford	Crowell
Cunningham	Dempsey	Enz	Fares	Froelker
Gaskill	Griesheimer	Hampton	Hanaway	Hartzler
Hegeman	Henderson	Hendrickson	Hohulin	Holand
Hosmer	Hunter	Jetton	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Lawson	Legan
Levin	Linton	Lograsso	Long	Luetkemeyer
Marble	Marsh	May 149	Mayer	Merideth
Miller	Moore	Murphy	Myers	Naeger

Nordwald	O'Connor	O'Toole	Ostmann	Phillips
Portwood	Quinn	Rector	Reid	Reinhart
Richardson	Ridgeway	Roark	Robirds	Ross
Schwab	Scott	Secrest	Shields	St. Onge
Surface	Townley	Vogel	Willoughby	Wright

NOES: 031

Abel	Bowman	Bray 84	Britt	Carnahan
Clayton	Coleman	Daus	Davis	Farnen
Foley	Franklin	Fraser	Hagan-Harrell	Hickey
Koller	Liese	Mays 50	Overschmidt	Reynolds
Seigfreid	Selby	Shelton	Smith	Villa
Wagner	Walton	Whorton	Williams	Wilson 42
Mr. Speaker				

PRESENT: 035

Barry 100	Berkowitz	Bland	Boucher	Brooks
Copenhaver	Crump	Curls	Gambaro	Graham
Gratz	Green 15	Harding	Haywood	Hilgemann
Hollingsworth	Holt	Hoppe	Johnson 61	Johnson 90
Jolly	Kennedy	Lowe	Luetkenhaus	McKenna
Monaco	Ransdall	Relford	Rizzo	Scheve
Shoemyer	Skaggs	Thompson	Treadway	Wilson 25

ABSENT WITH LEAVE: 011

Boykins	Campbell	Dolan	Ford	George
Green 73	Harlan	Purgason	Troupe	Van Zandt
Ward				

VACANCIES: 001

Representative Myers requested a verification of the roll call on the vote to override the Governor's veto on Section 11.430 of **CCS SCS HCS HB 11**.

Representative Berkstresser moved that Section 11.250 of **CCS SCS HCS HB 11** be enacted into law, the objections of the Governor thereto notwithstanding.

Which motion was defeated by the following vote:

AYES: 082

Baker	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkstresser	Black
Boatright	Bonner	Boucher	Burcham	Burton
Byrd	Champion	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Daus	Dempsey	Enz
Fares	Froelker	Gaskill	Green 15	Griesheimer
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Hosmer	Jetton	Jolly
Kelley 47	Kelly 144	King	Legan	Levin
Linton	Lograsso	Long	Luetkemeyer	Marble

Marsh	May 149	Mayer	Miller	Moore
Murphy	Myers	Naeger	Nordwald	Ostmann
Phillips	Portwood	Quinn	Rector	Reid
Reinhart	Richardson	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Secrest	Seigfreid
Shields	St. Onge	Surface	Townley	Vogel
Whorton	Wright			

NOES: 041

Bray 84	Britt	Carnahan	Coleman	Copenhaver
Crump	Davis	Farnen	Foley	Franklin
Fraser	Gambaro	Hagan-Harrell	Harding	Hickey
Hilgemann	Hollingsworth	Holt	Johnson 90	Kelly 27
Kelly 36	Koller	Liese	Mays 50	McKenna
Merideth	O'Connor	O'Toole	Overschmidt	Relford

Reynolds	Selby	Shelton	Shoemyer	Smith
Villa	Wagner	Walton	Williams	Willoughby
Wilson 25				

PRESENT: 017

Barry 100	Berkowitz	Bland	Brooks	Curls
Graham	Gratz	Hampton	Haywood	Kennedy
Monaco	Ransdall	Rizzo	Scheve	Thompson
Treadway	Wilson 42			

ABSENT WITH LEAVE: 022

Abel	Bowman	Boykins	Campbell	Clayton
Dolan	Ford	George	Green 73	Harlan
Hoppe	Hunter	Johnson 61	Lawson	Lowe
Luetkenhaus	Purgason	Skaggs	Troupe	Van Zandt
Ward	Mr. Speaker			

VACANCIES: 001

Representative Reid requested a verification of the roll call on the vote to override the Governor's veto on Section 11.250 of **CCS SCS HCS HB 11**.

Representative Crowell moved that Section 11.225 of **CCS SCS HCS HB 11** be enacted into law, the objections of the Governor thereto notwithstanding.

Which motion was defeated by the following vote:

AYES: 079

Baker	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkstresser	Black
Boatright	Bonner	Britt	Burcham	Burton
Byrd	Champion	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Enz	Fares
Froelker	Gaskill	Green 15	Griesheimer	Hampton
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson

Hohulin	Holand	Hunter	Jetton	Kelley 47
Kelly 144	King	Legan	Levin	Linton
Lograsso	Luetkemeyer	Marble	Marsh	May 149
Mayer	Merideth	Miller	Moore	Murphy
Myers	Naeger	Nordwald	Ostmann	Phillips
Portwood	Quinn	Rector	Reid	Reinhart
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Secrest	Shields	Shoemyer	St. Onge
Surface	Townley	Vogel	Wright	

NOES: 052

Berkowitz	Bland	Bowman	Bray 84	Brooks
Carnahan	Clayton	Coleman	Copenhaver	Crump
Curls	Daus	Davis	Farnen	Foley
Franklin	Fraser	Gambaro	Graham	Hagan-Harrell
Harding	Haywood	Hickey	Hilgemann	Hollingsworth
Holt	Hosmer	Johnson 90	Kelly 27	Kelly 36
Koller	Lawson	Liese	Mays 50	McKenna
O'Connor	O'Toole	Relford	Reynolds	Seigfreid
Selby	Shelton	Thompson	Villa	Wagner
Walton	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

PRESENT: 011

Barry 100	Boucher	Gratz	Johnson 61	Jolly
Kennedy	Luetkenhaus	Monaco	Ransdall	Skaggs
Treadway				

ABSENT WITH LEAVE: 020

Abel	Boykins	Campbell	Dolan	Ford
George	Green 73	Harlan	Hoppe	Long
Lowe	Overschmidt	Purgason	Richardson	Rizzo
Scheve	Smith	Troupe	Van Zandt	Ward

VACANCIES: 001

Representative Smith read the following House Bills vetoed from the First Regular Session:
CCS SCS HCS HB 12, CCS SCS HB 16, CCS SCS HCS HB 19.

Representative Shields moved that Section 19.086 of **CCS SCS HCS HB 19** be enacted into law, the objections of the Governor thereto notwithstanding.

Which motion was defeated by the following vote:

AYES: 076

Barnett	Bartelsmeyer	Bartle	Bearden	Behnen
Berkstresser	Black	Boatright	Bonner	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Davis	Dempsey
Enz	Fares	Froelker	Gaskill	Griesheimer
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Hunter	Jetton	Kelley 47

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Kelly 144	Kelly 27	King	Lawson	Levin
Linton	Lograsso	Luetkemeyer	Marble	Marsh
May 149	Mayer	Miller	Moore	Murphy
Myers	Naeger	Nordwald	Ostmann	Phillips
Portwood	Quinn	Rector	Reid	Reinhart
Relford	Richardson	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Secrest	Shields
St. Onge	Surface	Townley	Vogel	Whorton
Wright				

NOES: 055

Abel	Barnitz	Barry 100	Berkowitz	Bland
Boucher	Bowman	Bray 84	Britt	Brooks
Carnahan	Clayton	Coleman	Copenhaver	Crump
Curls	Daus	Farnen	Foley	Franklin
Fraser	Gambara	Graham	Hagan-Harrell	Harding
Haywood	Hilgemann	Hollingsworth	Holt	Hosmer
Johnson 90	Jolly	Kelly 36	Liese	Mays 50
McKenna	Merideth	O'Connor	O'Toole	Overschmidt
Reynolds	Seigfreid	Selby	Shoemyer	Smith
Thompson	Treadway	Villa	Wagner	Walton
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

PRESENT: 008

Gratz	Green 15	Hampton	Johnson 61	Kennedy
Rizzo	Scheve	Skaggs		

ABSENT WITH LEAVE: 023

Baker	Ballard	Boykins	Campbell	Dolan
Ford	George	Green 73	Harlan	Hickey
Hoppe	Koller	Legan	Long	Lowe
Luetkenhaus	Monaco	Purgason	Ransdall	Shelton
Troupe	Van Zandt	Ward		

VACANCIES: 001

Representative Smith read the following House Bills vetoed from the First Regular Session:
SS SCS HB 185, HB 725 and HB 909.

HOUSE RESOLUTION

Representative Crump offered **House Resolution No. 2.**

HOUSE RESOLUTION NO. 2

BE IT FURTHER RESOLVED, by the House of Representatives, that the Chief Clerk of the House inform the Senate that the House, having been duly convened as provided by Section 32, Article III of the Constitution, made no motions to override the Governor's vetoes on **CCS SCS HCS HB 3, CCS SCS HCS HB 4, CCS SCS HCS HB 5, CCS SCS HCS HB 6, CCS SCS HCS HB 7, CCS SCS HCS HB 8, CCS SCS HCS HB 12, CCS SCS HB 16, SS SCS HB 185, HB 725 and HB 909** when the bills were called by the Speaker.

On motion of Representative Crump, Rule 63 was suspended and **House Resolution No. 2**

was adopted by the following vote:

AYES: 110

Barnett	Barnitz	Barry 100	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Black	Bland
Bonner	Boucher	Bowman	Bray 84	Britt
Brooks	Burton	Carnahan	Champion	Clayton
Coleman	Copenhaver	Crawford	Crump	Curls
Daus	Davis	Dempsey	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Harding	Hartzler
Haywood	Hegeman	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Kelly 27	Kelly 36
Kennedy	Lawson	Levin	Liese	Lowe
Marsh	May 149	Mays 50	McKenna	Merideth
Moore	Murphy	Nordwald	O'Connor	Ostmann
O'Toole	Overschmidt	Portwood	Quinn	Rector
Reid	Relford	Reynolds	Rizzo	Robirds
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Villa	Wagner	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 027

Boatright	Burcham	Byrd	Cierpiot	Cooper
Crowell	Cunningham	Hanaway	Henderson	Hohulin
Hunter	Jetton	Kelley 47	Kelly 144	King
Linton	Lograsso	Luetkemeyer	Mayer	Miller
Myers	Phillips	Reinhart	Ridgeway	Roark
Ross	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 025

Abel	Baker	Ballard	Berkstresser	Boykins
Campbell	Dolan	Ford	George	Green 73
Harlan	Koller	Legan	Long	Luetkenhaus
Marble	Monaco	Naeger	Purgason	Ransdall
Richardson	Shelton	Troupe	Van Zandt	Vogel

VACANCIES: 001

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SR 1**.

SENATE RESOLUTION NO. 1

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the

Senate is duly convened and is now in session as provided by Section 32, Article III of the Constitution and is ready for the consideration of its business.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SR 3**.

SENATE RESOLUTION NO. 3

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the Senate, having been duly convened as provided by Section 32, Article III of the Constitution, made no motion to override the Governor's vetoes of Senate Bill No. 207; Senate Committee Substitute for Senate Bill No. 270; Senate Committee Substitute for Senate Bill No. 341; Senate Committee Substitute for Senate Bill No. 387 and Senate Revision Bill No. 606 when the bills were so called by the President.

The following member's presence was noted: Dolan.

ADJOURNMENT

On motion of Representative Crump, the Veto Session of the Ninety-first General Assembly, First Regular Session, was adjourned sine die pursuant to Article III, Section 32 of the Constitution.